

Date: 9 May 2016

Dear Sir/Madam,

ANNUAL COUNCIL MEETING – 17 MAY 2016

Notice is hereby given that the Annual Meeting of the Newark and Sherwood District Council will be held in the Council Chamber, Kelham Hall on Tuesday, 17 May 2016 at 6.00pm.

Yours faithfully



A.W. Muter
Chief Executive

AGENDA

Pages

- | | | |
|----|---|--------|
| 1. | Apologies for absence | |
| 2. | Election of Chairman of the Council for 2016/17 | |
| 3. | Chairman to Sign Declaration of Acceptance of Office | |
| 4. | Election of Vice-Chairman of the Council for 2016/17 | |
| 5. | Vice-Chairman to Sign Declaration of Acceptance of Office | |
| 6. | Minutes of the meeting held on 10 March 2016 | 4 – 25 |
| 7. | Declarations of Interests by Members and Officers | |
| 8. | Declaration of any Intentions to Record the Meeting | |

9. Communications which the Chairman or the Chief Executive may wish to lay before the Council
10. Communications which the Leader of the Council and Committee Chairmen may wish to lay before the Council
11. Questions from Members of the Public
12. In accordance with Rule No. 10 to receive Petitions from Members of the Council (if any)
13. Political Composition of the Council and Allocation of Seats on Committees to Political Groups 26 - 28
14. To appoint the Leader and Deputy Leader of the Council, Committee Chairmen and Vice-Chairmen, Major Opposition Group Spokespersons, Members to Committees and Substitute Members to Committees To Follow
15. Appointment of Representatives on Outside Bodies and Council Owned Companies 29
16. Rule No. 4.8 – Appointment of a Panel 30
17. Appointment of Section 151 Officer 31 - 32
18. Southwell Neighbourhood Plan 33 - 73
20. Notices of Motion (if any)
 - (i) In accordance with Rule No 13.1, Councillor Keith Girling will move and Councillor R.V. Blaney will second a motion to the following effect:

“That the Council review its CCTV’s effectiveness and ascertain how often the police review tapes and to what level of offence they would review them in order to help solve crimes.”
 - (ii) In accordance with Rule No 13.1, Councillor Keith Girling will move and Councillor R.V. Blaney will second a motion to the following effect:

“The Council review its policy on the raised bollards, which control traffic into Newark’s Market Square and assess their effectiveness for preventing unauthorised access and allowing deliveries to take place.”
21. Questions from Members of the Council

MINUTES FOR NOTING

22. (a) Policy & Finance Committee – 24 March 2016

PF1 – PF5
(Exempt) PF6– PF8

(b) Economic Development Committee

- | | | |
|------|---------------|------------|
| (i) | 23 March 2016 | ED1 – ED5 |
| (ii) | 30 March 2016 | ED6 – ED12 |

(c) Homes & Communities Committee – 21 March 2016 HC1 – HC5

(d) Leisure & Environment – 12 April 2016 LE1 – LE6

(e) General Purposes Committee – 17 March 2016 GP1 – GP4

(f) Licensing Committee – 17 March 2016 L1 – L3

(g) Audit and Accounts Committee – 27 April 2016 AA1 – AA5

(h) Planning Committee

- | | | |
|-------|---------------|----------------------------|
| (i) | 5 April 2016 | PL1 – PL9
(exempt) PL10 |
| (ii) | 20 April 2016 | PL11 – PL13 |
| (iii) | 3 May 2016 | To Follow |

(i) Standards Committee – 16 March 2016 ST1 – ST4

NOTES:

- (1) The Conservative Group will meet at 5.00pm in Room G21 prior to the Council Meeting.
- (2) The Labour Group will meet at 5.00pm in Room G23 prior to the Council Meeting.
- (3) The Independent Group will meet at 5.00pm in Room F19 prior to the Council Meeting.
- (4) Tea and coffee will be available in the Group Meeting Rooms.

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of **NEWARK AND SHERWOOD DISTRICT COUNCIL** held in the Council Chamber, Kelham Hall, Newark on Tuesday, 10 March 2016 at 6.00pm.

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

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

APOLOGIES FOR ABSENCE: Councillors: Mrs C. Brooks, G. Brooks, M. Buttery, D.J. Clarke, Mrs S. Soar, F. Taylor and D. Thompson.

63. MINUTES

AGREED that the minutes of the Meeting held on 9 February 2016 be approved as a correct record and signed by the Chairman.

64. DECLARATIONS OF INTERESTS BY MEMBERS AND OFFICERS

NOTED:- (a) the interest declared as shown on the schedule circulated at the meeting; and

(b) the additional interests which were declared at the meeting as follows:

Members

Agenda Item No.

Councillors Mrs R. Crowe, R. Crowe, Mrs M. Dobson and I. Walker.	Agenda Item No. 21 – Delegated Decisions – Planning Committee – 1 March 2016 – Minute No. 151 - Former Piano School, Mount Lane, Newark (15/01260/FULM) - Personal Interests as Trustees of St. Leonards Trust.
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65. 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.

66. COMMUNICATIONS FROM CHAIRMAN/CHIEF EXECUTIVE

The Chairman reminded Members of the Civic event to be held on Saturday 12 March 2016 at 6.30pm at the National Civil War Centre, Newark.

The Chief Executive informed the Council of the early retirement of Lisa Lancaster - the Business Manager - Community Safety - due to ill health.

67. COMMUNICATIONS FROM THE LEADER OF THE COUNCIL AND COMMITTEE CHAIRMEN

Councillor R.V. Blaney provided an update for the Council in respect of devolution. He advised that thirteen of nineteen authorities from the Nottinghamshire and Derbyshire area still wished to continue to explore options for devolved powers. He confirmed that Chesterfield had indicated that they wished to become a constituent member of the Sheffield City Region and it was considered likely that Bassetlaw would do the same, and there were four other authorities within Derbyshire who had indicated they did not wish to proceed.

Councillor R.B. Laughton, as Chairman of the Homes & Communities Committee, advised that the Council had been successful in securing £1.5m Homes and Communities Agency funding for the extra care scheme proposals on Bowbridge Road, Newark.

68. REVENUE BUDGET AND COUNCIL TAX SETTING FOR 2016/17

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 2016/2017.

The report indicated that, in setting the level of Council Tax for 2016/2017, it was necessary to consider the requirements of the Council Tax Collection Fund for 2016/2017. 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 25 February 2016, recommended that the District Council's Council Tax Requirement for 2016/2017, excluding Parish Council precepts, should be £11,193,930 as detailed in the Council's Budget Book for 2016/2017. 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 and these totalled £2,577,404.96 making a total Council Tax Requirement for the District Council of £13,771,334.96. Nottinghamshire County Council had set a precept on Newark & Sherwood District Council's Collection fund for 2016/2017 of £48,243,451, the Nottinghamshire Police & Crime Commissioner had set a precept on Newark & Sherwood District Council's Collection fund for 2016/2017 of £6,724,837.90 and the Nottingham and Nottinghamshire Fire and Rescue Service had proposed a precept on Newark & Sherwood District Council's Collection fund for 2016/2017 of £2,760,432.

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 2016/2017 and the medium term plan for 2016/17 to 2020/21, as submitted in the Council's Budget book be approved;
2. it be noted that the following amounts have been determined for the year 2016/2017 in accordance with regulations made under Section 31(B) of the Local Government Finance Act 1992:-
 - (a) 37,378.90 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) £38,550,196 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	22.87
2	Averham	111.47
3	Balderton	2,987.82
4	Barnby in the Willows	105.73
5	Bathley	114.74
6	Besthorpe	79.89
7	Bilsthorpe	859.42
8	Bleasby	385.80
9	Blidworth	1,067.62
10	Bulcote	137.91
11	Carlton-on-Trent	86.62
12	Caunton	198.99
13	Caythorpe	141.17
14	Clipstone	1,178.40
15	Coddington	547.57
16	Collingham	1,095.24
17	Cotham	41.58
18	Cromwell	98.60
19	Eakring	173.25
20	East Stoke	52.87
21	Edingley	180.87
22	Edwinstowe	1,657.56
23	Egmanton	129.00
24	Elston	268.29
25	Epperstone	262.25
26	Farndon	802.69
27	Farnsfield	1,118.50

28	Fiskerton-cum-Morton	413.52
29	Girton and Meering	50.19
30	Gonalston	47.12
31	Grassthorpe	25.24
32	Gunthorpe	310.76
33	Halam	191.17
34	Halloughton	38.02
35	Harby	112.56
36	Hawton	33.66
37	Hockerton	80.49
38	Holme	38.91
39	Hoveringham	169.29
40	Kelham	85.93
41	Kersall	22.27
42	Kilvington	13.66
43	Kirklington	169.09
44	Kirton	112.66
45	Kneesall	89.30
46	Langford	41.28
47	Laxton & Moorhouse	112.17
48	Lowdham	990.99
49	Lyndhurst	5.84
50	Maplebeck	46.63
51	Meering	-
52	Newark	7,954.95
53	North Clifton	71.48
54	North Muskham	394.91
55	Norwell	210.87
56	Ollerton and Boughton	2,532.62
57	Ompton	21.98
58	Ossington	39.70
59	Oxton	264.92
60	Perlethorpe-cum-Budby	72.96
61	Rainworth	1,748.93
62	Rolleston	156.62
63	Rufford	229.28
64	South Clifton	119.59
65	South Muskham	193.05
66	South Scarle	87.12
67	Southwell	2,808.04
68	Spalford	32.57
69	Staunton	26.14
70	Staythorpe	42.17
71	Sutton-on-Trent	495.30
72	Syerston	89.10
73	Thorney	94.74
74	Thorpe	33.66
75	Thurgarton	223.54

76	Upton	185.62
77	Walesby	416.59
78	Wellow	190.18
79	Weston	134.05
80	Wigsley	42.97
81	Winkburn	31.38
82	Winthorpe	284.72
83	Fernwood	919.12
84	Kings Clipstone	122.56
	Total Rounded	37,378.90

PARISHES GROUPED FOR PRECEPT PURPOSES

	Averham, Kelham, Staythorpe	239.57
	Kneesall, Kersall, Ompton	133.55
	Winthorpe, Langford	326.00
	East Stoke, Thorpe	86.53

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 2016/2017 in accordance with Sections 31 to 36 of the Local Government Finance Act 1992:-**
- (a) £79,739,744.96 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) £65,968,410.00 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) £13,771,334.96 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) £5,032,091.00 being the amount of Revenue Support Grant (£1,776,668 and net retained Business Rates (£3,255,423) which the Council estimates will be payable for the year into its general fund;

- (e) £37,378.90 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) £232.81 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) £2,577,304.96 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) £163.85 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	163.85
2	Averham	*
3	Balderton	249.01
4	Barnby in the Willows	187.50
5	Bathley	175.75
6	Besthorpe	237.50
7	Bilsthorpe	233.66
8	Bleasby	191.07
9	Blidworth	231.18
10	Bulcote	185.60
11	Carlton-on-Trent	196.94
12	Caunton	187.72
13	Caythorpe	178.02
14	Clipstone	240.52
15	Coddington	189.89
16	Collingham	186.85

17	Cotham	163.85
18	Cromwell	172.47
19	Eakring	184.98
20	East Stoke	****
21	Edingley	185.97
22	Edwinstowe	230.43
23	Egmanton	176.64
24	Elston	227.21
25	Epperstone	195.90
26	Farndon	227.39
27	Farnsfield	219.67
28	Fiskerton-cum-Morton	180.54
29	Girton and Meering	192.42
30	Gonalston	163.85
31	Grassthorpe	163.85
32	Gunthorpe	217.81
33	Halam	203.08
34	Halloughton	174.37
35	Harby	191.71
36	Hawton	200.99
37	Hockerton	174.41
38	Holme	163.85
39	Hoveringham	233.94
40	Kelham	*
41	Kersall	**
42	Kilvington	163.85
43	Kirklington	195.19
44	Kirton	208.23
45	Kneesall	**
46	Langford	***
47	Laxton & Moorhouse	190.60
48	Lowdham	230.74
49	Lyndhurst	163.85
50	Maplebeck	163.85
51	Meering	163.85
52	Newark	268.67
53	North Clifton	183.44
54	North Muskham	203.09
55	Norwell	185.66
56	Ollerton and Boughton	288.57
57	Ompton	**
58	Ossington	163.85
59	Oxton	199.71
60	Perlethorpe-cum-Budby	184.41
61	Rainworth	196.73
62	Rolleston	203.76
63	Rufford	182.76
64	South Clifton	172.46

65	South Muskham	213.06
66	South Scarle	206.32
67	Southwell	234.86
68	Spalford	163.85
69	Staunton	163.85
70	Staythorpe	*
71	Sutton-on-Trent	208.19
72	Syerston	171.71
73	Thorney	185.38
74	Thorpe	****
75	Thurgarton	188.45
76	Upton	198.26
77	Walesby	247.87
78	Wellow	192.77
79	Weston	190.47
80	Wigsley	163.85
81	Winkburn	163.85
82	Winthorpe	***
83	Fernwood	238.90
84	Kings Clipstone	241.36

PARISHES GROUPED FOR PRECEPT PURPOSES

	Parish	Basic Tax (£)
*	Averham, Kelham, Staythorpe	176.62
**	Kneesall, Kersall, Ompton	180.26
***	Winthorpe, Langford	190.14
****	East Stoke, Thorpe	192.74

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	Band A	Band B	Band C	Band D	Band E	Band F	Band G	Band H
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of:-

		£	£	£	£	£	£	£	£
1	Alverton	109.23	127.44	145.64	163.85	200.26	236.67	273.08	327.70
2	Averham	*	*	*	*	*	*	*	*
3	Balderton	166.01	193.67	221.34	249.01	304.35	359.68	415.02	498.02
4	Barnby in the Willows	125.00	145.83	166.67	187.50	229.17	270.83	312.50	375.00
5	Bathley	117.17	136.69	156.22	175.75	214.81	253.86	292.92	351.50
6	Besthorpe	158.33	184.72	211.11	237.50	290.28	343.06	395.83	475.00
7	Bilsthorpe	155.77	181.74	207.70	233.66	285.58	337.51	389.43	467.32
8	Bleasby	127.38	148.61	169.84	191.07	233.53	275.99	318.45	382.14
9	Blidworth	154.12	179.81	205.49	231.18	282.55	333.93	385.30	462.36
10	Bulcote	123.73	144.36	164.98	185.60	226.84	268.09	309.33	371.20
11	Carlton-on-Trent	131.29	153.18	175.06	196.94	240.70	284.47	328.23	393.88
12	Caunton	125.15	146.00	166.86	187.72	229.44	271.15	312.87	375.44
13	Caythorpe	118.68	138.46	158.24	178.02	217.58	257.14	296.70	356.04
14	Clipstone	160.35	187.07	213.80	240.52	293.97	347.42	400.87	481.04
15	Coddington	126.59	147.69	168.79	189.89	232.09	274.29	316.48	379.78
16	Collingham	124.57	145.33	166.09	186.85	228.37	269.89	311.42	373.70
17	Cotham	109.23	127.44	145.64	163.85	200.26	236.67	273.08	327.70
18	Cromwell	114.98	134.14	153.31	172.47	210.80	249.12	287.45	344.94
19	Eakring	123.32	143.87	164.43	184.98	226.09	267.19	308.30	369.96
20	East Stoke	****	****	****	****	****	****	****	****
21	Edingley	123.98	144.64	165.31	185.97	227.30	268.62	309.95	371.94
22	Edwinstowe	153.62	179.22	204.83	230.43	281.64	332.84	384.05	460.86
23	Egmanton	117.76	137.39	157.01	176.64	215.89	255.15	294.40	353.28
24	Elston	151.47	176.72	201.96	227.21	277.70	328.19	378.68	454.42
25	Epperstone	130.60	152.37	174.13	195.90	239.43	282.97	326.50	391.80
26	Farndon	151.59	176.86	202.12	227.39	277.92	328.45	378.98	454.78
27	Farnsfield	146.45	170.85	195.26	219.67	268.49	317.30	366.12	439.34
28	Fiskerton-cum-Morton	120.36	140.42	160.48	180.54	220.66	260.78	300.90	361.08
29	Girton	128.28	149.66	171.04	192.42	235.18	277.94	320.70	384.84
30	Gonalston	109.23	127.44	145.64	163.85	200.26	236.67	273.08	327.70
31	Grassthorpe	109.23	127.44	145.64	163.85	200.26	236.67	273.08	327.70
32	Gunthorpe	145.21	169.41	193.61	217.81	266.21	314.61	363.02	435.62
33	Halam	135.39	157.95	180.52	203.08	248.21	293.34	338.47	406.16
34	Halloughton	116.25	135.62	155.00	174.37	213.12	251.87	290.62	348.74
35	Harby	127.81	149.11	170.41	191.71	234.31	276.91	319.52	383.42
36	Hawton	133.99	156.33	178.66	200.99	245.65	290.32	334.98	401.98
37	Hockerton	116.27	135.65	155.03	174.41	213.17	251.93	290.68	348.82
38	Holme	109.23	127.44	145.64	163.85	200.26	236.67	273.08	327.70
39	Hoveringham	155.96	181.95	207.95	233.94	285.93	337.91	389.90	467.88

40	Kelham	*	*	*	*	*	*	*	*
41	Kersall	**	**	**	**	**	**	**	**
42	Kilvington	109.23	127.44	145.64	163.85	200.26	236.67	273.08	327.70
43	Kirklington	130.13	151.81	173.50	195.19	238.57	281.94	325.32	390.38
44	Kirton	138.82	161.96	185.09	208.23	254.50	300.78	347.05	416.46
45	Kneesall	**	**	**	**	**	**	**	**
46	Langford	***	***	***	***	***	***	***	***
47	Laxton & Moorhouse	127.07	148.24	169.42	190.60	232.96	275.31	317.67	381.20
48	Lowdham	153.83	179.46	205.10	230.74	282.02	333.29	384.57	461.48
49	Lyndhurst	109.23	127.44	145.64	163.85	200.26	236.67	273.08	327.70
50	Maplebeck	109.23	127.44	145.64	163.85	200.26	236.67	273.08	327.70
51	Meering	109.23	127.44	145.64	163.85	200.26	236.67	273.08	327.70
52	Newark	179.11	208.97	238.82	268.67	328.37	388.08	447.78	537.34
53	North Clifton	122.29	142.68	163.06	183.44	224.20	264.97	305.73	366.88
54	North Muskham	135.39	157.96	180.52	203.09	248.22	293.35	338.48	406.18
55	Norwell	123.77	144.40	165.03	185.66	226.92	268.18	309.43	371.32
56	Ollerton and Boughton	192.38	224.44	256.51	288.57	352.70	416.82	480.95	577.14
57	Ompton	**	**	**	**	**	**	**	**
58	Ossington	109.23	127.44	145.64	163.85	200.26	236.67	273.08	327.70
59	Oxton	133.14	155.33	177.52	199.71	244.09	288.47	332.85	399.42
60	Perlethorpe-cum-Budby	122.94	143.43	163.92	184.41	225.39	266.37	307.35	368.82
61	Rainworth	131.15	153.01	174.87	196.73	240.45	284.17	327.88	393.46
62	Rolleston	135.84	158.48	181.12	203.76	249.04	294.32	339.60	407.52
63	Rufford	121.84	142.15	162.45	182.76	223.37	263.99	304.60	365.52
64	South Clifton	114.97	134.14	153.30	172.46	210.78	249.11	287.43	344.92
65	South Muskham	142.04	165.71	189.39	213.06	260.41	307.75	355.10	426.12
66	South Scarle	137.55	160.47	183.40	206.32	252.17	298.02	343.87	412.64
67	Southwell	156.57	182.67	208.76	234.86	287.05	339.24	391.43	469.72
68	Spalford	109.23	127.44	145.64	163.85	200.26	236.67	273.08	327.70
69	Staunton	109.23	127.44	145.64	163.85	200.26	236.67	273.08	327.70
70	Staythorpe	*	*	*	*	*	*	*	*
71	Sutton-on-Trent	138.79	161.93	185.06	208.19	254.45	300.72	346.98	416.38
72	Syerston	114.47	133.55	152.63	171.71	209.87	248.03	286.18	343.42
73	Thorney	123.59	144.18	164.78	185.38	226.58	267.77	308.97	370.76
74	Thorpe	****	****	****	****	****	****	****	****
75	Thurgarton	125.63	146.57	167.51	188.45	230.33	272.21	314.08	376.90
76	Upton	132.17	154.20	176.23	198.26	242.32	286.38	330.43	396.52
77	Walesby	165.25	192.79	220.33	247.87	302.95	358.03	413.12	495.74
78	Wellow	128.51	149.93	171.35	192.77	235.61	278.45	321.28	385.54
79	Weston	126.98	148.14	169.31	190.47	232.80	275.12	317.45	380.94

80	Wigsley	109.23	127.44	145.64	163.85	200.26	236.67	273.08	327.70
81	Winkburn	109.23	127.44	145.64	163.85	200.26	236.67	273.08	327.70
82	Winthorpe	***	***	***	***	***	***	***	***
83	Fernwood	159.27	185.81	212.36	238.90	291.99	345.08	398.17	477.80
84	Kings Clipstone	160.91	187.72	214.54	241.36	295.00	348.63	402.27	482.72

Parishes joint for Precept purposes

*	Averham, Kelham, Staythorpe	117.75	137.37	157.00	176.62	215.87	255.12	294.37	353.24
**	Kneesall, Kersall, Ompton	120.17	140.20	160.23	180.26	220.32	260.38	300.43	360.52
** *	Winthorpe, Langford	126.76	147.89	169.01	190.14	232.39	274.65	316.90	380.28
** **	East Stoke, Thorpe	128.49	149.91	171.32	192.74	235.57	278.40	321.23	385.48

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 2016/2017 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
£	£	£	£	£	£	£	£
860.44	1,003.85	1,147.25	1,290.66	1,577.47	1,864.29	2,151.10	2,581.32

5. it be noted for the year 2016/2017 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
£	£	£	£	£	£	£	£
119.94	139.93	159.92	179.91	219.89	259.87	299.85	359.82

6. it be noted for the year 2016/2017 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
£	£	£	£	£	£	£	£
49.23	57.44	65.64	73.85	90.26	106.67	123.08	147.70

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 2016/2017 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	1,138.84	1,328.66	1,518.45	1,708.27	2,087.88	2,467.50	2,847.11	3,416.54
2	Averham	1,147.36	1,338.59	1,529.81	1,721.04	2,103.49	2,485.95	2,868.40	3,442.08
3	Balderton	1,195.62	1,394.89	1,594.15	1,793.43	2,191.97	2,590.51	2,989.05	3,586.86
4	Barnby in the Willows	1,154.61	1,347.05	1,539.48	1,731.92	2,116.79	2,501.66	2,886.53	3,463.84
5	Bathley	1,146.78	1,337.91	1,529.03	1,720.17	2,102.43	2,484.69	2,866.95	3,440.34
6	Besthorpe	1,187.94	1,385.94	1,583.92	1,781.92	2,177.90	2,573.89	2,969.86	3,563.84
7	Bilsthorpe	1,185.38	1,382.96	1,580.51	1,778.08	2,173.20	2,568.34	2,963.46	3,556.16
8	Bleasby	1,156.99	1,349.83	1,542.65	1,735.49	2,121.15	2,506.82	2,892.48	3,470.98
9	Blidworth	1,183.73	1,381.03	1,578.30	1,775.60	2,170.17	2,564.76	2,959.33	3,551.20
10	Bulcote	1,153.34	1,345.58	1,537.79	1,730.02	2,114.46	2,498.92	2,883.36	3,460.04
11	Carlton-on-Trent	1,160.90	1,354.40	1,547.87	1,741.36	2,128.32	2,515.30	2,902.26	3,482.72
12	Caunton	1,154.76	1,347.22	1,539.67	1,732.14	2,117.06	2,501.98	2,886.90	3,464.28
13	Caythorpe	1,148.29	1,339.68	1,531.05	1,722.44	2,105.20	2,487.97	2,870.73	3,444.88
14	Clipstone	1,189.96	1,388.29	1,586.61	1,784.94	2,181.59	2,578.25	2,974.90	3,569.88
15	Coddington	1,156.20	1,348.91	1,541.60	1,734.31	2,119.71	2,505.12	2,890.51	3,468.62
16	Collingham	1,154.18	1,346.55	1,538.90	1,731.27	2,115.99	2,500.72	2,885.45	3,462.54
17	Cotham	1,138.84	1,328.66	1,518.45	1,708.27	2,087.88	2,467.50	2,847.11	3,416.54
18	Cromwell	1,144.59	1,335.36	1,526.12	1,716.89	2,098.42	2,479.95	2,861.48	3,433.78
19	Eakring	1,152.93	1,345.09	1,537.24	1,729.40	2,113.71	2,498.02	2,882.33	3,458.80
20	East Stoke	1,158.10	1,351.13	1,544.13	1,737.16	2,123.19	2,509.23	2,895.26	3,474.32
21	Edingley	1,153.59	1,345.86	1,538.12	1,730.39	2,114.92	2,499.45	2,883.98	3,460.78
22	Edwinstowe	1,183.23	1,380.44	1,577.64	1,774.85	2,169.26	2,563.67	2,958.08	3,549.70
23	Egmanton	1,147.37	1,338.61	1,529.82	1,721.06	2,103.51	2,485.98	2,868.43	3,442.12
24	Elston	1,181.08	1,377.94	1,574.77	1,771.63	2,165.32	2,559.02	2,952.71	3,543.26
25	Epperstone	1,160.21	1,353.59	1,546.94	1,740.32	2,127.05	2,513.80	2,900.53	3,480.64
26	Farndon	1,181.20	1,378.08	1,574.93	1,771.81	2,165.54	2,559.28	2,953.01	3,543.62
27	Farnsfield	1,176.06	1,372.07	1,568.07	1,764.09	2,156.11	2,548.13	2,940.15	3,528.18

28	Fiskerton-cum-Morton	1,149.97	1,341.64	1,533.29	1,724.96	2,108.28	2,491.61	2,874.93	3,449.92
29	Girton	1,157.89	1,350.88	1,543.85	1,736.84	2,122.80	2,508.77	2,894.73	3,473.68
30	Gonalston	1,138.84	1,328.66	1,518.45	1,708.27	2,087.88	2,467.50	2,847.11	3,416.54
31	Grassthorpe	1,138.84	1,328.66	1,518.45	1,708.27	2,087.88	2,467.50	2,847.11	3,416.54
32	Gunthorpe	1,174.82	1,370.63	1,566.42	1,762.23	2,153.83	2,545.44	2,937.05	3,524.46
33	Halam	1,165.00	1,359.17	1,553.33	1,747.50	2,135.83	2,524.17	2,912.50	3,495.00
34	Halloughton	1,145.86	1,336.84	1,527.81	1,718.79	2,100.74	2,482.70	2,864.65	3,437.58
35	Harby	1,157.42	1,350.33	1,543.22	1,736.13	2,121.93	2,507.74	2,893.55	3,472.26
36	Hawton	1,163.60	1,357.55	1,551.47	1,745.41	2,133.27	2,521.15	2,909.01	3,490.82
37	Hockerton	1,145.88	1,336.87	1,527.84	1,718.83	2,100.79	2,482.76	2,864.71	3,437.66
38	Holme	1,138.84	1,328.66	1,518.45	1,708.27	2,087.88	2,467.50	2,847.11	3,416.54
39	Hoveringham	1,185.57	1,383.17	1,580.76	1,778.36	2,173.55	2,568.74	2,963.93	3,556.72
40	Kelham	1,147.36	1,338.59	1,529.81	1,721.04	2,103.49	2,485.95	2,868.40	3,442.08
41	Kersall	1,149.78	1,341.42	1,533.04	1,724.68	2,107.94	2,491.21	2,874.46	3,449.36
42	Kilvington	1,138.84	1,328.66	1,518.45	1,708.27	2,087.88	2,467.50	2,847.11	3,416.54
43	Kirklington	1,159.74	1,353.03	1,546.31	1,739.61	2,126.19	2,512.77	2,899.35	3,479.22
44	Kirton	1,168.43	1,363.18	1,557.90	1,752.65	2,142.12	2,531.61	2,921.08	3,505.30
45	Kneesall	1,149.78	1,341.42	1,533.04	1,724.68	2,107.94	2,491.21	2,874.46	3,449.36
46	Langford	1,156.37	1,349.11	1,541.82	1,734.56	2,120.01	2,505.48	2,890.93	3,469.12
47	Laxton & Moorhouse	1,156.68	1,349.46	1,542.23	1,735.02	2,120.58	2,506.14	2,891.70	3,470.04
48	Lowdham	1,183.44	1,380.68	1,577.91	1,775.16	2,169.64	2,564.12	2,958.60	3,550.32
49	Lyndhurst	1,138.84	1,328.66	1,518.45	1,708.27	2,087.88	2,467.50	2,847.11	3,416.54
50	Maplebeck	1,138.84	1,328.66	1,518.45	1,708.27	2,087.88	2,467.50	2,847.11	3,416.54
51	Meering	1,138.84	1,328.66	1,518.45	1,708.27	2,087.88	2,467.50	2,847.11	3,416.54
52	Newark	1,208.72	1,410.19	1,611.63	1,813.09	2,215.99	2,618.91	3,021.81	3,626.18
53	North Clifton	1,151.90	1,343.90	1,535.87	1,727.86	2,111.82	2,495.80	2,879.76	3,455.72
54	North Muskham	1,165.00	1,359.18	1,553.33	1,747.51	2,135.84	2,524.18	2,912.51	3,495.02
55	Norwell	1,153.38	1,345.62	1,537.84	1,730.08	2,114.54	2,499.01	2,883.46	3,460.16
56	Ollerton and Boughton	1,221.99	1,425.66	1,629.32	1,832.99	2,240.32	2,647.65	3,054.98	3,665.98
57	Ompton	1,149.78	1,341.42	1,533.04	1,724.68	2,107.94	2,491.21	2,874.46	3,449.36
58	Ossington	1,138.84	1,328.66	1,518.45	1,708.27	2,087.88	2,467.50	2,847.11	3,416.54
59	Oxton	1,162.75	1,356.55	1,550.33	1,744.13	2,131.71	2,519.30	2,906.88	3,488.26
60	Perlethorpe-cum-Budby	1,152.55	1,344.65	1,536.73	1,728.83	2,113.01	2,497.20	2,881.38	3,457.66
61	Rainworth	1,160.76	1,354.23	1,547.68	1,741.15	2,128.07	2,515.00	2,901.91	3,482.30
62	Rolleston	1,165.45	1,359.70	1,553.93	1,748.18	2,136.66	2,525.15	2,913.63	3,496.36
63	Rufford	1,151.45	1,343.37	1,535.26	1,727.18	2,110.99	2,494.82	2,878.63	3,454.36
64	South Clifton	1,144.58	1,335.36	1,526.11	1,716.88	2,098.40	2,479.94	2,861.46	3,433.76
65	South Muskham	1,171.65	1,366.93	1,562.20	1,757.48	2,148.03	2,538.58	2,929.13	3,514.96
66	South Scarle	1,167.16	1,361.69	1,556.21	1,750.74	2,139.79	2,528.85	2,917.90	3,501.48
67	Southwell	1,186.18	1,383.89	1,581.57	1,779.28	2,174.67	2,570.07	2,965.46	3,558.56
68	Spalford	1,138.84	1,328.66	1,518.45	1,708.27	2,087.88	2,467.50	2,847.11	3,416.54
69	Staunton	1,138.84	1,328.66	1,518.45	1,708.27	2,087.88	2,467.50	2,847.11	3,416.54
70	Staythorpe	1,147.36	1,338.59	1,529.81	1,721.04	2,103.49	2,485.95	2,868.40	3,442.08

71	Sutton-on-Trent	1,168.40	1,363.15	1,557.87	1,752.61	2,142.07	2,531.55	2,921.01	3,505.22
72	Syerston	1,144.08	1,334.77	1,525.44	1,716.13	2,097.49	2,478.86	2,860.21	3,432.26
73	Thorney	1,153.20	1,345.40	1,537.59	1,729.80	2,114.20	2,498.60	2,883.00	3,459.60
74	Thorpe	1,158.10	1,351.13	1,544.13	1,737.16	2,123.19	2,509.23	2,895.26	3,474.32
75	Thurgarton	1,155.24	1,347.79	1,540.32	1,732.87	2,117.95	2,503.04	2,888.11	3,465.74
76	Upton	1,161.78	1,355.42	1,549.04	1,742.68	2,129.94	2,517.21	2,904.46	3,485.36
77	Walesby	1,194.86	1,394.01	1,593.14	1,792.29	2,190.57	2,588.86	2,987.15	3,584.58
78	Wellow	1,158.12	1,351.15	1,544.16	1,737.19	2,123.23	2,509.28	2,895.31	3,474.38
79	Weston	1,156.59	1,349.36	1,542.12	1,734.89	2,120.42	2,505.95	2,891.48	3,469.78
80	Wigsley	1,138.84	1,328.66	1,518.45	1,708.27	2,087.88	2,467.50	2,847.11	3,416.54
81	Winkburn	1,138.84	1,328.66	1,518.45	1,708.27	2,087.88	2,467.50	2,847.11	3,416.54
82	Winthorpe	1,156.37	1,349.11	1,541.82	1,734.56	2,120.01	2,505.48	2,890.93	3,469.12
83	Fernwood	1,188.88	1,387.03	1,585.17	1,783.32	2,179.61	2,575.91	2,972.20	3,566.64
84	Kings Clipstone	1,190.52	1,388.94	1,587.35	1,785.78	2,182.62	2,579.46	2,976.30	3,571.56

Parishes joint for Precept purposes

*	Averham, Kelham, Staythorpe	1,147.36	1,338.59	1,529.81	1,721.04	2,103.49	2,485.95	2,868.40	3,442.08
**	Kneesall, Kersall, Ompton	1,149.78	1,341.42	1,533.04	1,724.68	2,107.94	2,491.21	2,874.46	3,449.36
***	Winthorpe, Langford	1,156.37	1,349.11	1,541.82	1,734.56	2,120.01	2,505.48	2,890.93	3,469.12
*** *	East Stoke, Thorpe	1,158.10	1,351.13	1,544.13	1,737.16	2,123.19	2,509.23	2,895.26	3,474.32

8. **determine that the Council's basic amount of Council Tax for 2016/17 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 2016/17. As the billing authority, the Council has not been notified by a major precepting authority that its relevant basic amount of Council Tax for 2016/17 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.1 a recorded vote was taken as follows:

Councillor	Vote
Mrs K. Arnold	For
D. Batey	For
R.V. Blaney	For
Mrs B.M. Brooks	For
Mrs I. Brown	For
M. Cope	For
Mrs R. Crowe	For
R.A. Crowe	For
Mrs G.E. Dawn	For
Mrs M. Dobson	For
P. Duncan	For

K. Girling	For
G.P. Handley	For
R.J. Jackson	For
B. Laughton	For
J. Lee	For
D.J. Lloyd	For
Mrs S. Michael	For
N. Mison	For
D.R. Payne	For
P. Peacock	For
Mrs P. Rainbow	For
A.C. Roberts	For
Mrs S.E. Saddington	For
D. Staples	For
Mrs L.M.J. Tift	For
Mrs A.A. Truswell	For
I. Walker	For
K. Walker	For
B. Wells	For
T. Wendels	For
Mrs Y. Woodhead	For

69. CAPITAL PROGRAMME 2016/17 – 2020/21

The Council considered the report of the Director – Resources which set out the proposed Capital Programme for the period 2016/17 – 2020/21. Following the Policy & Finance Committee’s consideration of the Capital Programme at its meeting on 25 February 2016 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 25 February 2016 which detailed the resources available, the Council’s existing committed programme and the priority schemes identified.

The Capital Programme for 2016/17 proposed investment of £44.6m (Housing Services £32.9m and General Fund £11.7m) over the five year period. The expenditure was financed by a combination of Government grants, third party contributions, capital receipts, revenue support through the Major Repairs Reserve) and internal / external borrowing.

AGREED (with 31 votes for and 1 vote 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 2016/17 to 2020/21 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 11 March 2016, 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 & Finance Committee for consideration.

70. TREASURY MANAGEMENT STRATEGY STATEMENT 2016/17

The Council considered the report of the Director – Resources which sought approval for the Council’s Treasury Management Strategy Statement for 2016/17. 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 10 February 2016 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; Investment training; Investment advisers; 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 Treasury Management 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.

71. PAY POLICY STATEMENT 2016

The Council considered the report of the Chief Executive which sought approval of the Pay Policy Statement for 2016/17. 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 2016/17 statement as follows:

- The statement has been updated to reflect revisions to the Living Wage recommended by the Living Wage Foundation during November 2015;
- A paragraph has been included to set out the Council's approach to how it will manage "off payroll" arrangements for individuals operating at Chief Officer level in accordance with the DCLG Guidance (March 2015) regarding Use of severance agreements and "off payroll" arrangements.
- An additional paragraph has been added to clarify the position in respect of appeals by Chief Officers against a decision of the Discretionary Payments Panel to reflect current policy so that there is a single source of reference.

The Policy & Finance Committee, at their meeting held on 25 February 2016, recommended the Pay Policy Statement to Council for adoption.

AGREED (unanimously) that the Pay Policy Statement for 2016/17 be approved.

72. STRATEGIC PRIORITIES

The Council considered the report of the Chief Executive which outlined proposals for the Council's strategic priorities for the next four years. The report proposed that the Council continue to use the current vision, namely, *'We want Newark and Sherwood's urban and rural communities to take pride in being vibrant, sustainable and having a high quality of life. To achieve this we want to deliver excellent, appropriate services and value for money'*.

It was also proposed that the Council continues to use the themes of People, Place, Prosperity and Public Service as themes to frame its strategic priorities and that the themes are of equal importance. These themes would be used to illustrate the impact of the four following groups of strategic priorities; homes, the economy; safety and cleanliness and healthiness. Proposals for these four groups of priorities were set out in detail in the report.

AGREED (unanimously) that the draft strategic priorities for the next four years as set out in the report be approved and the Council consult with key stakeholders on these draft priorities.

73. STANDARDS COMMITTEE

The Council considered the report of the Deputy Chief Executive which sought consideration of the recommendation of the Councillors' Commission that the Standards Committee be deleted from the committee structure with its remit being incorporated in to the Policy & Finance Committee.

At the Council meeting on 9 February Members considered the report of the Independent Remuneration Panel which raised the possibility of removing the Standards Committee from the committee structure given that it was no longer a statutory requirement to have a dedicated Standards Committee. This would also achieve a saving in removing the allowance currently paid to the Standards Committee Chair. As a result of the views expressed by the Independent Remuneration Panel, the Council requested that consideration be given as to how the remit of the Standards Committee might otherwise be discharged in the event of its removal from the committee structure. The Councillors' Commission considered this matter at their meeting held on 25 February 2016 and the report put forward agreed proposals for removing the Standards Committee from the existing committee structure.

AGREED (unanimously) that:

- (a) the Standards Committee be deleted from the Committee structure and its remit incorporated within the remit of the Policy & Finance Committee as set out in Appendix A of the report;
- (b) the co-opted parish representative and co-opted Independent Member to the Standards Committee not be reappointed to the Policy & Finance Committee or to any hearing panel of the Standards Committee for the reasons set out in the body of the report;
- (c) the delegated authority to the Monitoring Officer in respect of standards matters remain unchanged save for any consequential changes to reflect the deletion of a dedicated Standards Committee;
- (d) all procedures and protocols relating to standards matters be amended as necessary to reflect the fact that there is no longer a dedicated Standards Committee;
- (e) the above arrangements come into effect from the Annual Council meeting in May 2016 (when the appointment of the co-opted representative ceases in any event); and
- (f) the revised scheme of members allowances as set out at Appendix B be approved and incorporated within the Constitution.

74. COMMITTEE REMITS

The Council considered the report of the Deputy Chief Executive which sought changes to the remits Leisure & Environment, Economic Development and Audit & Accounts Committees.

The Councillors' Commission, at their meeting held on 25 February 2016, considered proposals to make changes to the remits of the Leisure & Environment, Economic Development and Audit & Accounts Committees. The proposed changes were set out in the report.

AGREED (unanimously) that:

- (a) the remits of the Leisure & Environment and Economic Development Committees be revised as set out in paragraph 2.3 of the report;
- (b) the remit of the Audit & Accounts Committee be extended as set out in paragraph 3.7 of the report; and
- (c) these changes be effective as from 1 April 2016.

75. COUNCILLOR G. BROOKS - CONTINUED ABSENCE

The Council considered the report of the Deputy Chief Executive which sought to further extend the authorisation for Councillor G. Brooks' continued absence, due to illness, as provided by Section 85 of the Local Government Act 1972. At the meeting held on 10 November 2016 the Council approved Councillor Brooks' absence for a six month period. As such, the original six month period came to an end on 10th May 2016 and this was the last scheduled Full Council Meeting prior to this date.

AGREED (unanimously) that Councillor G. Brooks' continued absence, due to illness, be approved in accordance with Section 85 of the Local Government Act 1972, for a further six month period.

76. COMMUNITY GOVERNANCE REVIEW

The Council considered the report of the Chief Executive which sought approval for final proposals in respect of the Community Governance Review of Caythorpe Parish Council. At their meeting held on 9 February 2016 the Council approved draft proposals for the review of Caythorpe Parish Council which would increase the number of parish councillors from five to six. The consultation on the draft proposals opened on 10 February 2016 and closed on 29 February 2016. Only one response was received during the consultation process from Caythorpe Parish Council supporting the draft proposals.

AGREED (unanimously) that:

- (a) the proposals for the Community Governance Review of Caythorpe Parish Council as set out in Appendix A to the report be approved; and
- (b) officers draw up the Community Governance Order to take effect from April 2016.

77. ICT EQUIPMENT FOR MEMBERS

The Council considered the joint report of the Chief Executive and the Director – Customers which set out the recommendations of the Councillors' Commission in respect

of the future provision of ICT equipment for Members.

The Commission established with all Members if they wished to be supplied with an appropriate Council owned device or whether they wished to use their own device on which to conduct Council business. In respect of the Council owned device Members were given the option of either a laptop or a tablet device. Based on Members preferences, the Commission considered initial cost implications of providing the Council owned devices, and the financial implications of providing Council owned devices were set out in the report. In addition to the provision of Council owned devices the Commission considered the use by Members of the District Council designated email address rather than personal email addresses.

The Commission were now putting forward recommendations to the Council as to a way forward in respect of the provision of ICT equipment for Members in order to better utilise technology in meetings and minimise the current large numbers of paper copies of agendas which are still being issued. It was considered that the Council should reaffirm the requirement to utilise the Council's email address because there was no alternative under which the Council would be able to retain its Public Sector Network compliance. It was proposed that the ICT Business Unit would roll out the new devices/install software on personal devices in April 2016 and as from May 2016, all Members would be required to use their Council designated email address and utilise devices for all Council business, including using these at meetings. The Commission considered that Members should be given April and May to familiarise themselves with their devices with paper copies no longer being sent to Members as from June.

In accordance with Procedure Rule No. 26.4 Councillor D. Staples proposed and Councillor Mrs A.A. Truswell seconded an amendment to recommendation (d) which would then read:

"Members familiarise themselves with the use of such devices with paper copies of agendas ceasing to be provided from 1 June 2016, unless a Member is unable to use an electronic device for a substantive medical reason, or is unable to fulfil satisfactorily his or her democratic responsibilities to the electorate."

This amendment was declared lost with 14 votes for, 17 against and 1 abstention.

AGREED (with 17 votes for, 14 against and 1 abstention) that:

- (a) the provision of devices, in accordance with Members preferences, be rolled out in April 2016;
- (b) the scheme be added to the Council's Capital programme;
- (c) all Members be required to use their Council designated email address to receive all Council communication as from May following the roll out of devices; and
- (d) Members familiarise themselves with the use of such devices with paper copies of agendas ceasing to be provided from 1 June 2016 (the exception being for those Members with a substantial medical reason not to use an

electronic device).

78. NOTICES OF MOTION

In accordance with Rule No 13.1, Councillor Mrs A.A. Truswell moved and Councillor D.B. Staples seconded a motion to the following effect:

“This Council regards the current turmoil in the national Housing Policy with dismay and concern.

Our Housing Business Plan has been disrupted by the sudden u-turn from a CPI +1% policy of rent increases to one of enforced CPI -1% rent reductions, by the Pay to Stay deal, by the extension to Housing Associations of the Right to Buy, which has severely disrupted the local housing market and our ability to deliver more affordable homes, and by the requirement to sell off more valuable council homes without being able to use the receipts to address housing need. Furthermore the impact on the public rented sector through abandoning long term tenancies runs counter to other government policies to try and engage with problem families.

No Council can deliver the affordable housing our people needs in the maelstrom and uncertainty of this continual disruption.

We ask that this Council writes a letter to our two MPs and to the Housing Minister expressing our disappointment, explaining our difficulties, and urging a more measured and informed approach. We ask for proper consultation before the headlong rush into legislation in the hope of real progress in addressing housing needs. We also urge the Local Government Association to act more vigorously to challenge Government Housing policy.”

The motion, on being put to the vote was declared carried with 30 votes for and 2 abstentions.

79. DELEGATED DECISIONS

(a) Policy & Finance Committee – 25 February 2016

(b) Audit & Accounts Committee – 10 February 2016

(c) Planning Committee - 1 March 2016

(i) Minute No. 152 – Oakham Farm, Forest Lane, Walesby (15/01198/FULM)

Councillor D. Staples stated that he felt the Committee had made a mistake in granting permission for this application. He sought an assurance from the Chairman of the Planning Committee that he would take a personal interest in ensuring that all the conditions imposed with the consent would be adhered to.

Councillor D.R. Payne gave this assurance.

(d) Councillors' Commission - 25 February 2016

Meeting closed at 8.07pm.

Chairman

POLITICAL COMPOSITION OF THE COUNCIL AND ALLOCATION OF SEATS ON COMMITTEES TO POLITICAL GROUPS

1.0 Purpose of Report

1.1 To consider proposals for the allocation of seats on Committees to Political Groups, as required by Council Procedure Rule No. 17.6.

2.0 Background Information

2.1 The allocation of seats to committees was last considered at the Annual Council Meeting held on 19 May 2015. Under the committee style of governance all committees are now required to reflect political balance.

2.2 Following the deletion of the Standards Committee, the Constitution provides that the following Committees be appointed:-

<u>Committee</u>	<u>No. of Members</u>
Policy	7
Homes and Communities	12
Leisure and Environment	12
Economic Development	12
Audit & Accounts	6
Planning	15
General Purposes	15
Licensing	15
Mansfield and District Crematorium Joint Committee	3

2.3 Section 15 of the Local Government and Housing Act 1989 requires the Council to consider the political composition of the Council at each Annual Meeting in respect of the new Municipal Year. The Act, together with Local Government (Committees and Political Groups) Regulations 1990, require local authorities to allocate seats on non-executive Committees of a local authority on a proportional basis, in accordance with the number of seats on the Council held by each political group.

3.0 Present Position

3.1 Following the death of Councillor G. Brooks the seats held by each Group on the Council are as follows:-

	<u>No. of Seats</u>
Conservative	23
Labour	12
Independent	3
Vacancy	1

3.2 Under the committee style of governance all committees are required to reflect the political balance. Based on the existing committee structure there are a total of 97 seats on Committees which must comply with political balance rules. Based on the existing Committee structure the following calculation can be made:-

a) No of seats on Council = 39 (1 vacancy)

% of total seats held by each Group (rounded) =

	%
Conservative	60.53
Labour	31.58
Independent	7.89
	<hr style="width: 50%; margin: auto;"/>
	100%

b) The allocation of seats to each Group on these Committees would be:-

			<u>Rounded</u>
Conservative	97 x 60.53%	58.71	59
Labour	97 x 31.58%	30.63	30
Independent	97 x 7.89%	7.65	8
			<hr style="width: 50%; margin: auto;"/>
			97

c) The number of seats allocated on Committees to each Political Group is as follows:

Conservative	59
Labour	30
Independent	8

3.3 The proposed allocation of seats on Committees to each political group is set out in the matrix which is attached as **Appendix A** to the report.

3.4 Schedules of appointments to Committees have been forwarded to Group Leaders, based on the calculations made.

3.5 A re-allocation of seats to political groups will need to be undertaken following any by-election to fill the current vacancy in the Balderton South Ward.

4.0 RECOMMENDATION

That the Council agree the allocation of seats to Political Groups in accordance with Appendix A to the report.

Background Papers

Nil.

For further information please contact Nigel Hill on 01636 655243.

A.W. Muter
Chief Executive

**ALLOCATION OF SEATS TO
POLITICAL GROUPS**

Committee	Conservative	Labour	Independent	Total
Policy and Finance	5	2	0	7
Homes and Communities	7	4	1	12
Leisure and Environment	7	4	1	12
Economic Development	8	3	1	12
Planning Committee	9	5	1	15
General Purposes	9	5	1	15
Licensing	9	5	1	15
Audit and Accounts Committee	4	1	1	6
Mansfield & District Crematorium Joint Committee*	1	1	1	3
Councillors' Commission	5	2	1	8
Gilstrap Trustees	3	2	0	5

* (includes other local authority members)

APPOINTMENT OF REPRESENTATIVES ON OUTSIDE BODIES AND COUNCIL OWNED COMPANIES

1.0 Purpose of Report

- 1.1 To make appointments to Outside Bodies for the 2015/16 Municipal Year and to the Boards of the Council's two wholly owned companies.

2.0 Background Information

- 2.1 Details of the proposed appointments to outside bodies will be circulated when these have been received from Political Groups.

3.0 Appointments to the Boards of Active4Today Ltd and Newark and Sherwood Homes Ltd

- 3.1 On 9 March 2015 the Council established Active4Today Ltd, a wholly Council owned leisure and sports development services' company, which became operational as from 1 June 2015. At the Annual Council Meeting held on 19 May 2015 the Council appointed Councillors R.V. Blaney, D.J. Lloyd and Mrs A.A. Truswell as Board members for a four year term.
- 3.2 Newark and Sherwood Homes Ltd. is the Council's wholly owned housing company. The Company's Board consists of 4 Council Members. Councillors Mrs C. Brooks, P.C. Duncan, P. Handley and D.R. Payne were appointed at the Annual Meeting in May 2015 for a one year term only but it is proposed that these representatives now be appointed for a two year year term up to May 2018 to coincide with the Memorandum and Articles of the Company.
- 3.3 All Board Members are appointed for a three year term and are restricted, (under the Memorandum and Articles of the Company), to being on the Board for a maximum of two terms. This does apply to Councillor P. Handley whose current term of office does expire in November 2017.

4.0 RECOMMENDATION

That the appointments of representatives on outside bodies for 2016/17, as set out in the schedule to be circulated, be approved.

Background Papers

Nil

For further information please contact Nigel Hill on Ext. 5243.

A.W. Muter
Chief Executive

RULE NO. 4.8 – APPOINTMENT OF PANEL

1.0 Purpose of Report

- 1.1 In accordance with Rule No 4.8, the Council is required to appoint a Panel of at least 4 Members in order to be in a position to call an Extraordinary Meeting of the Council should the offices of Chairman and Vice-Chairman of the Council be vacant or both the Chairman and Vice-Chairman are unable to act for any reason.
- 1.2 In 2015/16 the Leader of the Council, Deputy Leader of the Council and the Leaders of the Labour and Independent groups on the Council formed the Panel.

RECOMMENDATION

That the Panel of Members to be appointed under Rule No. 4.8 be nominated at the meeting.

Background Papers

Nil

For further information please contact Nigel Hill on ext 5243.

A.W. Muter
Chief Executive

APPOINTMENT OF S151 OFFICER

1.0 Purpose of Report

To appoint a Section 151 Officer, on an interim basis, following the retirement of the Director - Resources on 16 March 2016.

2.0 Background Information

2.1 Section 151 of the Local Government Act 1972 requires the Council to make arrangements for the proper administration of its financial affairs and secure that one of their officers has responsibility for the administration of those affairs.

2.2 The role of Section 151 Officer was previously carried out by the Director - Resources up until his retirement on 16 March. Following his retirement an Appointments Panel consisting of all Members of the Policy & Finance Committee was convened to consider his replacement.

2.3 The Appointments Panel considered a report setting out the following recommendations from the Chief Executive:

“The Council must have a Section 151 Officer in place to administer its financial affairs. The current vacancy arising from the retirement of the Director - Resources enables the Council to explore how a permanent replacement could be made, including exploring options for a shared arrangement.

However, this is likely to take some months (as would a recruitment process to simply fill the vacancy) and therefore I am recommending that the Business Manager – Financial Services, who is currently undertaking the Deputy Section 151 role and has been undertaking the Section 151 duties in the Director - Resources absence, is appointed to act in the capacity of Section 151 Officer. This will ensure that one of the Council’s officers has responsibility for the administration of the financial affairs of the Council as required by Section 151 of the Local Government Act 1972. This appointment will continue until such time as a permanent appointment is made. I am also recommending that the Assistant Business Manager – Financial Services (Financial Systems and Accounting) is appointed as Deputy Section 151 Officer on the same basis.”

2.4 Following consideration of these recommendations the Appointments Panel members recommended to Council the approval of the appointments to the Section 151 and Deputy Section 151 officer roles, as set out above, pending permanent replacement of the Section 151 Officer role.

3.0 RECOMMENDATION

That the appointments to the post of Section 151 Officer and Deputy Section 151 Officer be confirmed by the Council as set out at paragraph 2.3 of the report.

Background Papers

Nil

For further information please contact Andrew Muter on extension 5200.

Andrew Muter
Chief Executive

SOUTHWELL NEIGHBOURHOOD PLAN

1.0 Purpose of Report

- 1.1 To seek the Council's approval to call a referendum on the Southwell Neighbourhood Plan.

2.0 Introduction

- 2.1 Following submission to this Council in November 2015, the Southwell Neighbourhood Plan has been through a process of independent examination which has culminated in a report concluding that, subject to the examiner's recommendations, the plan meets the basic conditions and can proceed to referendum. Following their meeting on 20 April 2016 Southwell Town Council have requested that the plan be put to referendum in accordance with the examiner's recommendations at the earliest opportunity and consequently this report sets out the background and process involved in pursuing this.

3.0 Background

- 3.1 Southwell Neighbourhood Area was designated in December 2012 and since that time the Town Council have been working on the production of their Neighbourhood Plan assisted by Planning Officers of this Council. The first stage of public consultation was carried out on a draft plan in February and March 2015. Following consideration of responses this was developed into the version submitted to this Council on 2 November 2015.
- 3.2 Having established that the plan met the necessary legal and procedural requirements, details of the plan were made available on the Council's and the Neighbourhood Plan's website, at District and Town Council offices and at Southwell library for a period between 12 November 2015 and 8 January 2016. The District Council also fulfilled its obligation to directly notify those who were notified by Southwell Town Council at the draft consultation stage that the plan had been received.
- 3.3 During this consultation period the District Council considered its own response to the plan. The 25 November 2015 Economic Development Committee approved the broad areas of response and gave delegated authority to the Deputy Chief Executive, in conjunction with the Local Development Framework Task Group, to formulate the detailed response to be submitted to the independent examiner.
- 3.4 An independent examiner was appointed in conjunction with Southwell Town Council during the consultation period and at close of consultation the twelve responses that had been received, together with the District Councils own response, were submitted to the independent examiner.
- 3.5 On 13 March 2016 the final version of the independent examiners report was received. This concluded that the plan met the basic conditions and could proceed to referendum subject to modifications. These included those requested by the District Council and additional modifications made by the examiner. The full report is attached as **Appendix 1**.

3.6 Southwell Town Council have now confirmed that they wish the plan to proceed to referendum in accordance with the independent examiners recommendations and consequently the Council's approval is required to start this process.

4.0 Next Steps (incorporating the comments of the Business Manager – Democratic Services)

4.1 In arranging the referendum there are issues of process and timescale to consider. A Neighbourhood Planning Referendum runs in accordance with a statutory five to six week timetable. The date for the referendum needs to be planned around the national referendum that is being held on 23 June 2016 on the membership of the European Union. The Electoral Commission, as Chief Counting Officer have advised that it would not be possible to combine any other poll with the referendum on the 23 June 2016. There would be an option to hold on the poll on the same day but this would require separate polling stations which would not be practical and would put the running of both polls at significant risk.

4.2 The first stages in the referendum are the publication of the Information Statement and the Notice of Referendum following which point polling cards would be sent to all electors. It is preferable for the poll cards for the referendum to be delivered to electors after the national referendum on 23 June 2016 has taken place otherwise the two electoral events will crossover which will lead to significant voter confusion.

4.3 In practice this means that the earliest opportunity to hold a Southwell Neighbourhood Plan referendum would be in early August 2016. Whilst Southwell Town Council wishes to hold a referendum as early as possible, they are in agreement with Planning Officers that the holiday period of August would be an inappropriate time.

4.4 It is therefore proposed that a referendum be arranged for as soon as practicable after August 2016.

4.5 It is the District Council's responsibility to prepare a version of the Neighbourhood Plan incorporating the examiner's modifications upon which the referendum will be taken. This work is currently underway and the resulting document will be placed on the Council's website in advance of the notice of referendum. The independent examiner's report is already available to view on the website.

5.0 Financial Implications

5.1 The District Council is responsible for funding the referendum which will cost a similar amount to a local by election. We receive money from central government to pay for this and have sufficient funds set aside to cover it.

6.0 RECOMMENDATIONS that:

(a) the report be noted; and

(b) the Chief Executive, acting as Returning Officer, be authorised to arrange a referendum for the Southwell Neighbourhood Plan as soon as practicable after August 2016.

Background Papers

Independent Examiners Report on the Southwell Neighbourhood Plan March 2016 contained in Appendix 1.

For further information please contact Richard Exton on extension 5859

Kirsty Cole
Deputy Chief Executive

The Southwell Neighbourhood Plan 2015 - 2026

Report by Independent Examiner

Janet L Cheesley BA (Hons) DipTP MRTPI

CHEC Planning Ltd

March 2016

Contents	Page
Summary and Conclusion	3
Introduction	4
Legislative Background	4
Policy Background	5
The Southwell Neighbourhood Plan Preparation	6
The Southwell Neighbourhood Plan	7
Referendum & the Southwell Neighbourhood Plan Area	37
Appendix 1 Background Documents	38

Summary and Conclusion

1. The Southwell Neighbourhood Plan has a clear Community Vision for the Town. It comprises the three elements of Building a Strong Community, Supporting a Vibrant Trading Environment and Delivering a Good Place to Live.
2. The Plan seeks to deliver sustainable development. I have found that the housing mix and densities in Policy HE1 have been informed by justifiable evidence. I have found that the approach to reflect detailed local circumstances by supplementing the A&DM DPD site specific policies is an innovative one which has regard to the presumption in favour of sustainable development, where the additional requirements can be justified.
3. I have recommended modification to some of the policies in the Plan. In particular, I have recommended modifications to ensure clarity and precision in decision making.
4. I have recommended the deletion of some, or parts, of the policies in the Plan. In particular, I have found no clear evidence to justify the proposed parking standards in Policy TA4. I have recommended the deletion of Policy TA5, as it is a strategy for car park management rather than a policy. I have recommended the deletion of Policy HE2, primarily as the additional affordable housing requirements would undermine the viability of allocated housing sites.
5. I have found that the threshold of 11 dwellings or more in Policy TA2 for residential developments required to be located within 400 metres walk of public transport services, or requirements for subsidising transport links to the sites if this is not achievable, has not been justified.
6. I have recommended the deletion of policy which is already covered by other policy in the Plan. In particular, I have recommended such deletion in the site specific policies and I have recommended the deletion of Policy HE3 as this is covered by Policy DH2. I have recommended modification to Policy DH3 regarding the historic environment, as the policy refers to three documents not yet in existence.
7. Throughout the policies there is reference to the Southwell Design Guide. I have recommended modification, where appropriate, to clarify that this is guidance rather than a policy document.
8. I have recommended deletion of reference to the energy performance of new dwellings, as it is no longer appropriate for neighbourhood plans to refer to this.
9. **Whilst I have set out my reasoning under individual policies, my overall conclusion is that subject to my recommendations, the Plan meets the Basic Conditions. Subject to my recommendations being accepted, I consider that the Southwell Neighbourhood Plan 2015 - 2026 will provide a strong practical framework against which decisions on development can be made. . I am pleased to recommend that the**

Southwell Neighbourhood Plan 2015 - 2026, as modified by my recommendations, should proceed to Referendum.

Introduction

10. I was appointed as an independent Examiner for the Southwell Neighbourhood Plan 2015 - 2026 in January 2016.
11. On 6 December 2012 Newark & Sherwood District Council (NSDC) approved that the Southwell Neighbourhood Area be designated in accordance with the Neighbourhood Planning (General) Regulations 2012. The Area covers the whole of the parish of Southwell.
12. The qualifying body is Southwell Town Council. The plan has been prepared by a Steering Group comprising local residents and Town Councillors. The Plan covers the period 2015 - 2026.

Legislative Background

13. As an independent Examiner, I am required to determine, under Paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990, whether:
 - the policies in the Plan relate to the development and use of land for a designated Neighbourhood Area in line with the requirements of Section 38A of the Planning and Compulsory Purchase Act (PCPA) 2004;
 - the Plan meets the requirements of Section 38B of the 2004 PCPA where the plan must specify the period to which it has effect, must not include provision about development that is excluded development, and must not relate to more than one Neighbourhood Area; and
 - that the Plan has been prepared for an area that has been designated under the Localism Act 2011 and has been developed and submitted for examination by a qualifying body.
14. Subject to the modifications I have recommended in this report, I am content that these requirements have been satisfied.
15. I am obliged to determine whether the Plan complies with the Basic Conditions. The Basic Conditions are:
 - having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the neighbourhood plan;
 - the making of the neighbourhood plan contributes to the achievement of sustainable development;

- the making of the neighbourhood plan is in general conformity with the strategic policies contained in the Development Plan for the area of the authority; and
- the making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations and human rights requirements.

EU Obligations

16. NSDC has prepared the *Southwell Neighbourhood Plan: The Environmental Assessment of Plans and Programmes Regulations 2004: SEA Screening Statement (August 2015)* to determine whether or not the Plan requires a full Strategic Environmental Assessment (SEA) under the European Directive 2001/42/EC and whether it requires a Habitat Regulations Assessment (HRA) under Article 6 or 7 of the Habitats Directive.
17. The Report concludes that *there are no clear significant negative impacts on the environment resulting from the policies and proposals contained in the Plan*. Therefore a SEA is not required.
18. Regarding the need for a HRA, paragraph 4.3 in the above Report states: *The NP is in general conformity with the district's development plan. It contains detailed policies regarding the implementation of quantum and site location of development from the development plan that has already been determined by higher level habitat regulation assessments not to require Appropriate Assessment. Therefore the Southwell Neighbourhood Plan is unlikely to have significant environmental effects on any Natura 2000 sites and an Appropriate Assessment for the NP is not required.*
19. The statutory consultees have agreed with the above conclusions. On the basis of the conclusions of the above Report and statutory consultee agreement, I consider that the Plan does not require a full SEA Assessment and is in accordance with the provisions of the European Directive 2001/42/EC. In addition, the Plan does not require a full HRA under Article 6 or 7 of the Habitats Directive.
20. I am satisfied that the Plan is compatible with EU obligations and does not breach the European Convention on Human Rights obligations.

Policy Background

21. *The National Planning Policy Framework (2012) (NPPF)* sets out the Government's planning policies for England and how these are expected to be applied. The *Planning Practice Guidance* provides Government guidance on planning policy.
22. The development plan for the Southwell Neighbourhood Plan Area comprises the Newark and Sherwood Core Strategy (2011) and the

Allocations and Development Management DPD (A&DM DPD) (2013). The strategic policies in the development plan include policies regarding the delivery of homes and jobs in the area and conservation and enhancement of the natural and historic environment.

The Neighbourhood Plan Preparation

23. I am required under The Localism Act 2011 to check the consultation process that has led to the production of the plan. The requirements are set out in Regulation 14 in The Neighbourhood Planning (General) Regulations 2012.
24. The first stage consultation process included a public information meeting and a drop in session in May 2013. A Steering Group and five Theme Groups were then established to engage with the community to formulate the objectives and policies in the Plan.
25. The second stage consultation process included a questionnaire distributed to local residents and businesses and stands in the Market Square to publicise the consultation. The results of the questionnaire were publicised in a local newspaper. In addition, a wide range of identified stakeholders were consulted.
26. The third stage was the consultation period on the pre-submission draft of the Plan, which ran from 30 January 2015 to 16 March 2015. A Policies Questionnaire and a Summary of the draft Plan were distributed. Consultation included a community event, road shows and meetings with local groups. There was considerable publicity associated with this consultation.
27. I am satisfied that the pre-submission consultation and publicity has met the requirements of Regulation 14 in The Neighbourhood Planning (General) Regulations 2012. The consultation and publicity went well beyond the requirements and it is clear that the qualifying body went to considerable lengths to ensure that local residents and organisations were able to engage in the production of the Plan. I congratulate them on their efforts.
28. NSDC publicised the submission Plan for comment during the publicity period between 12 November 2015 and 8 January 2016 in line with Regulation 16 in The Neighbourhood Planning (General) Regulations 2012. A total of 10 responses were received. In addition, NSDC has submitted representations. I am satisfied that all these responses can be assessed without the need for a public hearing.
29. Some responses suggest additions and amendments to policies and accompanying text. My remit is to determine whether the Plan meets the Basic Conditions. Where I find that policies do meet the Basic Conditions, it is not necessary for me to consider if further suggested additions or amendments are required. Whilst I have not made reference to all the responses in my report, I have taken them into consideration.

30. I have been provided with detailed evidence base in background supporting documents. This has provided a useful and easily accessible source of background information.

The Southwell Neighbourhood Plan 2015 - 2026

31. For ease of reference, I have used the same headings and policy titles as those in the Plan.

Status of the Neighbourhood Plan

32. Paragraph 1.8 in this section explains the remaining process for the submission version of the Plan. This paragraph will no longer be relevant in a final version. In the interest of clarity, paragraph 1.8 should be deleted.
33. **Recommendation: in the interest of clarity, I recommend the deletion of paragraph 1.8.**

Vision and objectives

34. A clear Community Vision for the Town has been established. It comprises the three elements of Building a Strong Community, Supporting a Vibrant Trading Environment and Delivering a Good Place to Live.
35. Six objectives have been identified to support the Plan and the policies have sought to meet one or more of the objectives. For some reason the third objective is in bold type, implying a superior level of importance. I assume this is an editing error.
36. The vision and objectives provide a clear basis for the policies in the Plan.

Policy Overview

37. The Policy Overview section refers to a list of evidence based documents in Appendix 5, whereas it is actually in Appendix 3. This appears to be an editing error.
38. Nottinghamshire County Council has commented that Sites of Importance for Natural Conservation (SINCs) are now referred to as Local Wildlife Sites (LWSs). In the interest of precision, I recommend that all references throughout the Plan are modified accordingly. In particular, the reference should be corrected on Proposals Map B.
39. Nottingham Trent University has commented that paragraph 2.23 should refer to the campus at Brackenhurst expanding towards a 1700, rather than

a 1500, student capacity. In the interest of precision, this paragraph should be amended accordingly.

40. It is necessary for Neighbourhood Plans to provide *a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency* as stated in the core planning principles in paragraph 17 in the NPPF. I do refer to clarity and precision with regard to a number of recommendations to modifications to the Plan. Where I do so, I have in mind the need to provide a practical framework in accordance with the core principles in the NPPF, thus ensuring that the Plan has regard to national policy in this respect.
41. **Recommendation: in the interest of precision, I recommend modification to references to SINCs by replacing them with references to LWSs and modification to paragraph 2.23 to refer to the campus at Brackenhurst expanding towards a 1700 student capacity...**

Sustainable Development

SD1 - Delivering Sustainable Development

42. Policy SD1 seeks to ensure that sustainability is considered in all development proposals. Reference is made in the second bullet point to the Southwell Design Guide. I have sought clarification from NSDC as to the status of this guide. NSDC does not consider the Southwell Design Guide to be Supplementary Planning Guidance.
43. The Southwell Design Guide is not a policy document. It forms part of the evidence base for the Plan and is included as an appendix which has been subject to public consultation. It informs many of the policies in the Plan. As such it is an important element of the Plan. It is important to give careful consideration to the weight that can be attached to it, having regard to the Basic Conditions.
44. The Design Guide has two purposes. Firstly to act as an additional point of reference on matters of design within the Plan and secondly, it seeks to, as much as is possible, ensure that proposed development within the Plan area is sustainable in its design. I have recommended some modification to the Design Guide. Subject to these modifications, I am satisfied that the Southwell Design Guide is valuable supporting evidence for design guidance in Southwell and has regard to paragraphs 75 and 76 in the NPPF, where they seek to deliver high quality design and promote or reinforce local distinctiveness.
45. In the interest of clarity, to ensure that the Southwell Design Guide is not elevated to the status of policy, I recommend modification to Policy SD1 to refer to 'guidance' in the Design Guide. I have made similar recommendations for modification to other policies throughout the plan where they refer to the Southwell Design Guide. In some instances, for the

avoidance of repetition, I have not mentioned the need for such a modification in my reasoning.

46. In a Written Ministerial Statement of 25 March 2015, the Government announced that it is not now appropriate to refer to any additional local technical standards or requirements relating to the construction, internal layout or performance of new dwellings in neighbourhood plans.
47. The Government published a command paper *Fixing the foundations: Creating a more prosperous nation* in July 2015. Regarding new dwellings, it announced that: *The government does not intend to proceed with the zero carbon Allowable Solutions carbon offsetting scheme, or the proposed 2016 increase in on-site energy efficiency standards, but will keep energy efficiency standards under review, recognising that existing measures to increase energy efficiency of new buildings should be allowed time to become established.*
48. In the light of the above Statement and Announcement and to have regard to national policy, I recommend the deletion of reference to energy efficiency in new dwellings in both Policy SD1 and the Southwell Design Guide in Appendix 1. In addition, reference to technical standards in the key design principles in the Design Guide should be deleted.
49. Reference to energy efficiency regarding non-residential properties can remain in the Design Guide. My proposed modification to Policy E6 would address the issue of energy efficiency in non - residential development.
50. NSDC has suggested two modifications to Policy SD1. In the interest of clarity I recommend modification to Policy SD1 to accord with these suggestions. They are with respect to the order of wording of the first sentence and to make the fifth bullet point precise. Subject to the above modifications, I consider Policy SD1 has regard to national policy where the NPPF seeks a presumption in favour of sustainable development and meets the Basic Conditions.
51. **Recommendation: to meet the Basic Conditions, I recommend deletion of reference to energy efficiency and technical standards for new dwellings in the Southwell Design Guide in Appendix 1 and modification to Policy SD1 to read as follows:**

Policy SD1

Only proposals for sustainable development will be supported where they demonstrate:

How sustainability has been addressed for the site with reference to the NSDC and NP policies applicable to it.

That account has been taken of guidance in the Southwell Design Guide to help ensure that it is appropriate to the location and enhances the natural and built environments.

That account has been taken of the need to avoid increasing the risk of flooding both on and off site in accordance with Neighbourhood Plan policies E1-Flood Risk Assessments and Mitigation and E2- Flood Resilient Design.

That, where appropriate, a multifunctional approach has been taken to help provide an enhanced integrated Blue and Green Infrastructure, including Public Rights of Way, with an equitable distribution of green and amenity space across the parish of Southwell.

Where any development triggers the requirement for developer contributions as set out in the NSDC Developers Contribution and Planning Obligations SPD, these should, wherever possible, be delivered on site rather than as commuted sums.

That, where applicable, the effects on the capacity and quality of transport access to, from and within Southwell have been addressed.

That, where applicable, account has been taken of the wellbeing and social development needs of Southwell residents.

Environment

E1 – Flood Risk Assessments and Mitigation

E2 – Flood Resilient Design

52. Section 10 in the NPPF emphasises the need for pro-active strategies to mitigate and adapt to climate change, taking full account of flood risk.
53. Core Policy 10 in the Core Strategy seeks to mitigate the impact of climate change, including the need for new development to reduce the causes and impacts of climate change and flood risk. Core Policy 9 in the Core Strategy seeks new development to pro-actively manage surface water, including, where feasible, the use of Sustainable Drainage Systems. I consider these to be strategic policies regarding flood risk and climate change mitigation.
54. The flood risk management and mitigation measures in Policies E1 and E2 seek to minimise flood risk from new development. I note these policies have been prepared by informal liaison with relevant bodies, including the Environment Agency.
55. In the interest of clarity, NSDC has suggested modification to the wording of the first paragraph of Policy E1, and modification to the second paragraph to refer to consultation with, rather than agreement with, the Lead Flood Authority. In addition, with regard to Policy E2, NSDC has stated that Sustainable Urban Drainage Systems (SUDs) are now referred to as Sustainable Drainage Systems. Indeed, the Planning Practice Guidance now refers to them as Sustainable Drainage Systems.
56. To ensure the provision of a practical framework within which decisions on planning applications can be made, I recommend modification to these policies in accordance with the NSDC suggested modifications. Subject to these modifications, Policies E1 and E2 meet the Basic Conditions.

57. **Policy E1 Recommendation: to meet the Basic Conditions, I recommend modification to Policy E1 to read as follows:**

Policy E1

Where proposals are required to submit a Flood Risk Assessment this must take account of the most up to date EA flood mapping, hydraulic modelling and flood mitigation for Southwell. Specific regard should be had to the NCC Flood Mitigation Plan for Southwell or its most up to date equivalent.

Where flows cannot be related to these sources they should be modelled using best practice. The methodology for the modelling, findings, FRAs and flood mitigation recommendations, shall be developed in consultation with the Lead Flood Authority.

There should be no development within the flood plain of local watercourses that would result in a loss of flood plain storage without adequate level for level floodplain compensation up to the 1% Annual Exceedance Probability (AEP) flood with an allowance for climate change of 30% or any more current amount.

Proposals for flood mitigation must be designed to meet the requirements of other relevant policies within the NP, particularly those relating to the built and natural environments.

58. **Policy E2 Recommendation: to meet the Basic Conditions, I recommend modification to Policy E2 and explanatory text to refer to Sustainable Drainage Systems rather than SUDs.**

E3 - Green Infrastructure and Biodiversity

59. Paragraph 109 in the NPPF seeks to minimise impacts on biodiversity and provide net gains in biodiversity where possible.
60. Core Policy 12 in the Core Strategy seeks to conserve and enhance biodiversity. I consider this to be a strategic policy regarding the conservation and enhancement of the natural environment.
61. Policy E3 seeks to protect and enhance the natural environment. I make comments on the detailed policy wording below.
62. NSDC has suggested rewording of the second paragraph to make the requirement for a base line assessment to be part of the course of a planning application rather than a requirement of the application at the onset. In the interest of clarity, I consider such modification to be necessary.
63. Paragraph 173 in the NPPF states: *‘Plans should be deliverable. Therefore, the sites and the scale of development identified in the plan should not be*

subject to such a scale of obligations and policy burdens that their ability to be delivered viably is threatened.'

64. I have not been provided with any local robust evidence to clearly explain why compensating habitat should be to a ratio of 2:1. I am concerned that such an onerous unjustified requirement could undermine the viability of strategic development. Therefore, I recommend deletion of this requirement and modification to the third paragraph as suggested by NSDC.
65. The seventh paragraph is not planning policy. Thus, I recommend the deletion of this paragraph. Much of the eighth and ninth paragraphs re-iterate guidance in the Southwell Design Guide. By doing so, it elevates guidance to Policy. In the interest of clarity and precision, I recommend modification to the eighth and ninth paragraphs to clarify the status of the guidance. The requirements in the tenth paragraph are covered by the second and fifth paragraphs and thus should be deleted.
66. NSDC has suggested modification to the eleventh paragraph as trees subject to Tree Preservation Orders are covered by separate legislation. In the interest of clarity, I recommend modification as suggested by NSDC.
67. The last paragraph requires planning conditions or legal agreements for long term maintenance. Whilst it is important to ensure such long term maintenance, the mechanism for delivery should be subject to the specific details of each development proposal. NSDC has suggested modification to this paragraph, which I consider would provide a practical framework for decision making.
68. Subject to my suggested modification, I consider that Policy E3 has regard to national policy, is in general conformity with strategic policies in Core Policies 9 and 10 and meets the Basic Conditions.
69. **Recommendation: to meet the Basic Conditions, I recommend modification to Policy E3 to read as follows:**

Policy E3

Development proposals must aim to protect and enhance Local Wildlife Sites, the Local Nature Reserve, and priority habitats and species identified through the Natural Environment and Rural Communities (NERC) Act, the UK Biodiversity Action Plan (UKBAP) and the Nottinghamshire Local BAP (LBAP). Any development proposal must also comply with the Natural England Standing Advice for Protected Species.

Where it is apparent or becomes apparent during the course of a planning application that a site has significant ecological value, development proposal must include a base line assessment of the habitats, species and overall biodiversity value for the site, where appropriate, expressed in terms of the biodiversity accounting

offsetting metric, advocated by the Department for the Environment, Food and Rural Affairs (Defra), proportionate to the size of the development. The assessment must demonstrate how biodiversity will be conserved and enhanced by the development.

Where the loss of habitat cannot be avoided, the proposal should include appropriate offsetting to create a compensatory habitat to ensure that there is no loss of biodiversity.

Development proposals which create additional habitat space, including roosting, nesting or shelter opportunities for wildlife, will be looked on favourably when considering the biodiversity value of a development.

Development proposals that fail to mitigate or compensate for loss of important habitat or wildlife species will not normally be granted planning permission.

Unless it can be shown to be impracticable or financially unviable, a buffer strip must be provided between the boundaries of properties or plots within a development and any existing historic, landscape or ecologically valuable hedge row(s), tree(s) and any other features of merit for maintaining effective Blue and Green Infrastructures. The width of the buffer strip should have regard to guidance in the Southwell Design Guide.

The provision of non woody herbaceous species to be established on created buffer strips should have regard to guidance in the Southwell Design Guide.

Where the loss of protected trees as a result of a development proposal is unavoidable, appropriate replacement planting should be incorporated as part of the scheme.

As part of development proposals, provision should be made for the long term maintenance of any retained or created habitats, existing historic landscape or ecologically valuable vegetation and buffer strip provisions.

E4 – Public Rights of Way

70. Paragraph 75 in the NPPF states: *planning policies should protect and enhance public rights of way and access. Local authorities should seek opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National trails.* Paragraph 117 seeks to promote ecological networks.
71. Policy E4 has a multifunctional approach to Public Rights Of Way (PROWs), where they can provide inclusive access and be effective wildlife corridors. I make comments on the detailed policy wording below.

72. Developers cannot be expected to ensure retention of PROW's or vegetation outside of their control adjoining their sites. To clarify this matter, I recommend modification to the first paragraph of Policy E4 and deletion of the second paragraph.
73. All policies in the Plan should be read in conjunction with each other. In this context, I recommend deletion of the sixth paragraph as the appropriateness of non woody herbaceous species is already covered in Policy E3.
74. For the same reasons as explained in my reasoning for modifications to Policy E3, the fifth paragraph should be modified to refer to guidance in the Design Guide and the last paragraph should be modified to ensure future maintenance.
75. Subject to my suggested modifications, Policy E4 has regard to national policy in paragraphs 75 and 117 in the NPPF and meets the Basic Conditions.
76. **Recommendation: to meet the Basic Conditions, I recommend modification to Policy E4 to read as follows:**

Policy E4

Developers must ensure that existing and any new PROWs including footpaths, cycle routes and bridle ways, which cross their sites, are retained wherever possible and enhance the Green infrastructure in Southwell parish.

PROWs should be considered to be multifunctional, contributing not only to the Green Infrastructure but also, where relevant, to open spaces including those due under developer contributions.

Unless it can be shown to be impracticable, the minimum total width for a PROW shall be sufficient to allow for machine maintenance, the inclusion of an allowance for hard surface to provide inclusive access for the public and with associated vegetation margins, for it to be effective as a wildlife corridor.

The provision or retention of trees, woody species and hedges along PROWs should have regard to guidance in the Southwell Design Guide.

When a new PROW is to be provided or revisions made to existing PROWs on a development, any alignment should avoid the use of estate roads for the purpose wherever possible, and preference given to estate paths through landscape or open space areas away from vehicle traffic.

Provision should be made for the long term maintenance of any PROWs that are part of development proposals.

E5 – Green Link

77. Policy E5 furthers the aims of Policy E4 by seeking to create a Green Link around Southwell. Whilst this is a laudable aim, there is no evidence to justify that it will be delivered, as the deliverability is dependent on developer contributions. In these circumstances, I recommend modification to Policy E4, as suggested by NSDC, to state that proposals which could contribute towards the creation of a Green Link will be supported. Such a modified policy would meet the Basic Conditions.
78. **Recommendation: to meet the Basic Conditions, in the interest of clarity, I recommend modification to Policy E5 to read as follows:**

Policy E5

Development proposals that could contribute to the creation of a Green Link around Southwell to help maintain the rural character of the town, maintain attractive PROWs linked to open spaces, for the benefit of the public and wildlife, will be supported.

This policy requires development proposals which are likely to have an impact on the Green Link from physical presence or pressure from activity to protect and enhance the Green Link by:

- a) Wherever possible, improving the continuity of the public access within the Green Link and its value as a wildlife corridor.**
- b) Wherever possible increasing the access from the Green Link to the wider network of PROWs around Southwell; improving its landscape features to help maintain it as an attractive amenity for the public and making it a more valuable biodiversity asset.**

E6 – Climate Change and Carbon Emissions

79. One of the core principles in the NPPF is to support the transition to a low carbon future in a changing climate by a number of means, including encouraging the use of renewable resources.
80. The second bullet point in Policy E6 cross refers to Policy DH6, which I assume should be DH3. This bullet point refers to the setting and character of heritage assets, which are protected by national policy. In the interest of clarity, the cross reference is unnecessary and should be deleted.
81. The last paragraph of Policy E6 cross refers to the Southwell Design Guide. As previously mentioned, this paragraph requires modification to refer to guidance in the Design Guide. In addition, in the interest of clarity, this paragraph should start with reference to ‘developer proposals’ rather than ‘developers’.

82. As mentioned under Policy SD1, I have recommended the deletion of reference to energy efficient homes in Appendix 1 in the Southwell Design Guide. Reference to energy efficiency regarding non-residential properties can remain in Policy E6.
83. Subject to the above modifications, Policy E6 is in general conformity with strategic policy in Core Policy 10 in the Core Strategy where it seeks to deliver a reduction in overall CO₂ emissions, has regard to national policy and will play an important role in contributing towards sustainable development. Policy E6, as modified, meets the Basic Conditions.
84. **Recommendation: to meet the Basic Conditions, I recommend the deletion of the cross reference to Policy DH6 in the second bullet point in Policy E6 and I recommend modification to the last paragraph of Policy E6 to read as follows:**

Development proposals will need to demonstrate that they have taken account of the current industry and government best practice principles for energy saving construction in design of non-residential buildings and landscape treatments and guidance in the Southwell Design Guide. This may include considering the use of onsite renewable technologies where they comply with other policies within the development plan.

Design and the Historic Environment

85. Section 7 in the NPPF seeks to secure high quality design. Paragraph 6 states: *planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness.*
86. Section 12 in the NPPF seeks to conserve and enhance the historic environment.

DH1 – Sense of Place

87. Policy DH1 seeks to ensure that consideration has been given to design guidance in the Southwell Design Guide. As already mentioned under Policy SD1, the policy should clearly state that this is guidance.
88. Core Strategy Policy SoAP 2 supports the development of new educational and research facilities at Nottingham Trent University's Brackenhurst Campus. This campus is situated to the south of the parish outside the urban boundary.
89. Nottingham Trent University has raised concern that Policy DH1 would preclude the growth and development of the university's Brackenhurst Campus, which may require further supportive and ancillary commercial and

retail development. The Plan, at paragraph 2.16, recognises that this campus is a significant employer in the parish. I am concerned that Policy DH1 could inadvertently restrict necessary development at the campus site. In this context, in the interest of clarity, I recommend modification to Policy DH1 to cross refer to Core Strategy Policy SoAP 2.

90. Subject to the above modifications, I consider that Policy DH1 meets the Basic Conditions.

91. **Recommendation: to meet the Basic Conditions, I recommend modification to Policy DH1 to read as follows:**

Policy DH1

All relevant planning applications will be required to demonstrate how they have taken account of the guidance set out within the Southwell Design Guide contained at Appendix 1 and the Conservation Area Appraisals (where this is relevant). This should not preclude innovative or contemporary design where it can be shown to support and contribute to the unique townscape of Southwell. Standardized design solutions are unlikely to be acceptable.

All new development, in terms of scale, mass and overall mix of use should reinforce the focus of the Town Centre for commercial and retail uses, and not seek to create alternative centres. This does not preclude appropriate development at the Brackenhurst Campus in accordance with Core Strategy Policy SoAP 2.

DH2 – Public Realm

92. Policy DH2 seeks a high quality public realm. The second paragraph requires all new residential and commercial schemes to provide new public places appropriate to the development. I have no clear evidence to justify this requirement and am concerned that such a requirement may make some otherwise sustainable development unviable. NSDC has suggested modification to this paragraph to remove the blanket requirement. That modification would overcome my concern and Policy DH2 would meet the Basic Conditions. For the same reasons, the supporting paragraph 7.7 should be deleted.

93. The first paragraph has some grammatical errors, which I have corrected in my suggested modification.

94. **Recommendation: to meet the Basic Conditions, I recommend the deletion of paragraph 7.7 and the modification to Policy BH2 to read as follows:**

Policy DH2

Development proposals which have the potential to impact on the public realm will be expected to demonstrate how they will contribute to high quality streets, pavements and other publicly accessible areas

(the public realm) within the town, subject to complying with all other Neighbourhood Plan policies. Where appropriate, improvements to the existing public realm, to ensure safe and high quality access for all users, should be delivered alongside proposals and have regard to the guidance in the Southwell Design Guide (Appendix 1).

Where new public squares, parks or spaces are provided as part of development proposals, they should be of a scale and type appropriate to the development and its context.

Landscape schemes submitted with applications should demonstrate how they have been designed to:

Encourage access for all users

Reduce the risk of fly-tipping and other anti-social behaviour

Be maintained in the long term

DH3 – Historic Environment

95. This policy refers to three documents not yet in existence. These are a review of the Conservation Area Appraisal, a Historic Core (Archaeology) Study and a Register of non-designated heritage assets of local interest. Such an approach does not provide a practical framework for decision making. As such, I recommend deletion of those parts of Policy DH3 that refer to these references and modification to the supporting text accordingly.
96. Heritage assets are already protected by other development plan policy and *The Planning (Listed Buildings and Conservation Areas) Act 1990* imposes duties requiring special regard to be had to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses; and of preserving or enhancing the character or appearance of a Conservation Area. Thus, my recommended deletions above would not undermine Objective 3 with regard to the impact of development on the historic environment.
97. Southwell Town Council identified the Historic Core of the Town in *Southwell's Historic Core: An Outstanding Heritage Area* in 2012. It is clear that the Historic Town Centre is an area of greatest concentration of historic interest in the town and the distinct features must not be compromised. In this respect, I recommend that the two bullet points in Policy DH3 regarding the Historic Town Centre remain as the Policy. This will meet the Basic Conditions.
98. During the course of my examination of this Plan, NSDC has alerted me to an error on the Southwell Conservation Area map on page 49. I understand that the building on the corner of Lower Kirklington Road and Byron Gardens has been inadvertently shown as a listed building. In the interest of clarity, this should be deleted.

99. **Recommendation: to meet the Basic Conditions I recommend the deletion of the listed building notation on the building on the corner of Lower Kirklington Road and Byron Gardens on the Southwell Conservation Area map on page 49;**

modification to the explanatory text accompanying Policy BH3 as stated above; and

modification to Policy DH3 to read as follows:

Policy DH3

Development proposals within the Historic Town Centre must not negatively impact on the spaces, links or relationships between listed buildings, particularly those associated with the Minster where the aim is to maintain a sense of place within and around its precinct.

Within the Historic Town Centre the established layout of large houses within their own extensive grounds must be retained and the surviving Prebendal plots must not be subdivided.

Transport and Access

100. The NPPF seeks to promote sustainable transport and highlights in paragraph 35 that developments should be located and designed where practical to give priority to pedestrian and cycle movements. In paragraph 29 it is stated that: *the transport system needs to be balanced in favour of sustainable transport modes, giving people a real choice about how they travel.*

TA1 – Cycle and Pedestrian Routes

101. It must be realised that the definition of development encompasses a wide range and scale; including extensions to dwellings and the change of use of properties. Not all development will increase the use of, or have an impact on, the pedestrian and cycle network. In the interest of clarity, I recommend modification to the first paragraph of Policy TA1 to accord with the modification suggested by NSDC in this regard and modification to the second paragraph in relation to ensuring safe routes to school ‘if applicable’. In addition, in the interest of clarity, I recommend modification to this policy to refer to ‘development proposals’ throughout.
102. In the first paragraph, reference is made to links to the key services and the district centre. Whilst the district centre is identified in the Plan, key services are not and therefore reference to them should be deleted. In addition, the last two sentences of this paragraph are not necessary. The last paragraph is a statement rather than policy. Therefore in the interest of clarity, I recommend deletion of this paragraph.

103. Subject to my recommended modifications, I consider that Policy TA1 has regard to national policy to promote sustainable transport. As modified, Policy TA1 meets the Basic Conditions.

104. **Recommendation: to meet the Basic Conditions, I recommend modification to PolicyTA1 to read as follows:**

Policy TA1

Where appropriate, proposals for new development in Southwell must demonstrate how account has been taken to improve the pedestrian and cycle network within the town, helping to provide links to the district centre.

In providing new routes or enhancing existing routes proposals, it must be demonstrated how they have considered the following criteria:

Delivering a high level of security and safety by providing adequate street lighting and good visibility in both directions.

Ensuring high quality design by providing suitable street furniture, including benches and bins where appropriate.

Keeping road crossings to a minimum to make all routes accessible for disabled people, the elderly and pushchairs.

Ensuring that they have delivered, or contributed to, safe routes to school if applicable.

TA2 – Public Transport Connectivity

105. Policy TA2 seeks to deliver an integrated transport system. As such, this has regard to national policy where it seeks to promote sustainable transport.

106. I have not been provided with any robust justification to clearly explain why the threshold of 11 dwellings or more has been set for residential developments required to be located within 400 metres walk of public transport services or requirements for subsidising transport links to the sites if this is not achievable. Whilst I realise that close proximity to public transport would give new residents a choice of how they travel, I am concerned that such an unjustified requirement for developments as small as 11 dwellings could undermine the viability of sustainable development proposals. Therefore, I recommend the deletion of the second paragraph of Policy TA2 and supporting explanatory text in this respect. This will meet the Basic Conditions.

107. **Recommendation: to meet the Basic Conditions, I recommend modification to supporting text as outlined above and modification to Policy TA2 by the deletion of the second paragraph.**

TA3 – Highways Impact

108. Policy TA3 seeks to ensure that new development does not have an adverse effect on the highway network. NSDC has suggested inclusion of reference to NSDC’s Developer Contributions and Planning Obligations SPD. In the interest of clarity, I recommend modification to the first paragraph as suggested by NSDC.
109. Government guidance in the Planning Practice Guidance states at Paragraph: 001 Reference ID: 23b-001-20150326: *Planning obligations may only constitute a reason for granting planning permission if they meet the tests that they are necessary to make the development acceptable in planning terms, directly related to the development, and fairly and reasonably related in scale and kind. These tests are set out as statutory tests in the Community Infrastructure Levy Regulations 2010 and as policy tests in the National Planning Policy Framework.*
110. Contributions from an allocated development site cannot be sought to fund unrelated highway works elsewhere as they would not meet the planning obligations statutory tests. Therefore, I recommend the deletion of the second paragraph in Policy TA3 in this respect and associated explanatory text.
111. The design criteria for new developments in the third paragraph in Policy TA3 are vague. In the interest of clarity, I recommend deletion of this paragraph and associated explanatory text.
112. In the interest of precision, paragraph 8.15 regarding the line of the bypass should be updated.
113. Subject to my suggested modifications above, Policy TA3 meets the Basic Conditions.
114. **Recommendation: to meet the Basic Conditions, I recommend modification to supporting text as outlined above and modification to Policy TA3 to read as follows:**

Policy TA3

Where new development negatively impacts on the highway network, contributions will be sought from the developer to mitigate this effect in line with NSDC’s Developer Contributions and Planning Obligations Supplementary Planning Document. Contributions will be used to minimise and mitigate these impacts associated with the development.

TA4 – Parking Standards

115. Paragraph 39 in the NPPF states: *if setting local parking standards for residential and non-residential development, local planning authorities should take into account:*

- *the accessibility of the development;*
 - *the type, mix and use of development;*
 - *the availability of and opportunities for public transport;*
 - *local car ownership levels; and*
 - *an overall need to reduce the use of high-emission vehicles.*
116. Paragraph 40 in the NPPF supports the improvement of the quality of parking in town centres.
117. Policy DM5 in the A&DM DPD states: *parking provision for vehicles and cycles should be based on the scale and specific location of the development. Development resulting in the loss of parking provision will require justification.*
118. Policy TA4 seeks to impose minimum parking standards for new residential development. I have no evidence base before me to clearly establish that these standards have been derived having regard to paragraph 39 in the NPPF or that they provide the flexibility proposed in Policy DM5 in the A&DM DPD. On this basis, there is no clear and compelling justification that it is necessary to impose the proposed local parking standards for residential development. Therefore, I recommend the deletion of these parking standards in Policy TA4.
119. The criteria for parking for non - residential development in Policy TA4 have regard to national policy in paragraph 39 in the NPPF. In the interest of clarity, the first sentence of this paragraph should be modified to refer to development 'proposals'.
120. The last paragraph seeks developer contributions for town centre parking. Whilst seeking improvement of the quality of town centre parking has regard to national policy, requiring this to be provided by developers of commercial and retail development requires robust justification. I do not have such justification as part of the evidence base before me. I am concerned that such an onerous unjustified requirement could undermine the viability of strategic development. The last sentence of this paragraph supports additional town centre parking without making it a requirement of development. As such I recommend retention of this sentence subject to minor modification in the interest of clarity.
121. Subject to the modifications outlined above and corresponding modification to the explanatory text, Policy TA4 meets the Basic Conditions.
122. **Recommendation: to meet the Basic Conditions, I recommend modification to the explanatory text as outlined above and modification to Policy TA4 to read as follows:**

Policy TA4

Non-residential development proposals must take into consideration the following criteria in determining the acceptability of proposed parking:

Accessibility

Type of development

Availability of public transport

Number of visitors and employees at peak times.

All new parking must be designed to ensure that it is in keeping with the local character of Southwell. A mixture of different types of parking will be fully supported providing it is kept within the confines of the site and does not overspill onto neighbouring streets.

Parking proposals which would enhance the local and visitor access to the shopping centre will be considered favourably.

TA5 – Parking Strategy

123. Much of Policy TA5 is concerned with the use and management of car parks. It is vague in that it does not specify the type of parking and it refers to a brownfield site that is not identified on the proposal map. This is a strategy rather than a planning policy. Therefore, Policy TA5 and accompanying text should be deleted.
124. **Recommendation: to meet the Basic Conditions, I recommend the deletion of Policy TA5 and accompanying text.**

Community Facilities

CF1 – Identified Assets

125. Policy CF1 seeks to retain and improve important community facilities. As such, this policy contributes towards the social role of sustainable development. Policy CF1 meets the Basic Conditions.
126. The last sentence in paragraph 9.4 in the explanatory text requires replacement community facilities to be within walking distance of the town. This is not translated into a policy requirement in Policy CF1. Therefore, in the interest of precision, this sentence should be deleted.
127. **Recommendation: in the interest of precision, to meet the Basic Conditions, I recommend the deletion of the last sentence in paragraph 9.4.**

CF2 – Green and Open Spaces and Burial Grounds

128. The proposals map and other maps in the Plan identify Green and Open Spaces protected by SP8 Policy. That policy is from the Core Strategy. Whilst I raise no concern regarding this protection, as Policy SP8 is from a different document in the development plan, this should be clearly stated on the maps.
129. The first and last paragraphs of Policy CF2 are statements, rather than policy and thus should be deleted.
130. The NSDC *Community Greenspace Provision Improvement Plans (2010)* identifies green space provision and deficiencies in both the Southwell North ward and Southwell West ward. It does not identify land suitable to provide additional open space. Policy CF2 indicates general areas for such provision, but does not specify these areas on the proposals map. This approach does not lead to a practical framework for decision making. In the interest of clarity, I recommend deletion of these references and the associated explanatory paragraph 9.14.
131. The third paragraph of Policy CF2 is vague. I have interpreted it as meaning that new developments should provide green and open spaces in accordance with the NSDC SPD. In the interest of clarity, I recommend modification to this paragraph accordingly.
132. Developers cannot be expected to provide open space to make up an existing deficit. These requirements would not meet the planning obligations statutory tests. Contributions are required to be directly related to the development, and fairly and reasonably related in scale and kind. Therefore, I recommend modification to the introduction and explanatory text to Policy CF2 accordingly, to ensure conformity with the statutory tests.
133. Subject to the above modifications, Policy CF2 meets the Basic Conditions.
134. **Recommendation: to meet the Basic Conditions, I recommend modification to the key for all maps in the Plan that identify Green and Open Spaces protected by SP8 Policy, to state that this policy is a Core Strategy Policy. I recommend modification to the accompanying text to Policy CF2 as stated above. I recommend modification to Policy CF2 to read as follows:**

Policy CF2

Unless it can be shown to be unreasonable to do so, green and open spaces should be provided on new development sites to the area requirements identified in the NSDC Developer Contributions and Planning Obligations Supplementary Planning Document.

Development proposal and/or schemes which help address the deficiency of burial ground facilities within the ecclesiastical parish of Southwell will also be looked upon favourably.

The loss of existing green and open spaces to development, including amenity space such as allotments, sports fields and play areas, will be resisted unless it can be demonstrated that it is no longer required but, if unavoidable, must be replaced by an equal area of at least similar quality situated conveniently in the Parish.

CF3 – Primary Shopping Frontage

135. Section 2 in the NPPF seeks to ensure the vitality of town centres. It states that planning policies should *recognise town centres as the heart of their communities and pursue policies to support their viability and vitality.*
136. Southwell is a District Centre. Core Strategy Policy SoAP 1 seeks to: *protect and enhance the retail offer of the town by designating a town centre boundary and primary shopping frontages and encourage retail and other town centre uses within it.* I consider this to be a strategic policy for the provision of retail development.
137. Policy DM11 in the A&DM DPD states: *new and enhanced retail development and other town centre uses that are consistent with the size and function of the centre and maintain and enhance its role will be supported within the District Centres.*
138. The first paragraph of Policy CF3 in this neighbourhood plan does not accord with Policy DM11. Policy CF3 would allow any new shop or financial and professional service within the primary shopping frontage. It does not follow that any new shop or financial and professional service within the primary shopping frontage would necessarily enhance the vitality and viability of the District Centre. To ensure that the vitality and viability is enhanced, I recommend modification to the first paragraph to refer to ‘where they enhance’ rather than ‘enhance’ and in the interest of clarity, incorporating the second paragraph into the first. In addition, reference to ‘Article 4’ is not correct and as paragraph 9.17 explains, this policy should only relate to ground floor uses.
139. As the Primary Shopping Frontages are identified on the Proposals Map, it is not necessary to refer, in the third paragraph, to those identified by NSDC.
140. The last paragraph of Policy CF3 includes advertisement matters that do not require planning permission, as they are assessed against the Town and Country Planning (Control of Advertisements) (England) Regulations 2007. In the interest of precision, I recommend modification to this paragraph.
141. Subject to the above modifications, I consider Policy CF3 meets the Basic Conditions.
142. I recommend modification to Policy CF3 to refer to ‘development proposals’, rather than ‘applications’, to accord with the approach in many other of the policies. This is a minor modification to Policy CF3 as a matter of style,

rather than a requirement. Although I have not specifically pointed this out for all policies, similar modifications to other policies would be acceptable.

143. **Recommendation: to meet the Basic Conditions, I recommend modification to Policy CF3 to read as follows:**

Policy CF3

Within the Primary Shopping Frontage, as defined on the Policies Map, development proposals for retail and non-retail uses at street level will be supported where they enhance the vitality and viability of the District Centre. Where non-retail uses are approved in Primary Shopping Frontages consideration will be given to the removal of permitted development rights to allow for the assessment of the impact of other uses on the vitality and viability of the District Centre.

Development proposals for other uses, including Class A2 (Financial and Professional Services) and Class B1 (Business), within the Southwell District Centre (beyond the primary shopping frontages), as shown on the proposals map will be supported provided they can demonstrate how they improve the vitality and viability of the district centre and preserve residential amenity.

Development proposals involving advertisements that require planning permission must reference how they have taken into consideration guidance in the NSDC Shopfronts and Advertisements Supplementary Planning Document.

CF4 – Tourism

144. The importance of Southwell as a tourist destination is evident in the background evidence supporting the Plan. Core Strategy Core Policy 7 promotes opportunities for tourism in the District and Core Strategy Policy SoAP 1 seeks to promote Southwell as a designation for tourism. Policy CF4 generally supports tourism related development. I consider that Policy CF4 meets the Basic Conditions.
145. The last two sentences in the explanatory paragraph 9.23 are not a correct explanation of Policy CF4. In the interest of clarity, I recommend deletion of these sentences.
146. **Recommendation: to meet the Basic Conditions, I recommend the deletion of the last two sentences in paragraph 9.23.**

Housing and Employment

HE1 – Housing Type and Density

147. Core Strategy Core Policy 3 seeks a density of normally no less than 30 dwellings per hectare net for new housing developments and seeks to secure new housing development that addresses the identified housing need for the district namely, family housing, smaller houses and housing for elderly and disabled people. The supporting text at paragraph 5.13 states: *The Housing Needs, Market and Affordability Study indicates that there is an increase in families and in the elderly populations. The District's housing will need to be adaptable to meet the needs of these groups including accommodating elderly and disabled residents. The Study also indicates that need is more focused towards smaller properties. In general terms, the indicated split in the study is that 60% of all new dwellings should be 1 or 2 bedroom dwellings and 40% should be of 3 bedrooms and above. An appropriate mix will depend on the local circumstances and information on local need in the particular part of the district where development is proposed.*
148. Policy So/HN/1 in the A&DM DPD seeks to secure the majority of new housing on allocated and windfall sites as one or two bedroom units in line with identified housing need.
149. The *Newark and Sherwood 2014 Sub Area Report* looks at the key findings of the Council's Housing Needs Survey at a localised level. The main findings for the Southwell Sub-area are that the main type of property required by existing households moving is semi-detached closely followed by detached. The main type needed for concealed households is flat / maisonette. In the market sector existing households mainly require two and four bedrooms. The majority of concealed households need smaller units, mainly one bedroom properties. The main size requirement overall is for two bedrooms at 37.9%. In the social sector the main size of property required by existing households is one bedroom, concealed households require two bedrooms.
150. Policy HE1 sets housing mix and associated densities for brownfield and greenfield sites. I note that it has been informed by *The Housing Needs, Market and Affordability Study (2009)*; *The Newark and Sherwood 2014 Sub Area Report*; and *The Southwell Neighbourhood Planning Area Profile (2014)* and is based on discussions with the NSDC Housing Strategic Manager. NSDC has not raised concern regarding this approach. In addition, I have been referred to the *Draft Nottingham Outer 2014 Strategic Housing Market Assessment June 2015 (SHMA)*, which was a public document prior to the consultation on the submission Plan. In this context, I consider that the housing mix and associated density requirements in Policy HE1 have been informed by justifiable evidence and are in general conformity with strategic policy in Core Policy 3. They will help deliver a

wide choice of high quality homes as required by policy in the NPPF and will contribute towards the achievement of sustainable development.

151. On matters of detail, the last sentence of the third paragraph of Policy HE1 regarding access to viability assessments is not a policy matter. This sentence should be deleted.
152. Paragraph 204 in the NPPF states that planning conditions should not be used to restrict national permitted development rights in The Town and Country Planning (General Permitted Development) (England) Order 2015 unless there is clear justification for doing so. The Planning Practice Guidance advises that conditions restricting the future use of permitted development rights *will rarely pass the test of necessity and should only be used in exceptional circumstances*.
153. The last paragraph of Policy HE1 seeks to remove all permitted development rights from new one and two bedroom dwellings. I realise the intent is to ensure the retention of small dwellings. However, to have regard to the above national policy and guidance, I recommend modification to this paragraph as suggested by NSDC. The suggested modification seeks consideration of the removal of permitted development rights, rather than an outright removal in all circumstances. A similar modification is required for the explanatory text at paragraph 10.7.
154. Subject to the modifications stated above, Policy HE1 meets the Basic Conditions.
155. Planning Practice Guidance states that: *local planning authorities should plan for sufficient student accommodation whether it consists of communal halls of residence or self-contained dwellings, and whether or not it is on campus*.
156. I have been referred to the Draft SHMA in the context of the provision of purpose built student accommodation for students attending the Brackenhurst Campus. The Draft SHMA does identify that Southwell's rental market is more diverse than others in the housing market area. However, nothing in the Draft SHMA, Core Strategy, A&DM DPD or the documents referred to above clearly indicate that Policy HE1 is required to include support for the provision of purpose built student accommodation to meet the Basic Conditions.
157. **Recommendation: to meet the Basic Conditions, I recommend modification to explanatory paragraph 10.7 as stated above. I recommend modification to the third paragraph of Policy HE1 by the deletion of the last sentence. I recommend modification to the last paragraph of Policy HE1 to read as follows:**

Where dwellings (including bungalows) of one or two bedrooms are delivered, consideration will be given to removing permitted development rights associated with extension and alteration in order to allow for consideration of the impact on the balance of the parish's housing stock.

HE2 – Affordable Housing Provision

158. Core Strategy Core Policy 1 seeks 30% of new housing on qualifying sites as affordable housing. As Policy HE2 seeks 35% of dwellings in new residential developments of 11 or more dwellings to be affordable, Policy HE2 is not in general conformity with strategic policy.
159. I have been referred to background evidence in support of Policy HE2, including reports that post-date the Core Strategy. These include the *NSDC Affordable Housing Supplementary Planning Document (July 2013)* and *The Newark and Sherwood 2014 Sub Area Report*.
160. Having taken all the background evidence referred to into consideration, I have no clear evidence to justify departure from the affordable housing requirements in Core Policy 1. I am concerned that the additional requirements in Policy HE2 would undermine the viability of the specific sites allocated in the A&DM DPD. This would not deliver the strategic housing requirements for the parish. As such, Policy HE2 is not in general conformity with strategic policy in the development plan and therefore does not meet the Basic Conditions.
161. **Recommendation: to meet the Basic Conditions, I recommend the deletion of Policy HE2.**

HE3 – Open Space and New Residential Developments

162. Policy DH2 covers the provision of public spaces in new developments, including residential developments. Policy HE3 is therefore unnecessary.
163. **Recommendation: to provide a practical framework for decision making, to meet the Basic Conditions, I recommend the deletion of Policy HE3.**

HE4 – Economic Development

164. One of the core principles in the NPPF includes the need to proactively drive and support sustainable economic development. Core Strategy Core Policy 6 seeks to strengthen and broaden the local economy.
165. The second paragraph in Policy HE4 requires development proposals at the Crew Lane sites to be in accordance with Policies So/E/2 and So/E/3 in the A&DM DPD. These policies specifically cross refer to compliance with Policy So/E/1 in the A&DM DPD. That policy does not preclude development within Use Class B8 at the allocated Crew Lane sites. Indeed, Policy So/E/1 specifically refers to Use Class B8 development.
166. Policy HE4 seeks to restrict of Use Class B8 development at the Crew Lane sites. Whilst I appreciate that the intention is to support small scale starter units, by restricting Use Class B8 development, there would be an internal

conflict within this Policy. The first three bullet points would contradict each other. This internal conflict in the Plan would not lead to the precision and clarity needed from planning policy. Therefore I recommend the deletion of the third bullet point that restricts Use Class B8 development and modification to the second bullet point to avoid contradiction.

167. The second bullet point in the second paragraph refers to the promotion of Use Class B1 and B2 development 'in line with Policy HE3'. That reference to Policy HE3 appears to be an error and should thus be deleted.
168. As mentioned under Policy HE1, there has to be a clear justification for removing permitted development rights. The proposed blanket removal of permitted development rights associated with the conversion of Use Class B1 and B2 development to Class B8 use in Policy HE4 would not have regard to national policy and guidance in this regard. Therefore, I recommend the deletion of the fourth bullet point.
169. The third paragraph is a statement of intent and thus should be deleted from the policy.
170. The fourth paragraph refers to 'appropriate economic development' but does not define 'appropriate'. For clarity, I recommend the deletion of 'appropriate' and recommend the addition of 'subject to compliance with other relevant development plan policies' at the end of the paragraph.
171. Reading Policy HE4 as a whole, the sixth paragraph does not make sense unless it comes before the fifth paragraph.
172. Explanatory paragraph 10.19 states that the construction of the by-pass is likely to be subject to a review in autumn 2015. Clearly that time has passed. I assume the associated land is still safeguarded, as NSDC has not mentioned otherwise in the representations (dated 14 January 2016) submitted on the policies in this Plan. In the interest of clarity, paragraph 10.19 should be updated.
173. NSDC has stated that as written, the last paragraph in Policy HE4 would allow for development on the whole of the protected route of the Southwell by-pass, much of which is in the open countryside, and would therefore be contrary to strategic policy. From my reading of the supporting text to Policy HE4, it does appear that this is a drafting error. I recommend modification to the last paragraph in Policy HE4, as suggested by NSDC, to clarify this matter.
174. The Proposals Map is largely based on the Southwell Proposals Map in the A&DM DPD. In the interest of clarity, it should be clear on the Proposals Map that references to area So/E/1, and sites So/E/2 and So/E/3 are from policies in the A&DM DPD.
175. One of the core principles in the NPPF includes the need to proactively drive and support sustainable economic development. Core Strategy Core Policy 6 seeks to strengthen and broaden the local economy. Subject to the modifications recommended above, I consider that Policy HE4 will meet the

Basic Conditions, particularly where it has regard to national policy and is in general conformity with strategic policy in the development plan.

176. **Recommendation: to meet the Basic Condition, I recommend updating paragraph 10.19 as stated above; modification to the Proposals Map key to explain that references to area So/E/1, and sites So/E/2 and So/E/3 are from policies in the A&DM DPD; and modification to Policy HE4 to read as follows:**

Policy HE4

Development proposals which will support the ongoing commercial operations of established premises as part of the commercial / industrial sites at Crew Lane and Station Road will be supported subject to their compliance with other Development Plan policies, and the preservation of neighbouring amenity.

**Development of commercial uses on Crew Lane sites will be supported subject to compliance with the following requirements:
Compliance with A&DM DPD policies So/E/2 and So/E/3, subject to mitigation of traffic impact, especially where development proposals support small scale and start-up businesses;
Demonstrates how the scheme contributes to the future economic development of the Crew Lane area.**

Development proposals which deliver economic development on an existing employment site or allocated site will be supported, especially where they seek to diversify employment opportunities through the provision of small business starter units within the town, subject to compliance with other relevant development plan policies.

Outside of these areas, applications for employment uses will be resisted unless it can be demonstrated that they will not undermine residential amenity. Development proposals which facilitate working from home will be supported, provided that they are small scale and do not undermine neighbouring amenity.

The loss of employment facilities within Southwell will be resisted unless it can be demonstrated that there is no long term requirement or need for such facilities, that there is no viable employment use, or there is a demonstrable beneficial environmental improvement or removal of harm to living conditions.

Should the safeguarded land associated with the Southwell by-pass located within So/E/1 on the Proposals Map not be required and should land within allocated site So/E/3 on the Proposals Map be considered unnecessary to meet identified employment needs, both may be considered for other uses, for example residential, subject to compliance with other relevant development plan policies.

Site Specific Policies

177. The Site Specific Policies are policies for specific sites allocated in the A&DM DPD. The A&DM DPD was adopted in 2013 and as such was required to follow the approach of the presumption in favour of sustainable development outlined in the NPPF of the previous year. Whilst the legal requirements for the examination of a local plan differ from those for a neighbourhood plan examination, the site specific policies in the A&DM DPD have already been examined in the context of the presumption in favour of sustainable development.
178. The site specific policies in the Neighbourhood Plan are those in the A&DM DPD supplemented by additional policy clearly identified in italics. I have not come across this approach before in my examination of neighbourhood plans. I understand the intention of the additions is to reflect detailed local circumstances. I must make it abundantly clear that it is only necessary in these circumstances for me to be examining the policy wording in italics
179. Paragraph 16 in the NPPF includes the implications for the presumption in favour of sustainable development in the making of neighbourhood plans. It includes that neighbourhood plans should *support the strategic development needs set out in Local Plans* and *plan positively to support local development, shaping and directing development in their area that is outside the strategic elements of the Local Plan*. As such, I consider the approach to reflect detailed local circumstances by supplementing the A&DM DPD site specific policies is an innovative one which has regard to the presumption in favour of sustainable development, providing the additional requirements can be justified.
180. I sought clarification from NSDC as to the latest planning position for each of the sites and have included the latest updated position under each specific site, where relevant. As I have recommended deletion of references to some of the sites due to the updated position, I am happy for this to be explained in a modified introduction. I will leave this matter to the Town Council and NSDC.
181. NSDC has suggested modification to the second paragraphs of each of the site specific policies to specify that development briefs are to be prepared by developers. I consider such modification is required to ensure it is clear who is responsible for the preparation of the design briefs.
182. The second paragraphs of each of the site specific policies make it abundantly clear that other policies in the neighbourhood plan have to be taken into consideration in compiling a design brief. In this context, it is unnecessary to repeat matters in the site-specific policies that are already covered by other policies and it does not provide a practical framework for decision making. The future maintenance of landscape features is already covered in Policy E3 and to some extent in E4. The preparation of wildlife surveys is covered in Policy E3. PROWs are covered in Policy E4. Therefore, I recommend deletion of the supplementary policy requirements that cover these matters in the site specific policies.

183. A number of the site specific policies include additional requirement for site-specific flood risk assessments. Whether or not there is a need for site-specific flood risk assessments is set out in at footnote to paragraph 103 in the NPPF. This states: *a site-specific flood risk assessment is required for proposals of 1 hectare or greater in Flood Zone 1; all proposals for new development (including minor development and change of use) in Flood Zones 2 and 3, or in an area within Flood Zone 1 which has critical drainage problems (as notified to the local planning authority by the Environment Agency); and where proposed development or a change of use to a more vulnerable class may be subject to other sources of flooding.*
184. It may well be that sites SS1, SS2, SS4 and SS5 meet the NPPF criteria for the requirement for a site-specific flood risk assessment. In which case, there is no need for additions to the policies in this respect. As this matter is covered by national policy, I do not consider it to be a necessary policy addition required to reflect detailed local circumstances.
185. **Recommendation: to meet the Basic Conditions, I recommend modification to the first sentence of the second paragraph of each of the site specific policies that I have considered should remain in the Plan to read as follows:**
- In addition to the general policy requirements in the Core Strategy, Neighbourhood Plan and the Development Management Policies in Chapter 7, with particular reference to Policy DM2 Allocated Sites, and Policy DM3 Developer Contributions and Planning Obligations, development of this site will be guided by a developer prepared design brief of the whole allocated site which appropriately addresses the following:**
186. **Recommendation: to meet the Basic Conditions I recommend, where relevant, the deletion of additional policy regarding the future maintenance of landscape features, regarding wildlife surveys and reference to PROWs in the site-specific policies.**
187. **Recommendation: In the interest of precision, to meet the Basic Conditions, I recommend modification to Policies SS1, SS2, SS4 and SS5 by the deletion of the additional references to the requirement for site-specific flood risk assessments.**
188. It is evident throughout the Plan that local people have placed great emphasis on landscaping details and built form and this is detailed in other policies in the Plan and in guidance in the Southwell Design Guide. In this respect, I consider that the remaining supplementary policy requirements in the individual in the site specific policies regarding the built and natural environment predominantly reflect detailed local circumstances. As such, I have restricted my comments on other supplementary policy requirements in the individual site specific policies to matters of clarity and viability.
189. Below are my further comments on each of the site specific policies, which need to be considered alongside my general recommendations above.

SS1 – SO/HO/1 – Land east of Allenby Road

190. I note that the landowner supports the additional policy requirements. My one concern is with the wording of the addition to bullet point i. I agree with NSDC that in the absence of being provided with evidence of a specific scheme or assessment of the hedges to the west of the site and along the northern boundary, it is not possible to insist on their retention. Under these circumstances, I agree with the proviso of additional wording to require that they should be retained 'wherever possible', as suggested by NSDC.
191. **Recommendation: to meet the Basic Conditions, I recommend modification to Policy SS1 by the inclusion of 'wherever possible' at the beginning of the last sentence in bullet point i.**

SS2 – SO/HO/2 – Land south of Halloughton Road

192. NSDC has advised that there is a planning application for development of this site (Ref. 15/1295/FULM), which is pending determination.
193. For the same reasons as mentioned for site SS1, there needs to be the inclusion of 'wherever possible' with regard to the retention of existing mature trees and vegetation.
194. **Recommendation: to meet the Basic Conditions, I recommend modification to Policy SS2 by the inclusion of 'wherever possible' at the beginning of the fourth sentence in bullet point i. 1.**

SS3 – SO/HO/3 – Land at Nottingham Road

195. NSDC has advised that there is planning permission for development on this site ref. 13/00689/FULM and that this does not take account of the additional requirements in Policy SS3. I have no indication as to whether this planning permission will or will not be implemented.
196. In the interest of clarity, as mentioned before, reference should be made to 'guidance in the Southwell Design Guide' rather than the 'requirements' of the Guide.
197. **Recommendation: to meet the Basic Conditions, I recommend modification to the third paragraph in Policy SS3 1.3. to read as follows:**

A planted strip should be left adjacent to the Potwell Dyke, having regard to guidance in the Southwell Design Guide. The watercourse should be screened from the development where possible.

SS4 – SO/HO/4 – Land east of Kirklington Road

198. I see no need for the additional policy requirement for a buffer strip as bullet point ii. already refers to the need for landscape buffering.

199. Policy TA1 already requires new development to demonstrate how account has been taken to improve the pedestrian and cycle network within the town. I have no clear evidence that the best way of achieving this from this site is for three separate links. Therefore I recommend deletion of reference to footpath and cycle links.
200. Policy CF2 addresses the loss of allotments and states that their loss will be resisted unless it can be demonstrated that they are no longer required but, if unavoidable, they *must be replaced by an equal area of at least similar quality situated conveniently in the Parish.*
201. I am concerned that a further restriction in Policy SS4 to require replacement allotments within one mile of the town centre could have serious implications for the implementation of the development on this site. This could undermine the provision of housing development, which would not be in general conformity with strategic housing policy requirements. In addition, I have no clear evidence that a replacement site within one mile of the town centre is the most convenient location. Therefore, to meet the Basic Conditions, I recommend deletion of the last additional policy in Policy SS4.
202. **Recommendation: to meet the Basic Conditions I recommend the deletion of supplementary policy in Policy SS4 for a buffer strip, footpath and cycle links and allotments.**

SS5 – SO/HO/5 – Lower Kirklington Road

203. NSDC has advised that the Council has resolved to grant outline planning permission ref 15/00475/OUTM subject to a Section 106 agreement being made but no consent has yet been issued.
204. In the absence of being provided with evidence of a specific scheme or assessment of the existing mature trees and vegetation on this site, it is not possible to insist on their retention. Under these circumstances, in the interest of clarity, I recommend the addition of 'wherever possible' with regard to the retention of these landscape features.
205. In the interest of clarity, the first sentence in bullet point v. should not be in italics, as it is part of the original A&DM DPD policy.
206. **Recommendation: to meet the Basic Conditions I recommend that the first sentence in bullet point v. is not in italics and I recommend modification to the last sentence in bullet point ii. to read as follows:**
- Wherever possible, the layout should retain existing mature trees and vegetation on the site, based on a thorough survey of the quality and health of trees within the site.***

SS6 – SO/HO/6 – Land at The Burgage

207. I note that this site has planning permission (Ref. 15/00994/FULM) and that it has been implemented. In these circumstances, in the interest of clarity, Policy SS6 should be deleted and the Proposals Map amended accordingly.
208. **Recommendation: to meet the Basic Conditions I recommend the deletion of Policy SS6 and deletion of the site as an allocation on the Proposals Map.**

SS7 – SO/HO/7 – Southwell Depot

209. The word ‘policy’ has crept into bullet point ii. 2. In the interest of clarity, this should be deleted.
210. I have no credible local evidence to justify the retention of access to the land beyond the area designated for development. In these circumstances, I consider this policy approach to be an onerous requirement which is not necessary to make the development acceptable in planning terms.
211. **Recommendation: to meet the Basic Conditions I recommend the deletion of ‘policy’ in bullet point ii. 2 and the deletion of bullet point ii. 3.**

SS8 - SO/MU/1 – Former Minster School

212. NSDC has had a formal request from the owners to de-allocate this site as it has been gifted to Southwell Minster under an agreement preventing development and will eventually become open space. In these circumstances, in the interest of clarity, Policy SS8 should be deleted and the Proposals Map amended accordingly.
213. I realise that this site was to provide around 13 dwellings. There was a residual requirement for the A&DM DPD to identify sites that were capable of delivering 290 new dwellings in Southwell. The total number of dwellings proposed on the allocated sites in the A&DM DPD was around 298 dwellings. I have no evidence to suggest that the removal of this site as a housing allocation would undermine the strategic housing requirements in the development plan.
214. **Recommendation: to meet the Basic Conditions I recommend the deletion of Policy SS8 and deletion of the site as an allocation on the Proposals Map.**

Monitoring and Review

215. This section of the Plan sets out the mechanisms for the continual monitoring of performance and the circumstances under which a partial review may be necessary. I note that paragraph 12.5 refers to the

publication of the County Council Flood Risk Assessment expected in autumn 2015. I have not been made aware of whether this has been published. In the interest of clarity, this paragraph should be updated to reflect the current situation.

216. **Recommendation: in the interest of clarity, I recommend that paragraph 12.5 is updated with regard to the expected publication of the County Council Flood Risk Assessment.**

Implementation

217. This section includes a list of policies used to facilitate priority projects. In the interest of clarity, this list should be modified to take out those policies I have recommended should be deleted.
218. **Recommendation: in the interest of clarity, I recommend modification to the list of policies in paragraph 13.7; deleting those policies I have previously recommended should be deleted.**

Referendum and the Southwell Neighbourhood Plan Area

219. I am required to make one of the following recommendations:
- the Plan should proceed to Referendum, on the basis that it meets all legal requirements; or
 - the Plan as modified by my recommendations should proceed to Referendum; or
 - the Plan does not proceed to Referendum, on the basis that it does not meet the relevant legal requirements.
220. **I am pleased to recommend that the Southwell Neighbourhood Plan 2015 – 2026, as modified by my recommendations, should proceed to Referendum.**
221. I am required to consider whether or not the Referendum Area should extend beyond the Southwell Neighbourhood Area. I see no reason to alter or extend the Neighbourhood Plan Area for the purpose of holding a referendum.

Janet Cheesley

Date 13 March 2016

Appendix 1 Background Documents

The background documents include

The National Planning Policy Framework (2012)

The Planning and Compulsory Purchase Act 2004

The Localism Act (2011)

The Neighbourhood Planning (General) Regulations (2012)

The neighbourhood Planning (General) (Amendment) Regulations 2015

The Planning Practice Guidance (2014)

Regulation 16 Representations

Consultation Statement (October 2015)

Basic Conditions Statement (October 2015)

Key Supporting Documentary Evidence listed in Appendix 3 to the Southwell Neighbourhood Plan and hard copies of supporting evidence not available on the web.

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of the **POLICY & FINANCE COMMITTEE** held in Room G21, Kelham Hall, Newark on Thursday 24 March 2016 at 6.00pm.

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

Councillors: R.J. Jackson and Mrs A.A. Truswell.

SUBSTITUTES: Councillors: P.C. Duncan for R.B. Laughton and Mrs Y. Woodhead for D. Staples.

101. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors R.B. Laughton, A.C. Roberts, D. Staples and T. Wendels who was due to act as substitute for Councillor A.C. Roberts.

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

It was noted that all Members and Officers present had an interest in Agenda Item No. 10 – Moving Ahead Travel Update.

103. DECLARATIONS OF INTENTIONS TO RECORD THE MEETING

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

104. MINUTES FROM THE MEETING HELD ON 25 FEBRUARY 2016

The minutes from the meeting held on 25 February 2016 were agreed as a correct record and signed by the Chairman.

105. PROPOSAL FOR THE TRANSFER OF THE DISTRICT COUNCIL'S BUILDING CONTROL SERVICE TO EAST MIDLAND BUILDING CONSULTANCY

The Director - Communities presented a report regarding a proposal for the Council's Building Control service to be transferred to the East Midlands Building Consultancy (EMBC), a partnership which comprised South Kesteven District Council and Rushcliffe Borough Council.

Since October 2015 the Council had been in formal negotiations and discussion with the partnership which had resulted in a formal Deed of Agreement and a full business case being produced by the partnership for consideration by the Council. The advantages of a service delivered in partnership with EMBC were set out in the report. The EMBC was based in Grantham at the Headquarters of South Kesteven District Council as they were the lead authority with Building Control Officers working remotely and from home but with the Grantham offices acting as a 'hub' for the consultancy.

The EMBC had to date been managed by a Partnership Board consisting of senior officers from each Council. The Board had overseen the operations of the service and ensured that the interests of each individual Council were upheld. It was noted that the Partnership Board would continue but from 1 April 2016, Directors from this Council would sit on the Board as partners rather than observers as was currently the case. In addition to the Partnership Board a new Strategic Board had been developed to include the Chief Executive and a Director from each respective partner authority. The Terms of Reference for the Strategic Board were attached as an appendix to the report.

In relation to the draft Deed of Agreement the Director – Safety advised that a few drafting issues needed to be addressed in relation to permitted successors and permitted assigns to ensure that any future changes in terms of the partnership bodies required the specific approval of all three local authority partners.

AGREED (unanimously) that:

- (a) the proposal for the transfer of the District Council's Building Control Service to East Midlands Building Consultancy in partnership with Rushcliffe Borough Council and South Kesteven District Council be approved; and
- (b) delegated authority be given to the Director – Communities, following consultation with the Chairman, Vice-Chairman and Opposition Spokesperson of the Economic Development Committee, to enter into the legal agreement setting out the terms of the partnership shared service prior to the District Council formally entering the partnership on 1 April 2016.

Reason for Decision

To provide a sustainable, high quality Building Control service in partnership with neighbouring authorities.

106. HOUSING GROWTH

The Business Manager – Strategic Housing presented a report which sought to approve a capital contribution to the development of an extra care affordable housing scheme for older people at Bowbridge Road, Newark. The scheme would be in the ownership of the Council's Housing Revenue Account but delivered in partnership with Nottinghamshire County Council through a co-operation agreement and Newark & Sherwood Homes.

The proposed scheme would consist of 60 apartments which would be let at an affordable rent and managed by Newark & Sherwood Homes on behalf of the District Council, with the County Council providing extra care support to residents in 40 of the units. The remaining 20 units would be allocated by the District Council through its Allocation Scheme. Further to the recent announcement by the Homes & Communities Agency on the successful bid for funding the Committee needed to consider and approve its capital contribution towards the total scheme costs. All

partner percentage contributions were detailed in the report with the actual monetary values detailed in the confidential item on the agenda. The report also set out the financial modelling of the development proposal based on the total scheme costs and rental assumptions at the current point in time.

The report also referred to the uncertainty around the Government's proposal to cap the Local Housing Allowance which could impact upon the extra care delivery model, and it was proposed that an appropriate response be made to the Government's ongoing review of this policy.

AGREED (unanimously) that:

- (a) approval be given to the Council's capital contribution towards the total scheme costs of the extra care scheme, as identified in the table at paragraph 3.6 of the confidential item, for inclusion in the Council's capital programme;
- (b) the Committee note that the scheme delivery was still subject to planning permission approval and commitment from Nottinghamshire County Council on its capital contribution;
- (c) a 10% margin for an uplift in the Council's capital contribution towards the total scheme costs be approved;
- (d) delegated authority be given to the Director – Safety to accept the successful construction tender, following detailed analysis of this, and after consultation with the Chairman, Vice Chairman and Opposition Spokesperson; and
- (e) the District Council submit a response to the Governments 'Supported Housing' review highlighting the adverse impact of the proposed Local Housing Allowance cap and requirement to exempt supported housing.

Reason for Decision

The housing growth strategy, and the development of this extra care scheme, will contribute to the wider strategic priorities of the Council, meet the evidenced housing need across the district for all tenures and maintain a viable Housing Revenue Account Business Plan.

107. ANNUAL REVIEW OF THE EXEMPT REPORTS CONSIDERED BY THE POLICY & FINANCE COMMITTEE

The Business Manager – Democratic Services presented a report which detailed the exempt business considered by the Committee since 26 March 2015. It was noted that the view of report authors was that one report could now be released into the public domain.

AGREED (unanimously) that the report be noted.

Reason for Decision

To advise Members of the exempt business considered by the Policy & Finance Committee for the period 26 March 2015 to date.

108. GENERAL FUND BUDGET PERFORMANCE REPORT TO 31 JANUARY 2016

The Assistant Business Manager – Financial Services presented a report which compared the General Fund Policy & Finance Committee net expenditure for the period ending 31 January 2016 with the profiled budget for the period. The appendices to the report detailed performance against budget for the period to 31 January 2016 for those budgets within the remit of the Policy & Finance Committee.

The total for direct service net expenditure showed an under spend of £1,284,738 against the profiled budget for the period to 31 January 2016. £863,000 of the apparent underspend related to demand led budgets for rent allowances and rent rebates and would be offset by reduced government grant at the end of the financial year, therefore the underspend can be reduced to £423,770. The detailed performance figures were given in Appendix A to the report and the variations from the profiled budget to 31 January 2016 were detailed.

AGREED (unanimously) that the overall position of the Policy & Finance Committee net expenditure compared to budget at 31 January 2016 be approved.

Reason for Decision

To advise Members of the draft outturn monitored against service budgets for the period ending 31 January 2016.

109. OVERALL GENERAL FUND BUDGET PERFORMANCE REPORT TO 31 JANUARY 2016

The Assistant Business Manager – Financial Services presented a report which compared the overall General Fund net expenditure for the period ending 31 January 2016 with the profiled budget for the period. The appendices to the report detailed performance against budget for the period to 31 January 2016 for all General Fund service budgets.

The total for direct service net expenditure showed an under spend of £2,082,846 against the profiled budget for the period to 31 January 2016 (£1,219,672 excluding the underspend on housing benefit payments which would be matched by reduced grant). The detailed performance figures were given in Appendix A to the report and the variations from the profiled budget to 31 January 2016 were detailed.

AGREED (unanimously) that the overall position of the General Fund net service expenditure compared to budget at 31 January 2016 be approved.

Reason for Decision

To advise Members of the current net expenditure compared to service budgets for the period ending 31 January 2016.

110. EXCLUSION OF THE PRESS AND PUBLIC

AGREED (unanimously) that under Section 100(A) of the Local Government Act 1972, the press and public be excluded from the meeting during discussion of the following items of business on the grounds that they involved the likely disclosure of exempt information as defined in Paragraphs 3 and 4 of Schedule 12A of the Act and that the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

111. MOVING AHEAD UPDATE - TRAVEL

The Committee considered the exempt report presented by the Moving Ahead Programme Manager in relation to proposals for travelling to the new Council offices.

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

112. FORMER MUNICIPAL BUILDINGS, 20 BALDERTONGATE

The Committee considered the report presented by the Director – Safety in relation to the sale of 20 Baldertongate, Newark.

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

Meeting closed at 6.50pm.

Chairman

NEWARK & SHERWOOD DISTRICT COUNCIL

Minutes of the Special Meeting of the **ECONOMIC DEVELOPMENT COMMITTEE** held on Wednesday, 23 March 2016 in the Carriage Court Kelham Hall at 6.00pm

PRESENT: Councillor D.J. Lloyd (Chairman)

Councillors: D. Batey, R.V. Blaney (ex-officio), Mrs M. Dobson (substitute), G.P. Handley, P. Peacock, and Mrs Y. Woodhead

ALSO IN ATTENDANCE: Councillors: Mrs K. Arnold, R.J. Jackson, R.B. Laughton, J. Lee, Mrs P. Rainbow, Mrs S.E. Saddington and D.B. Staples

SUBSTITUTES: Councillor Mrs M. Dobson for Councillor Mrs G.E. Dawn

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors: M.G. Cope, Mrs G.E. Dawn, P.C. Duncan, F. Taylor and T. Wendels.

2. 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.

3. DECLARATION OF ANY INTENTION TO RECORD THE MEETING

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

4. NOTTINGHAMSHIRE MINERALS LOCAL PLAN – SUBMISSION DRAFT CONSULTATION – FINAL REPORT

The Committee considered the report presented jointly by the Business Manager – Planning Policy and a Planner from Planning Policy in relation to the Council's proposed response to the Nottinghamshire Minerals Local Plan Submission Draft.

The report set out the background to the preparation of the new Minerals Local Plan stating that, once adopted, it would cover the period to 2030 and provide the land use planning strategy for mineral development within the County, identify site allocations to meet future need as well as containing development management policies against which future development proposals would be assessed. It was noted within the report that Nottinghamshire County Council were seeking formal representations and therefore the Council had highlighted those particular aspects of the Plan which it was justified to make formal representations on.

Set out within the report were the Council's proposed detailed responses in relation to: overall aggregate provision and site selection, including sand and gravel production 2002/2011, future sand and gravel provision over the plan period; site extensions and new allocations assumed to gain consent within a 7 year period; ability to demonstrate a 7 year sand and gravel land bank; and representations concerning highways issues.

Having considered the report and verbal presentation thereof, the Chairman advised all parties in attendance that the Council had previously responded four times to this issue and that any submissions arising from today's meeting must be robust in nature and based on sound planning issues in order to challenge the County Council's Plan.

Members accepted that there was a need to extract minerals from where they were deposited in the ground and that they were required for building developments. It was also accepted that the Newark & Sherwood district had resources that would be required at some point for development. Members stated, however, that in order to accept the County's proposed Mineral Plan they needed to be satisfied that the resources were required now. Any objection to the Plan would have to be based on whether it was legal and sound in the format it was being consulted upon. It was felt that the Plan met all legal requirements but that it did not meet the necessary test of soundness.

Members commented that the County had not used current figures therefore their findings were based on out of date information. This had resulted in an oversupply of sand and gravel production being quoted in tables 1 and 2 of the report and no account had been taken of the trend in production figures for the previous 3 years. No evidence had been provided to say that there was an increase in demand and it was therefore felt that the out of date information used provided the Council with sound grounds to challenge the figures and say that the Plan was unsound. It was also noted that there had been no exploration of alternative supply. It was acknowledged that the County had finite resources and that much work had already been undertaken, however, Members agreed that a review was required as failure to do so would potentially lead to Nottinghamshire being left with an unsound Plan.

In relation to the issue of highways it was noted that in the past the County had argued that the Southern Relief Link Road had little or no consequence and was deemed to be of no relevance in strategic growth terms or to the amount of traffic that travelled around Newark. It was noted that this was the reason behind no money being provided by Highways England for its development; however, it was now being brought forward and used as evidence of traffic mitigation.

Members noted that journey time reliability on the A46 was in the top 20 of the worst stretches of highway in the country, coupled with the potential development of a retailer on the Cattle Market Roundabout with the potential increase in traffic and an increase in the number of trains which led to the barriers being lowered more frequently there were many highways issues in and around Newark and therefore there was a sound argument why the two sites at Coddington and Flash Farm, Averham should be removed from the Plan. However, if the decision was taken for them to remain, arguments should be put forward to ensure that they were not utilised until the end of the life of the Plan as improvements to the highway may have been undertaken in the interim. It was further noted that there had been a Government commitment in the recent Budget announcement in relation to the A46 and therefore any extraction should be delayed until the improvements had been completed.

The continued congestion at Kelham Bridge was also noted as an ongoing issue but that there was no suggestion of a by-pass at present. Again, it was suggested that any extraction should be put to the back of the Plan as road improvements may have taken place in the interim.

A Member advised that they had provided the County with an alternative site to those at Coddington and Averham and that it would supply sufficient minerals and that another alternative site had been supplied by another County Councillor. The Member expressed concern that there was little liaison with Lincolnshire and that this should be raised as part of the Council's response.

The Member stated that despite what the County Highway Officers reported, the traffic would be effected by extraction at the two sites and failure to act would have a detrimental effect on the town. She noted that industry focus was on the use of recycled aggregates but that there was little or no emphasis of this within the Plan.

In summary, the Member added that the Plan was unsound with no justification or comments as to the reason behind it. Reference to Lincolnshire should form part of the Council's response and consideration should also be given to the inclusion of Leicestershire, given the road links on the A46.

A Member of the Committee commented that some of the impact of the response was lost in the narrative and suggested that a more direct, bullet point style approach be taken. In response, Officers advised that they were restricted to using a template supplied by the County but that a more focussed approach would be taken when making the final submission.

In relation to the use of recycled aggregates Officers stated that this was difficult to ascertain. Members stated that it would be the responsibility of the County to disprove the fact that production was way below the 10 year average and that no increase was likely. Highways England and the County were clear that the initial proposed improvements to the A46 were for safety issues and not congestion. The Council's response needed to include the Government's stated intent to undertaken road improvements.

In relation to possible extraction at Kirton, the Local Member noted that the village already suffered due to dust from the brickworks and requested that concern be included within the Council's response in this regard.

A Member in attendance advised that it had been recognised in February that the Plan may give rise to issues and that legal advice had been sought by the County Council on this matter. In his role as a County Councillor he had submitted an FOI request to County asking for the questions that had been asked of the QC, who had given the response that in their opinion the Plan was sound. This request had been refused which he had found to be irregular. There had been a 30 year trend of decline and there would be a severe reduction when landfill tax became a major issue. He added that many of the responses from the potential site owners as to reclamation of sites did not address there filling in so there could be no accurate prediction as to lorry use, adding that information was required as to how the sites would be reclaimed so that figures could be calculated as to the impact on traffic flows.

The Member advised that Warwickshire, Derbyshire and Lincolnshire had all used up-to-date figures in the preparation of their Plans. He agreed with the inclusion of Lincolnshire in the Council's response, but also suggested that consideration be given to the inclusion of Derbyshire as they were also a neighbouring county.

The Member commented that the County had attempted to argue against the justification given by other County Councils for the use of up-to-date figures and that it was his understanding that the Strategic Transport Assessment had been undertaken in-house which had resulted in a very weak document. He added that County Councillors were also requesting a reassessment of the Environmental Assessment following the removal of the Barton-in-Fabis site.

Another Member in attendance advised that, in her role as a County Councillor, she had contact County Council Officers to ascertain whether, when completing the Strategic Transport Assessment, account had been taken of traffic issues surrounding the proposed sites at Flash Farm and Coddington e.g. the cattle market island and the increase in frequency of trains. The response from County Officers had been that they did not have to take into account traffic issues in Newark. She stated that Highways England appeared to be making only cosmetic changes to the traffic islands which would have no impact on the levels of congestion.

Again, another Member in attendance stated that the previous site at Barton-in-Fabis had been by far, the most appropriate and that the environmental reasons for its withdrawal should be known.

The Chairman of Averham, Kelham & Staythorpe Parish Council addressed the Committee and highlighted the issue of flooding which did not appear to be a consideration for the County Council. He also noted that the County Council appeared to be refusing some submissions and had not kept records of people who had written in to them. In response, Officers advised that the District Council recorded all responses, even if a pro-forma form was completed incorrectly. They advised that they would raise the matter with the County Council directly. All County Councillors in attendance confirmed that they had received complaints from constituents in this regard and that on raising the matter with the County Council, they had confirmed that they would not accept any representation unless it was on the appropriate paperwork. Members of the Committee expressed their concern at this issue and agreed that the matter would be looked into by the Council's Deputy Chief Executive.

A representative from Coddington Parish Council stated that he welcomed the District Council's proposed response but expressed his concern about the difficulties experienced by elderly residents in completing the forms.

In response to whether the legality of the County Council's Nottinghamshire Minerals Local Plan Submission Draft could be challenged, Officers advised that further information was required on the County's policy on accepting representations prior to any such action being progressed.

AGREED (unanimously) that:

- (a) the contents of the report be noted;
- (b) the proposals set out in Section 3 of the report form the basis of the District Council's formal representations to the Nottinghamshire Minerals Local Plan; and
- (c) the Deputy Chief Executive look into Nottinghamshire County Council's adopted policies in relation to carrying out consultations and the accepting of representations arising therefrom.

The meeting closed at 7.25pm

Chairman

NEWARK & SHERWOOD DISTRICT COUNCIL

Minutes of the **ECONOMIC DEVELOPMENT COMMITTEE** held on Wednesday, 30 March 2016 in Room G21, Kelham Hall at 6.00pm

PRESENT: Councillor P.C. Duncan (Acting Chairman)

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

ALSO IN ATTENDANCE: Councillor Mrs L.M.J. Tift

49. APOLOGIES FOR ABSENCE

Apologies for absence was received from Councillors: D.J. Lloyd and P. Peacock

50. 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.

51. DECLARATION OF ANY INTENTION TO RECORD THE MEETING

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

52. MINUTES OF THE MEETING HELD ON 6 JANUARY 2016

AGREED (unanimously) that the Minutes of the meeting held on 6 January 2016 be approved as a correct record and signed by the Chairman.

53. GENERAL FUND BUDGET PERFORMANCE REPORT TO 31 JANUARY 2016

The Committee considered the report of the Director – Resources in relation to the net expenditure for the Economic Development Committee for the period ending 31 January 2016 together with the profiled budget for that same period.

Members queried how long the Building Control post had been vacant, adding that if it had remained vacant for an extended period of time, was the post actually required. In response, Officers advised that the role was required and had been covered using agency personnel. It was noted that three local authorities had amalgamated to provide Building Control services and that this would soon be in operation.

Members also raised the issue of car parking and the previously approved scheme that would allow a car park user to extend their allotted time by sending a text message to a specific number. Officers advised that work was ongoing with the new system and a report would be presented to the next meeting of the Committee.

AGREED (unanimously) that the overall position of the Economic Development Committee net expenditure compared to budget as at 31 January 2016 be approved.

54. OLLERTON OUTREACH SERVICE

The Committee considered the report presented by the Business Manager – Economic Growth in relation to the outreach service in operation and based in Ollerton & Boughton Town Hall.

The report set out how the service operated and the partners involved. Also provided was statistical information to show the trends and increasing use of the service, together with some success stories. Members were provided with information as to the findings of the One Year Review undertaken and what the aims were for 2016.

In response to a Member's query as to the cost of providing the service it was noted that the cost to the Council was very low as the provision involved an existing member of the Customer Services Team being based at Ollerton & Boughton Town Hall during the services opening hours.

Members also queried the cost to the Council in promoting the service provision. They were informed that the cost of using social media was zero; the production of flyers was low and met from existing budgets; information was contained in newsletters and the use of electronic distribution was also zero. Members were also informed that events were to be held with employers being invited to attend.

Members queried how wide the promotion of the service would be distributed. Officers advised that social media information was distributed widely as were the flyers that were sent to all libraries within the district.

AGREED (unanimously) that:

- (a) the continuation of the service be supported; and
- (b) the aims identified in paragraph 3.4 of the report for 2016 be approved.

55. HAWTONVILLE NEIGHBOURHOOD STUDY

The Committee considered the report presented by the Business Manager – Strategic Housing in relation to the summary of the final report for the Hawtonville Neighbourhood Study which included detail of the 'People and Place' options identified for implementation.

The report provided generic information as to the purpose and aim of a Neighbourhood Study with specific information for the Hawtonville Study including: community and member engagement; member workshop; the final report and its purpose; resourcing; vision and priorities; options; wider place options; progress and proposals.

Members agreed that the report was to be welcomed but did not unanimously agree with all of the findings therein.

In relation to the Hawtonville Community Centre a Member commented that he disagreed with the study's findings as to its viability, suggesting that it would be better to demolish the building and replace it with much needed housing and a drop-in centre. In acknowledging the comments, Officers advised that the preferred option appeared to be that a tenant be put in place for a five year period whilst the Council looked at the long term sustainability of the Centre.

In conclusion Members were advised that Newark and Sherwood Homes would look to provide a Community Development Worker, being a key recommendation of the Study, with Members' requesting that the proposed future tenant of the Hawtonville Community Centre, Newark & Sherwood Play Support Group, be investigated to ensure their suitability.

AGREED that:

- (a) (unanimously) the findings of the final report and the options requiring further exploration be considered; and
- (b) (with 8 votes for with 1 against) the proposals for the specific 'People' and 'Place' options set out in paragraph 5.2 of the report be approved, with future reports being presented to the Committee updating on the progress in delivering these activities.

56. AMENDMENTS TO REGULATION 123 LIST OF INFRASTRUCTURE TO BE FUNDED BY COMMUNITY INFRASTRUCTURE LEVY (CIL)

The Committee considered the report presented by the Business Manager – Growth in relation to proposed changes to the Regulation 123 List of Projects to be funded by CIL in advance of the CIL wider review, following the Government's Review of CIL and the Council's Development Plan Review. The report sought approval for the proposed changes and for those to be subject to public consultation for a 6 week period.

The report provided information as to the reasons for amending the CIL Regulation 123 List prior to the full CIL Review providing statistical information of predicted CIL receipts from residential development for the next 5 years. The proposed amendments were listed in paragraph 5.1 of the report.

Members queried as to the current level of CIL monies and how much the proposed addition of the A1 Overbridge was likely to cost. It was reported that the current level of monies was £1.4M and that the project itself, including contingency costs and adoption costs could be anywhere in the region of between £3.5M and £5.2M, however the level of CIL receipts for the lifetime of any developments was likely to be in excess of this.

It was noted that the aim of the proposal was to unlock greater CIL receipts and that other options for funding could also be explored.

AGREED (unanimously) that:

- (a) the inclusion of the A1 bridge in the CIL 123 List be agreed in principle and that it be formally subject to a 6 week public consultation; and
- (b) the outcome of the public consultation and future Officer recommendation (in consultation with the Leader and Deputy Leader) to amend the CIL 123 List be presented to Full Council for approval.

57. STATION ROAD, KIRTON (TELEPHONE KIOSK)
APPLICATION TO REMOVE TELEPHONE EQUIPMENT

The Committee considered the report presented by the Business Manager – Planning Policy in relation to the removal of the telephone equipment from the kiosk on Station Road, Kirton.

AGREED (unanimously) that:

- (a) the report and urgency item be noted; and
- (b) delegated authority be given to the Deputy Chief Executive, in consultation with the chairman of the Economic Development Committee, to make the final decision on the removal of telephony services from the Station Road, Kirton telephone kiosk.

58. NEWARK LORRY PARK – OPTIONS REPORT

The Committee considered the report presented by the Director – Community in relation to the various options available regarding lorry parking in and around Newark, including an option for retaining and enlarging the current lorry park and options for re-locating the lorry park to 5 potential sites around Newark.

The report provided detail as to the consultations undertaken and the responses thereto. Also contained in the report were three Options for consideration: Retention and Expansion of Existing Lorry Park; Relocation/Development of New Lorry Park in the Newark Area; and Retention of Existing Lorry Park with no extension. Members were also provided with information as to future highways developments in the district that would impact on the current lorry park.

In response to Members comments that they would wish to see development costs kept to a minimum, Officers advised that the figures quoted had included 15% for preliminaries and a further 20% for contingencies which had resulted in the very prudent figure being quoted.

Members welcomed the additional information in the report and the proposed increase in capacity quoted in Option A. It was noted that Newark town benefited from the lorry park's current location and also that the Police had expressed concern that vehicles may park inappropriately if the park was not extended.

Members were advised that major fleets used the current lorry park and that demand had increased by 70% over the last 3 years, noting that it would have reached capacity and beyond by the time the new office build was commenced.

A Member of the Committee reiterated previous concerns that the figures for the lorry park had not been available when the decision had been taken to relocate the Council offices to the site adjacent to the lorry park. It was reported, however, that when the decision had been taken the projected income for the lorry park was less than the current figure. Income had increased and this was as a result of major changes in the haulage industry. It was noted that it would be difficult to justify the relocating of the lorry park at a cost of £2.2M to the Council and that a private developer could seek planning permission to provide an alternative.

In summary, all Members agreed that their preferred choice was Option A and that progress be made as quickly as practicable. The Director – Community advised that the clear mandate given by Members would allow the correct procurement procedures to be commenced and a report outlining progress would be brought back to Committee. He added that confirmation had been received by the Environment Agency advising that they considered a flood risk assessment on the site unnecessary.

AGREED (unanimously) that Option A, to retain and expand the existing lorry park, be approved.

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

The Committee considered the report of the Director – Resources in relation to whether an exempt report considered previously by Committee could now be released into the public domain.

Members were advised that due to the commercial sensitivity of the report it should remain an exempt item. However, Members commented that it was difficult to give the matter full consideration unless the report in question was appended.

In relation to the specific report from 24 June 2015 titled “Business Support Proposal”, Members requested that they be provided with an update to a future meeting.

AGREED (unanimously) that the Business Support Proposal Report dated 24 June 2015 remain exempt.

60. RESPONSE TO THE GOVERNMENT’S TECHNICAL CONSULTATION ON THE IMPLEMENTATION OF THE HOUSING AND PLANNING BILL

The Committee considered the report presented jointly by the Business Managers - Growth and Planning Policy in relation to the Council’s response to the Government’s technical consultation on the proposed approach to implanting the planning provisions in the Housing & Planning Bill.

The report set out the Council's proposed response to the following issues: changes to planning application fees; permission in principle; the brownfield register; the small sites register; neighbourhood planning; local plans; testing competition in the processing of planning applications; information about financial benefits; Section 106 resolution dispute; permitted development rights for state funded schools; changes to statutory consultation on planning applications; and public sector equality duty.

In relation to Permission in Principle (PIP) Members raised a number of issues following the Officers presentation relating to the prescribed particulars. It was suggested that Officers gave further thought to the points raised prior to the report being considered at Planning Committee on 5 April 2016.

In relation to Neighbourhood Planning a Member of the Committee disagreed with the Council's proposed response, referring specifically to the arbitrary time limit of holding a referendum within 10 weeks of a decision to hold one. The suggested response made reference to the workload of Election staff and whether it was possible to combine elections. The Member proposed that the response be amended but did not receive a seconder to his proposal.

In relation to the testing of competition in the processing of planning applications Officers stated that it was likely that this would proceed and that certain local planning authorities would undertake Pilot Schemes.

In summary, Members agreed that the major issues were: Fast Track Fees; Planning in Principle; and Competition in Planning.

AGREED (unanimously) that:

- (a) the contents of the report be noted; and
- (b) the proposed comments in Section 3, together with the above comments and those from consideration of the report at Planning Committee, be used as the basis for the District Council's response.

61. LOCAL DEVELOPMENT FRAMEWORK PROGRESS REPORT

The Committee considered the report presented by the Business Manager – Planning Policy in relation to the various elements of the Local Development Framework (LDF) contained within the Local Development Scheme (LDS) timetable and proposed amendments to reflect the Community Infrastructure Levy (CIL) Review.

AGREED (unanimously) that:

- (a) progress towards meeting the timetable of the adopted Local Development Scheme be noted;
- (b) the amendment to the Local Development Scheme to reflect the proposed timetable referred to in paragraph 4.1 and the proposed CIL profile in Appendix A be approved; and

- (c) the Local Development Scheme comes into force on 31 March 2016 be approved.

The meeting closed at 8.04pm

Chairman

NEWARK & SHERWOOD DISTRICT COUNCIL

Minutes of the **HOMES & COMMUNITIES COMMITTEE** held on Monday, 21 March 2016 in Room G21, Kelham Hall at 6.00pm.

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

Councillors: Mrs K. Arnold, R.V. Blaney (ex-officio) Mrs. C. Brooks, Mrs I. Brown, K. Girling, Mrs S.M. Michael, D. Thompson and K. Walker.

ALSO IN ATTENDANCE: Councillors: D. Batey, Mrs G.E. Dawn, Mrs M. Dobson, G.P. Handley, J. Lee, D.J. Lloyd, D.R. Payne, Mrs P. Rainbow and Mrs L.M.J. Tift.

Prior to the start of the meeting the Chairman led the Committee in a minute's silence in memory of Councillor Gordon Brooks, a Member of the Committee, who had recently passed away.

45 APOLOGIES FOR ABSENCE

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

46. 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.

47. DECLARATION OF ANY INTENTION TO RECORD THE MEETING

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

48. MINUTES OF THE MEETING HELD ON 18 JANUARY 2016

AGREED (unanimously) that the Minutes of the meeting held on 18 January 2016 be approved as a correct record and signed by the Chairman.

49. UPDATE ON THE CO-LOCATION OF SHERWOOD AND NEWARK CITIZENS ADVICE BUREAU (CAB) FROM KEEPERS COTTAGE, NEWARK TO THE NEW COUNCIL OFFICES

The Committee considered the report presented by the Business Manager – Customer Services & External Communications in relation to the proposed co-location of the Sherwood and Newark Citizen's Advice Bureau from Keepers Cottage, Newark to the new council offices and in relation to the amount of concession the Council would provide towards their accommodation.

Contained within the report was information as to the CAB requirements and financial implications of the move to the CAB and the Council.

Members agreed that the number of desks required by the CAB must be kept under review and acknowledged that this would either increase or decrease once the service was in operation.

In relation to actual working practices, Members were advised that CAB staff would operate a reception and triage area. If a customer required additional assistance, their volunteers working in the building would be asked to come to reception to meet them.

Members noted that CAB operations fell within the remit of the Committee and their performance was scrutinised and that they had reached all their performance targets for the current year. It was also noted that a Service Level Agreement was in place between the Council and the CAB.

AGREED (unanimously) that:

- (a) the report be noted;
- (b) the increase of the concession the Council give to the CAB to enable them to co-locate to the new offices be approved (this is based on the current requirements of 7 desks and the 2014/15 service charge figure and is in the region of £24,200); and
- (c) the amount of additional grant would be reduced by £4,350 per desk should less than 7 desks be required.

50. HOUSING ALLOCATION SCHEME REVIEW 2015/16

The Committee considered the report presented jointly by the Business Manager – Housing & Safeguarding and the Chief Executive of Newark and Sherwood Homes (N&SH) that provided Members with an update on the review of the Council's Housing Allocations Scheme. Members were also presented with the proposals for change arising from the review (Phase One); a revised draft Scheme; and an updated project plan for consultation and implementation (Phase Two).

The report set out the work undertaken during Phase One of the review. Appendix A to the report set out the key proposals for change with the revised draft Scheme attached at Appendix B. It was noted that the implementation and management of the new Scheme would be delegated to N&SH in accordance with the implementation plan attached as Appendix C.

Members were presented with the background to the Review and the main drivers for change with the objectives thereof. They were informed of the issues and implications surrounding the implementation of the Housing & Planning Bill and Welfare Reform. A list of the proposals for change was presented and assurances that the Scheme would continue to be monitored and reviewed subsequent to its implementation by a cross Council and Company officer group.

Members noted that initially it had been intended to be a 'light touch' review of the allocations' scheme, principally to address the 'local connection' issue - but that it had then been decided to expand this to a full review of the Scheme.

Members commented on a number of issues contained within the proposed revised Scheme as follows:

Suitability of Property Types – No. 7 (*pregnant women*)

A Member in attendance urged that the change be deleted as it was their opinion that uncertainty as to whether appropriate accommodation had been secured would be too stressful during the later stages of pregnancy. In response, Officers advised that a threshold of 36 weeks was considered appropriate as in the past tenants had been awarded a property with an additional bedroom and subsequently accrued arrears prior to the birth of the child. They were not eligible for Discretionary Housing Payments to cover the difference between housing benefit payable and the actual rent due, because of rules relating to the spare bedroom subsidy and enforcement action had commenced due to under-occupation issues. The proposed change did not remove their right to apply for alternative accommodation for which they were eligible.

Penalising Refusals

A Member of the Committee queried whether the proposed action to be taken against an applicant who refused two offers of accommodation was sufficient. They noted that a bid would be made for a property because the applicant wanted to reside there and agreed it was sufficient.

Armed Forces

A Member of the Committee stated that he was very grateful to see the inclusion of specific reference to Armed Forces personnel. However, he queried the period referred to in the Scheme relating to dishonourable discharge. He stated that if an 'ex-forces' personnel had suffered Post Traumatic Stress Disorder as a result of their service this may not manifest itself for a number of years and the proposal did not take this into account. Officers suggested that a degree of discretion be built into the proposals and that the paragraph in question be rewritten to read:

"People who left the regular Armed Forces within the last 10 (ten) years, except those dishonourably discharged."

Band Three – Medical Grounds

A Member in attendance queried as to who would make the decision that an applicant or member of their household could remain and manage in their present accommodation albeit with some difficulties. Officers advised that this would be an operational assessment as to the practicalities of remaining in the property in relation to their health issues and would be based on advice from professional people and social services.

Affordability

A Member in attendance queried whether if a tenancy had been gained through non-disclosure or fraudulent means, it could be re-possessioned. Officers advised that there was already provision in the Scheme about non-disclosure.

Another Member in attendance queried whether there was a cap on the amount of money an applicant could have in their bank account before they became ineligible to be offered a Council property. Officers advised that a limit had not been set as it was felt that there needed to be a degree of flexibility. They were also informed that a financial appraisal would be done at the application stage and the financial status of the applicant would be known at that point.

Following the above discussion, Members were provided with a second presentation in relation to the Allocations Scheme Implementation Approach by N&SH's Chief Executive. The presentation provided an overview of: aspects of implementation and the revised scheme; system changes; process and procedure changes; applicant review; consultation; risks; and set out two options for the approach to the implementation process and timescale.

A Member of the Committee noted that Option One was the lower cost option and queried whether existing staff would be used for its implementation. In response, Officers advised that additional resources would be commissioned and that there would be a need for an IT supplier for development purposes with the majority of costs being in relation to staffing resources.

Members noted that if Option One was the preferred choice it would result in a period of six months' delay in implementing the new Allocations Scheme. They requested further information on the costs of the work required for Option One as compared to Option Two. Assurances were sought that the figures presented to Committee were accurate and related to the buying in of additional resource that was not currently available in-house. It was agreed to present this additional information to the next meeting of the Committee in June for a decision to be taken as to the preferred option for implementation of the Scheme and reassurance was given that this would not delay the process as it would still be within the 12 week consultation period.

A Member of the Committee acknowledged that the provision of an on-line self-service portal was essential, but that it was vital to recognise that not all members of the public were able to utilise this type of service. The Member also queried as to who the consultees were, offering their assistance in relation to the Armed Forces. Officers advised that there were some statutory consultees but that other organisations could be considered.

The Director – Safety advised Members that the revised Scheme was attempting to reflect the channel shift the Council was taking in other areas. She added that additional information on this would to be provided to the Committee in June to enable the Committee to make an informed decision about this.

AGREED (unanimously) that:

- (a) the proposals for change and draft scheme be agreed and that the statutory consultation period commence, having regard to the aforementioned Member comments; and

- (b) further detail and costed options for 'Phase Two – Implementation' be presented to the June meeting of the Committee for a decision.

51. MINUTE OF DECISION – URGENCY ITEM

AGREED (unanimously) that the Response to the Nottinghamshire County Council 2016/2017 Budget Consultation in relation to the Option for Change (C10) Public Health Grant Realignment Changes for Homelessness Services be noted.

The meeting closed at 7.05pm

Chairman

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the meeting of the **LEISURE & ENVIRONMENT COMMITTEE** held in Room G21, Kelham Hall, Newark on Tuesday, 12 April 2016 at 6.00 pm.

PRESENT: Councillor A.C. Roberts (Chairman)

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

59. APOLOGIES FOR ABSENCE

An apology for absence was received on behalf of Councillor M.G. Cope.

60. MINUTES OF THE MEETING HELD ON 26 JANUARY 2016

AGREED that the Minutes of the meeting held on 26 January 2016, be approved as a correct record and signed by the Chairman.

61. 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.

62. DECLARATION OF ANY INTENTIONS TO RECORD THE MEETING

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

63. PRESENTATION FROM THE NEWARK AND SHERWOOD CLINICAL COMMISSIONING GROUP (CCG)

Amanda Sullivan - Chief Officer and Andrea Brown – Director of Programme Delivery representing Newark and Sherwood Clinical Commissioning Group attended the Committee meeting and undertook a presentation regarding the CCG's progress and also an update regarding Kings Mill hospital and Newark hospital.

Following the presentation a question and answer session took place as follows:

Q1 What are the Governments guidelines for travel times to Accident and Emergency (A&E)?

A1 It was confirmed that there weren't any specific guidelines. Public Health had looked at this and looked closely at where people lived in relation to hospitals regarding mortality; the further away the patient lived had no relationship statistically to health. Treatment had also changed; a lot of treatment was undertaken at the scene rather than in A&E and also the rapid response teams through First Responders had increased in number.

Q2 It was commented that there may be difficulties with a merger for Sherwood Forest Hospital Foundation Trust and Nottingham University Hospital due to the PFI liability and whether the Government had agreed to write off that debt?

A2 It was confirmed that hadn't been resolved but was part of the ongoing discussions; there wasn't a resolution to date.

A Member commented that this put the merger at risk as he couldn't see that Nottingham University Hospital being prepared to take on Sherwood Forest Hospital Foundation Trust without the significant debt being written off by the Government. It was confirmed that discussions were taking place regarding this.

Q3 Clarification was sought regarding the success of PRISM for Newark and Sherwood CCG. Statistics indicated that PRISM had provided an impact, was there any other evidence to support this?

A3 It was confirmed that a comprehensive evaluation was being undertaken at the present time. Broadly it was preventing a rise in people being admitted to hospital which was seen as a positive step given the rise in the population, the feedback that had been received from families and patients had been very positive as they felt supported due to a care co-ordinator being in place which co-ordinated a team of people rather than people working in silos. Professionals generally liked PRISM. Also the GP's were having monthly meetings to discuss their vulnerable patients and how they could be supported.

Q4 A Member commented on voluntary agencies and the possible gaps in care within the district and whether there were any ways that the District Council could through voluntary agencies support those gaps.

A4 Care co-ordinators would know where the gaps were and could work with the District Council to plug those gaps for people.

Q5 What would be the key benefits of the Hospital merger?

A5 There were shorter and longer term benefits for the merger. The shorter term benefits included more capacity for the leadership and the Governance which were highlighted in the Care Quality Commission Report and one of the reasons the Nottingham University hospital had been selected was because of their good rating for the Care Quality Commission. It also provided more care opportunities for specialised doctors as often Kings Mill Hospital Foundation Trust often struggled to recruit people who had trained in Nottingham, as they preferred to stay in the Nottingham University Hospital, the merger should help with job rotation and also a joined up opportunity to use the assets within the Health Service.

Q6 Concern was raised regarding the shift in culture to go large. Sometimes things got too large and patients were missed.

A6 It was confirmed that large wasn't always better, but there were advantages sometimes to be large. Home Care was being looked at by Nottinghamshire County Council.

Q7 Nottingham University Hospital and Derby Hospital as the final choice were aware of the PFI obligations and would have said exactly the terms of which they were prepared to proceed with a merger. One of the problems was that one of the two hospitals was a foundation trust and the other was not which in terms of Governance created some challenges in terms of creating a merger, had that been resolved?

A7 No the legal aspects were being addressed and to date they did not know how that merger would take place.

Q8 Benefits of the merger were raised; one being more consultant clinics in Newark.

A8 Potential benefit. The Trust were also looking at the problem of people being put off from going to Newark for outpatients, because they know that the inpatient episode might be at Kings Mill. Nottingham University Hospital had been asked to look at this in order for people to go to Newark for outpatients regardless of where their operation would be. It had been confirmed that they would look at that.

A Member was full of praise for the Fernwood Unit.

The Chairman thanked the CCG representatives for their presentation.

64. GENERAL FUND BUDGET PERFORMANCE REPORT TO 31 JANUARY 2016

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 31 January 2016 with the profiled budget for the period.

At its meeting on 10 March 2016, Council recommended that responsibility for developing the Council's Museum and Heritage strategy and decision making in respect of the Palace Theatre, Cultural Services, Museums and Collections including the Civil War Centre and Parks and Open Spaces (including Newark Castle and grounds and Queen's Sconce) be removed from the remit of the Leisure & Environment Committee and placed within the remit of the Economic Development Committee. The changes were to take effect from 1 April 2016.

It was reported that the total for direct service net expenditure showed an under spend of £153,776 against the profiled budget for the period to 31 January 2016.

Variations from the profiled budget to 31 January 2016 were itemised and included Employee Costs; Premises; Transport; Supplies and Services; and Income.

A Member asked for information on the budget for 2016/17, in order for him to undertake a comparison with the current budget. It was confirmed that the information would be circulated to all Members of the Committee.

A Member asked if the budget for Active4 Today could be simplified in order for the Leisure and Environment Committee to be able to monitor its progress. It was confirmed that some thought would be given to that suggestion.

AGREED (unanimously) that

- (a) the overall position of the Leisure and Environment Committee net expenditure compared to budget at 31 January 2016 be approved. Officers continue to look for additional savings throughout the financial year;
- (b) information on the budget for 2016/17 be circulated to all Members of the Committee; and
- (c) the budget for Active4 Today be simplified in order for the Leisure and Environment Committee to monitor its progress.

65. REVIEW OF PEST CONTROL AND DOG WARDEN SERVICE

The Committee considered the report presented by the Director – Safety, which reviewed the Animal Welfare and Control services provided within the Environmental Health Business Unit and provided options for future service delivery methods.

The report set out individually the pest control service and the dog control service and provided an options appraisal and service options.

The Business Manager Environmental Health and Licensing confirmed that there was an error with one of the dates in table 3.5; the correct date was 2015/16 and not 2016/17 as reported. The costs of the pest control services for 2015/16 were also verbally updated as follows: Rodents - £10,400; Insects - £15,500; Contracts - £10,000; Total - 35,900.

Members raised concern that if the pest control service was removed from the Council whether there would be any help financially for people on means tested benefits who may struggle financially to pay for pest control. Another Member felt that this was another step closer to losing another service and asked that the vacant post be filled and the service continue, given the positive feedback she had received from her constituents.

The Business Manager - Environmental Health and Licensing confirmed that if Members were minded not to continue the Pest Control Service, no redundancies would take place as the service had run a vacancy for some time. Third party employment had been used to keep the service running.

A Member commented that the Committee should question whether the discretionary Pest Control Service should continue, which would provide a saving to the council of £40,000. The service was becoming an ever more specialised service. If the discretionary service was removed, help for people with financial problems could be addressed. There were options to work with Rushcliffe who were looking to establish a council owned operating company known as 'Streetwise' or through Joint Procurement. The Member also suggested a Joint Procurement for the dog warden service could also be pursued.

AGREED (with 10 votes for and 1 vote against) that a further report be brought to the Committee identifying:

- (i) look at formulating a system to provide a discount to members of the public on means tested benefits, who may require a pest control service, through a private pest control provider, if the Committee were minded to abolish the Council's Pest Control Service;
- (ii) Officers look at the opportunity of a Public Sector Partnership for the Pest Control Service with Rushcliffe Borough Council and whether there would be any savings with a joint arrangement; and
- (iii) the report also identify whether a Joint Procurement for the dog warden service could also be secured.

66. 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 20th May 2015 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 report was considered no longer to be confidential:

- National Civil War Centre and Palace Theatre Catering Update – considered at the 24 November 2015 Committee (exempt paragraph 3)

The following report was considered to still be commercially sensitive:

- Active4Today Budget Issues – considered at the 27 October 2015 Committee (exempt paragraph 4)

AGREED (unanimously) that the report be noted.

(Councillor Mrs Dawn left the meeting during consideration of the following item).

67. NATIONAL CIVIL WAR CENTRE – NEWARK MUSEUM VISITOR UPDATE 2015-16

The Committee considered the report presented by the Director – Customers which provided an update on the visitor numbers to the National Civil War Centre.

Members were informed that following the decision of Council on 10 March 2016, the remit of the Leisure & Environment Committee had changed and as such the National Civil War Centre was within the remit of the Economic Development Committee. However, as the Leisure & Environment Committee requested the report prior to the change in the remit, the report was included on the agenda.

Members commented on the success of the link with the Civil War Centre to the Palace Theatre and the quality of the exhibitions and talks being provided within the Centre. The café was also reported to be good.

The Business Manager - National Civil War Centre informed Members that improvements were still being undertaken to the Centre, the £150,000 funding had not to date been allocated, however that was anticipated to be used in June to complete the next stage of the action plan.

AGREED (unanimously) that the National Civil War Centre progress report be noted.

68. URGENCY ITEM – NOTTINGHAMSHIRE BETTER CARE FUND (BCF) PLAN

The Committee noted the decision regarding the Nottinghamshire Better Care Fund (BCF) Plan as outlined in the urgency item.

AGREED (unanimously) that the urgency item be noted.

68. HEALTH AND WELLBEING/HEALTH SCRUTINY

The Chairman provided an update on the Health and Wellbeing Board he attended on the 6 April 2016. The agenda included a report from the Bassetlaw CCG; an update on Sherwood Forest Hospital Foundation Trust moving forward with Nottingham University Hospital; a Strategic Report on Public Health; and a Report regarding Thinking Falls.

A Member provided an update on the Health Scrutiny meeting that he had attended on the 14 March 2016. The key items on the agenda were Sherwood Forest Hospital Foundation Trust; Performance of Pharmacists'; and how children are spoken to and treated by professionals.

69. CHAIRMAN'S UPDATE

The Chairman requested that a report from Active4Today be presented to the next meeting of the Committee.

The Chairman informed the Committee that this would be his last meeting as Chairman of the Leisure and Environment Committee and thanked the Committee Members for their work and support.

AGREED (unanimously) that a report from Active4Today be presented to the next meeting of the Committee.

The meeting closed at 8.15pm.

Chairman

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the **GENERAL PURPOSES COMMITTEE** held on Thursday, 17 March 2016 in Room G21, Kelham Hall at 6.00pm.

PRESENT: Councillor Mrs R. Crowe (Chairman)

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

Prior to the start of the meeting the Chairman led the Committee in a minute's silence in memory of Councillor Gordon Brooks, a Member of the Committee, who had recently passed away.

26. APOLOGIES FOR ABSENCE

Apologies for absence were submitted by Councillors: Mrs I. Brown, M. Buttery, Mrs B.M. Brooks, D.J. Clarke and P. Peacock.

27. DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

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

28. DECLARATION OF INTENTION TO RECORD MEETING

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

29. MINUTES OF MEETING HELD ON 10 DECEMBER 2015

Minute No. 20 – Further Training

The Business Manager – Environmental Health & Licensing advised that discussions were progressing in relation to the provision of further training and Members would be advised of the dates of this when they had been confirmed.

AGREED that the Minutes of the meeting held on 10 December 2015 be approved as a correct record and signed by the Chairman.

30. REVIEWS OF POLLING STATION IN HOCKERTON POLLING DISTRICT

The Committee considered the report presented by the Business Manager – Democratic Services in relation to the proposed change of polling place in the Hockerton Polling District.

It was reported that the location of the previous polling station was unavailable and therefore an alternative venue had been sourced. The polling station was now to be sited at 'The Grange Wellbeing Centre', Kirklington Road, Hockerton.

The Business Manager also informed Members that it was necessary to make temporary changes to the polling station at Cromwell for both the May election and the June referendum and also at Rufford for the June Referendum.

AGREED (unanimously) that:

- (a) the Grange Wellbeing Centre, Hockerton be used as a polling place in the Hockerton Polling District; and
- (b) the temporary change of polling places in Cromwell and Rufford be noted and approved.

31. CHARITABLE COLLECTIONS AND RETURNS

The Committee considered the report presented by the Business Manager – Environmental Health & Licensing in relation to house to house and street collections that were carried out between 1 January and 31 December 2015 and the monies collected therefrom.

The report provided information as to the legislative requirements surrounding both house to house and street collections and also the Council's policies relating to both. Also listed within the report were the charitable returns of the collections which had taken place throughout 2015.

Members expressed concern about whether house to house collections created a nuisance as generally residents did not like anyone uninvited knocking on their doors. Concern was also expressed about the relatively small amounts collected. Officers advised that it was likely that the whole of the house to house returns noted at paragraph 3.2 were from the collection of textiles or bric a brac and did not involve cash. It was suggested that future reports reflect the type of collection that had taken place.

In relation to the returns reported from street collections, Members comments that all, apart from 2, had returned 100% to the Charity and that this was to be welcomed.

AGREED (unanimously) that:

- (a) the charitable returns information and guidance be noted; and
- (b) future reports advise of the type of house to house collection that had taken place e.g. textiles or bric a brac.

32. SAFEGUARDING ISSUES AND TAXI DRIVERS

The Committee considered the report presented by the Business Manager – Environmental Health & Licensing in relation to the steps taken to increase safeguarding controls for taxi drivers following the concerns highlighted in the Jay Report into child exploitation in Rotherham.

Contained within the report were the previously agreed actions of the Committee taken in June 2015 and the progress of these to-date. It was noted and welcomed by Members the positive response by the Council's licensed drivers in relation to undertaking the safeguarding training. Officers advised that the previously discussed issue of making the training mandatory was not required at present as all the sessions held so far had been over-subscribed. It was also noted that it was hoped that a session would be held in the Ollerton area and also that one would be held specifically for Ambulance Drivers.

AGREED (unanimously) that:

- (a) the update to safeguarding measures for taxi drivers be noted; and
- (b) the positive response of taxi drivers in relation to undertaking the safeguarding training be welcomed.

33. IMPLICATIONS OF THE CORONER'S DECISION ON TAXI LICENSING.

The Committee considered the report presented by the Business Manager – Environmental Health & Licensing in relation to the implications on the recommendations from the recent Nottinghamshire Coroner's Court decision.

The report provided details of the incident that had led to the Coroner's Court sitting and the Coroner's recommendations arising therefrom. Paragraph 3.0 of the report set out the 4 issues highlighted by the Coroner and the proposed solutions. Officers advised that the proposed solution to Issue 1 would be relatively easy to implement. Issue 4's solution was already in place but could be more formally implemented and enforced. In relation to Issue 2, it was felt that this would be difficult to enforce for self-employed drivers. The solution proposed for Issue 3 raised a number of concerns and cost implications therefrom.

Members unanimously agreed that the incident had been appalling but that the Coroner appeared to be overstretching her remit with her suggested solutions. It was noted that the Court had been adjourned and that it was likely this was due to the driver facing a criminal prosecution. Members stated that the Coroner's comments would be better addressed by central Government as it was more an issue of the current law than local policies and that any solution should be sought through the drafting of regulations.

In response to whether any local authority undertook drug testing of their drivers, Officers advised that they were not aware of any authority in the country being proactive in this regard. Officers added that any test would only be a snapshot of the driver on that given day and it was more appropriate to consider their previous convictions when determining their application.

In relation to a complaints log, Members felt that this was a good idea and that it would possibly encourage customers to report issues to the local authority. They queried whether there would be the chance of prosecution should a complaint be made to the local authority with no subsequent action taken and then an incident occurred. Officers advised that this could have implications for the local authority.

Officers advised that in relation to the use of a risk register the responsibility would lie with the employers and not the local authority.

It was suggested that the Coroner appeared to be trying to place the responsibility for the highlighted issues back with the local authority with Members agreeing that the matter be reviewed once the Coroner had made firm recommendations. Members agreed that in the interim, when the news about the positive response from taxi drivers undertaking the safeguarding training be reported in the Voice, information also be included that customers could contact the local authority with any concerns they may have.

AGREED (unanimously) that:

- (a) the comments of the Coroner be noted; and
- (b) a further report be presented to Committee following the receipt of any firm recommendations by the Coroner.

34. UPDATE ON PERFORMANCE AND ENFORCEMENT MATTERS

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

Contained within the report was information as to applications received for: hackney carriage/private hire drivers; ambulance drivers' hackney carriage vehicles' and private hire vehicles. A note of returns for street and house to house collections was also provided. Paragraph 2.5 of the report set out the current enforcement issues giving details of: location; activity; date case opened; and what action had been taken to-date.

AGREED (unanimously) that the report be noted.

35. EXEMPTION OF PRESS & PUBLIC

AGREED 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 1 of Schedule 12A of the Act and that the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

36. EXEMPT MINUTES OF HACKNEY CARRIAGE/PRIVATE HIRE VEHICLE SUB-COMMITTEE HELD ON 22 FEBRUARY 2016

NOTED: the Exempt Minutes of the Hackney Carriage/Private Hire Vehicle Sub-Committee held on 22 February 2016.

The meeting closed at 6.42pm

Chairman

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the **LICENSING COMMITTEE** held on Thursday, 17 March 2016 in Room G21, Kelham Hall immediately following the meeting of the General Purposes Committee.

PRESENT: Councillor Mrs R. Crowe (Chairman)

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

24. APOLOGIES FOR ABSENCE

Apologies for absence were submitted by Councillors: Mrs I. Brown, M. Buttery, Mrs B.M. Brooks, D.J. Clarke and P. Peacock.

25. DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

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

26. DECLARATION OF INTENTION TO RECORD MEETING

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

27. MINUTES OF MEETING HELD ON 10 DECEMBER 2015

AGREED that the Minutes of the meeting held on 10 December 2015 be approved as a correct record and signed by the Chairman.

28. REQUEST TO SHOW A FILM THAT HAS NO CERTIFICATE FROM THE BRITISH BOARD OF FILM CLASSIFICATION

The Committee considered the report presented by the Business Manager – Environmental Health & Licensing in relation to a request received to allow a public showing of a film that has no certificate from the British Board of Film Classification.

The report set out the Local Licensing Authority's role and this Council's procedure for determining film classification which was adopted in January 2015. Also contained within the report were details of what the film was about and of the current 6 classifications available.

Members were informed that the film was available to download and view on the BBC iPlayer and that the film maker had suggested himself that it be awarded an 18 certificate due to its content.

AGREED (unanimously) that:

- (a) the uncertified film titled 'Fear Itself' be permitted to be shown; and
- (b) the age restriction category to be imposed be an 18 classification.

29. POLICE & CRIME BILL AND THE IMMIGRATION BILL – CHANGES TO LICENSING LEGISLATION

The Committee considered the report presented by the Business Manager – Environmental Health & Licensing in relation to updating Members as to the progress of the above two bills through Parliament and the implications thereof.

The report set out at paragraph 3.1 the proposed changes to the Licensing Act 2003 arising from changes to the Police & Crime Bill. It also provided narrative as to the implications these would have in relation to personal licences; reflection of best practice and timely guidance updates; non-Police investigations in relation to the Policing & Criminal Evidence Act.

In relation to the changes to the Immigration Bill, it was noted that the granting of licenses for the sale of alcohol and late night refreshments must be compliant with immigration laws. It also referred to ensuring that licenses for drivers and operators of taxis and private hire vehicles are held by those who have the right to work in the UK and comply with immigration laws.

Members expressed their concern in relation to the issues and implications of a personal licence being granted for a lifelong period. It was suggested that the two local MPs be written to in this regard.

AGREED (unanimously) that:

- (a) the Police & Crime Bill update be noted;
- (b) the Immigration Bill update be noted;
- (c) further reports updating Members on the progress of the Bills through Parliament be presented to Committee; and
- (d) a letter be written and forwarded to the two local MPs, following consultation with the Chairman of the Committee, expressing concern about the implications arising from the granting of a personal licence for a lifelong period.

30. MINUTES OF THE LICENSING HEARING FOR A VARIATION OF A PREMISES LICENCE (WHITE HART WINE BAR & RESTAURANT)

The Committee considered the Minutes of the Licensing Hearing held on 23 December 2015 relating to an application by Admiral Taverns Limited for a Premises Licence Variation in relation to the White Hart Wine Bar & Restaurant.

Having considered the Minutes Members were advised that the Applicant had made an appeal to the Magistrates Court against the findings of the Hearing. A directions hearing had been held and adjourned for a conversation to take place between Admiral Taverns and the Designated Premises Supervisor, Mr. Paul Chambers. It was not known what the appeal was based on as the applicant did not have to state their reason for appealing.

Members commented that local councillors were best placed to make decisions and that it was right that a Solicitor from the Council be present at all court proceedings to offer local guidance.

AGREED that the Minutes be noted.

31. UPDATE ON QUARTERLY PERFORMANCE AND ENFORCEMENT MATTERS

The Committee considered the report presented by the Licensing Manager in relation to the activity and performance of the Licensing Team between 1 October and 31 December 2015.

Members considered all the enforcement activity and commented specifically on the noise complaint made against the Inn on the Green in December 2015. They suggested that the matter should not have been registered as it was not a genuine complaint. Officers confirmed that the information was a list of activities and listed all calls made to the Licensing Team.

AGREED that the reports be noted.

32. TEMPORARY EVENT NOTICES RECEIVED AND ACKNOWLEDGED BETWEEN 1 OCTOBER AND 31 DECEMBER 2015 INCLUSIVE

NOTED the Temporary Event Notices received and acknowledged between 1 October and 31 December 2015 inclusive.

The meeting closed at 6.10 pm

Chairman

NEWARK & SHERWOOD DISTRICT COUNCIL

Minutes of the meeting of the **AUDIT & ACCOUNTS COMMITTEE** held in Room F35, Kelham Hall on Wednesday, 27 April 2016 at 10am.

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

Councillors: Mrs R. Crowe, R.A. Crowe, and D. Staples.

ALSO IN ATTENDANCE: Nicky Lovely (Business Manager - Financial Services NSDC)
Nicola Pickavance (Assistant Business Manager - Financial Services NSDC)
Helen Brookes (KPMG)
John Sketchley (Audit Manager (Assurance Lincolnshire))
Amanda Hunt (Principal Auditor (Assurance Lincolnshire))
Ged Greaves- (Business Manager- Policy and Commissioning)

53. APOLOGIES FOR ABSENCE

Apologies for absence were submitted by G.P. Handley.

54. DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS AND AS TO THE PARTY WHIP

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

55. DECLARATION OF ANY INTENTION TO RECORD THE MEETING

None.

56. MINUTES OF MEETING HELD ON 10 FEBRUARY 2016

AGREED that the Minutes of the meeting held on 10 February 2016 be approved as a correct record and signed by the Chairman subject to an amendment to include the Chairman in Recommendation C of the Internal Audit Progress Report, Minute No. 45.

57. TERMS OF REFERENCE FOR THE COMMITTEE

The Committee considered a report detailing the decision of full Council on 10 March 2016 to include express responsibility for reviewing the Council's corporate governance arrangements to ensure efficient and effective assurance were obtained. The remit of the Audit & Accounts Committee was determined by Council and formed part of the Council's Constitution.

Councillor Staples informed the Committee that he had discussed with the Deputy Chief Executive the inclusion of performance management within the remit. A report regarding this was shortly to be considered by the Councillors Commission.

AGREED that the report be noted.

58. STATEMENT OF ACCOUNTING POLICIES

The Assistant Business Manager - Financial Services was in attendance to present a report, detailing updates and amendments made to the Council's accounting policies in relation to the closedown of the 2015/16 financial year.

The Committee heard that changes to the standards relating to the Fair Value measurement of assets and to Levies had been made in the Code of Practice on Local Authority Accounting. The changes to Levies had required no amendments to the Council's policies. The Council's policy 1.10- Non Current Assets had been amended to incorporate the new definition of fair value with additional disclosure notes as required. The Council's policy 1.16- Interests in Companies and Other Entities had been updated to reflect the new position with Active4Today which began trading on 1 June 2015.

AGREED that the amended Statement of Accounting Policies be approved.

59. UNDERLYING PENSIONS ASSUMPTIONS FOR 2015/16 STATEMENT OF ACCOUNTS

The Assistant Business Manager - Financial Services presented an updated report detailing the underlying pension assumptions which had been used in the calculation of pension figures for 2015/16. Financial and demographic assumptions which had been used by the actuary were detailed, and figures for the accounts are produced using these and data supplied by the Council. The formal actuarial valuation was undertaken every three years.

AGREED that the assumptions used in the calculation of pension figures for 2015/16 be approved.

60. STRATEGIC RISK MANAGEMENT PROCESS EXAMPLE

The Business Manager - Policy & Commissioning was in attendance to present a report detailing a 'worked example' of the process of developing a strategic risk. The Committee had requested an example of the process at their previous meeting during consideration of the Strategic Risk Register. The Committee considered the report and were able to see development of the risk and changes at review stage.

AGREED that the report be noted.

61. INTERNAL AUDIT PROGRESS REPORT

The Committee considered a report detailing progress against the internal audit report for the period to 31 March 2016. The Committee noted that 97% of jobs were either complete or at draft report stage. 7 audits had been completed during the period 4 with High Assurance and 3 with Substantial Assurance, which were detailed, alongside other significant work undertaken.

Members considered the report and made the following comments:

- Members requested that a follow-up review of the Newark and Sherwood Homes Partnership be presented to the committee in 6 months to see how the partnership had worked to address the issues raised; and
- With regard to the audit of CCTV, Members noted that capacity issues within the team had been addressed with the appointment of an interim manager and officer. A follow-up could be considered in 6 months to ensure that recommendations had been implemented.

The Committee also congratulated Audit Lincs on their performance levels against the Internal Audit Plan.

AGREED that the report be noted.

62. OUTSTANDING INTERNAL AUDIT RECOMMENDATIONS

The Audit Manager - Audit Lincs was in attendance to present a report detailing the current status of outstanding Internal Audit recommendations. It was noted that the majority of audits with outstanding recommendations had received either substantial or high assurance levels and only one outstanding recommendation was high. The Committee agreed that the reviewed date rather than the original date of implementation be included in future reports so that the Committee could concentrate on those areas where an explanation was not given for failing to implement a recommendation, or where there was dispute over a recommendation.

AGREED that the report be noted.

63. COMBINED ASSURANCE REPORT

The Business Manager - Financial Services presented the Combined Assurance report for the period to January 2016. The report had been produced by Internal Audit with Business Managers and CMT to demonstrate assurance levels and identify any gaps. The report was then used to inform production of the Internal Audit Plan. The Committee considered the report, raising the following points:

- Within growth, 'Pay to Stay' had not been included as a red risk. It was explained that whilst it was considered that it was likely to result in significant work levels, this was not yet certain, and therefore it was not yet included as a critical activity with a "red" level of assurance. Consideration of the risk had been included in the review of strategic risks; and
- Within Strategic Risks, the 'G' or 'A' in the first column related to the assurance level given by management as to how the risks were being managed - either Green or Amber. In the second column, the Strategic Risks were listed and coloured as per the risk register.

AGREED that the report be noted.

64. ANNUAL INTERNAL AUDIT PLAN AND STRATEGY

The Business Manager- Financial Services presented the Annual Internal Audit Plan and Strategy. The Plan had been developed to provide an overview of assurance across the whole Council with reference to the Combined Assurance report, previous audit work, discussions with managers and strategic and emerging risks. A greater emphasis had been placed on project based activities as well as covering critical service areas, due diligence areas and the day to day work of the Council.

Members queried how Ethics would be audited, and were informed that the process would include reviewing documents such as Registers of Interests, and the Code of Corporate Governance.

AGREED that the Internal Audit Plan and Strategy be approved.

65. EXTERNAL AUDITORS CERTIFICATION OF GRANT CLAIMS AND RETURNS AND PROGRESS REPORT

Helen Brooks, the Audit Manager KPMG was in attendance to present the external Auditors Certification of Grant Claims and Returns, a progress report and technical update. With regard to the certification of Grant Claims and Returns, it was noted that this was a highly complex area. A qualified result had been issued for the Housing Benefit Subsidy Grant claim, as some errors had been found, but it was explained that these were no more so than other authorities, due to the complexity of the process. The errors had been found within Voluntary National Insurance contributions, which were inconsistently applied for self-employed earnings. As a consequence of this the DWP had requested a review of all self-employed cases resulting in further work at an additional cost of £866.

10 cases of benefit underpayment had been identified and one overpayment to the value of £5.70. No further errors had been identified. The report detailed the fees for the Certification. Members felt that the cost of the work was disproportionate to the errors identified; however, it was acknowledged that the work was important due to the amounts of money paid in benefits per authority across the country.

Members then considered the progress report, noting the planned audit work, value for money conclusion, the inclusion of devolution as a risk for all authorities, and a focus of audit work on medium term financial planning. A KPMG workshop had also been held covering the early closure of the accounts in preparation for the bringing forward of the closure deadline for the 2017/18 accounts.

AGREED that the report be noted.

66. CHANGES TO ARRANGEMENTS FOR EXTERNAL AUDITOR APPOINTMENTS BEYOND 2017

The Business Manager- Financial Services presented a report summarising the changes to the arrangements for appointing an External Auditor at the conclusion of the 2017/18 audits. The appointment had to be made by 31 December 2017 and the process by which the appointment could be made was prescribed by the Local Audit and Accountability Act 2014.

The Council had three broad options through which to make the appointments, which were:

- 1- make a stand alone appointment through a specially created independent panel;
- 2- to make the appointment through a specially created joint panel; or
- 3- to opt in to a sector led body created by the Local Government Association who would make the appointment on the Council's behalf.

The Committee considered the advantages and disadvantages of each option in detail and also heard that at this stage there was no appetite to set up a local joint panel with any neighbouring authorities. The Business Manager - Financial Services informed the Committee that most colleagues at neighbouring authorities had made an informal expression of interest to opt in to a sector led body. It was hoped that this method of appointment would achieve economies of scale, lowering costs for participating authorities and reducing the likelihood of any conflict of interests. The Committee agreed that option three was the best approach.

AGREED that a formal expression of interest be made supporting the Local Government Association in setting up a national Sector Led Body by indicating the intention to 'opt-in' (option 3).

67. COUNTER FRAUD ACTIVITY REPORT

The Business Manager - Financial Services presented the Counter Fraud activity report, detailing activity undertaken since the last update to the Committee on 4 November. Since 1 December the housing benefit fraud team had been transferred to the Fraud and Error Service and since that time any potential fraud cases were referred for investigation. Since 1 December, 8 cases had been referred to the service. Actual court costs charged to the Council since April were £8,025, which related to non-payment of Council Tax and fraud cases. Costs were recovered where possible. An attempt at executive fraud had been made against the Council but was intercepted by staff in financial services before any money was lost.

Details of the National Fraud Initiative were also reported, with Members noting that the results of the 2014/15 exercise would be available shortly. A further set of data had been submitted in February 2016.

AGREED that the report be noted.

68. AUDIT COMMITTEE WORK PROGRAMME

AGREED the Committee noted the work programme and proposed dates for the Statement of Accounts Training as:

Wednesday 27 July 2016 or
Wednesday 3 August 2016 or
Wednesday 10 August 2016.

69. DATE OF NEXT MEETING

NOTED that the date of the next meeting was Wednesday 13 July 2016

The meeting closed at 11.28pm.

Chairman

NEWARK AND SHERWOOD DISTRICT COUNCIL

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

PRESENT: Councillor D.R. Payne (Chairman)

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

ALSO IN

ATTENDANCE: Councillors: K.F. Girling, T. Roberts, D. Lloyd and J. Lee.

157. APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of Councillors, Mrs S.E. Saddington and D. Clarke.

158. DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

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

<u>Member/Officer</u>	<u>Agenda Item</u>
All Councillors	Agenda Item No. 10 – Land at Bowbridge Road, Newark (15/02299/FULM) Personal Interest as the Council owned the proposed development site.
Councillor D.R. Payne and Councillor R. Crowe	Agenda Item No. 7 – 22 The Weavers, Newark (16/00106/FUL) Personal Interest as known to the objector.
Councillor R. Blaney	Agenda Item 11 – Active4Today Ltd, Newark Sports and Fitness Centre, Bowbridge Road Newark (16/00190/ADV)- Disclosable Pecuniary Interest as on the Board of Directors of Active4Today.
Councillor Mrs C. Brooks, Councillor Handley and Councillor Payne.	Agenda Item 10- Bowbridge Road, Newark (15/02299/FULM). Personal Interest as they were on the Board of Newark and Sherwood Homes.
Councillor Mrs M. Dobson, and Councillor Mrs Y Woodhead	Personal Interest- County Council Members.

Councillor D. Payne and Personal Interest- appointed to Trent
Councillor I. Walker Valley Internal Drainage Board who had
submitted comments.

159. ORDER OF BUSINESS

With the agreement of the Committee, the Chairman took the agenda items in the following order- Items 5 to 9, 12, 13, 10, 11, 14, 13a, 14 a & b, 15 and 16.

160. DECLARATION OF ANY INTENTIONS TO RECORD THE MEETING

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

161. MINUTES OF THE MEETING HELD ON 1 MARCH 2016

The Committee considered the minutes of the meeting held on 1 March 2016

AGREED that the minutes of the meeting held on 1 March 2016 be approved as a correct record and signed by the Chairman.

162. THE SAWMILL PUBLIC HOUSE, BEACON HILL ROAD, NEWARK ON TRENT (15/01702/FUL)

The Committee considered the report of the Deputy Chief Executive, following a site inspection held prior to the meeting, which sought the demolition of an existing public house and the erection of two new retail units with associated parking, landscaping and associated works.

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

Councillor T. Roberts and D. Lloyd spoke against the application on behalf of Newark Town Council. It was argued that there were ample retail units in the area and it had not been sufficiently demonstrated that the pub was unviable. It was also noted that extant planning permissions in the area would create a surfeit of retail units should the application be approved. The additional traffic movements, and change to traffic patterns would also be detrimental to residents in the area, should the application be approved.

Councillor J. Lee, in accordance with 11.8 of the planning protocol spoke in favour of the application. He argued that there were ample public houses within walking distance from the site, and the area would benefit from retail units with dedicated parking off the main road.

Members considered the application and agreed that the applicant had failed to demonstrate sufficiently that the business was not viable. Members also felt that the design of the proposed retail units was not appropriate for the area.

AGREED (unanimously) that along with Officer recommendation planning permission be refused, for the reasons outlined in the report and the unsuitability of the design of the proposed retail units in terms of the impact on the visual character and appearance of the area.

163. FIELD REFERENCE 2958, OFF MICKLEDALE LANE, BILSTHORPE (13/00893/FULM)

The Committee considered the report of the Deputy Chief Executive, following a site visit held prior to the meeting, which sought planning permission for the installation of a 3.22MW solar park and associated infrastructure and erection of a 500kw wind turbine measuring 60m to the hub and 87m to the blade tip.

The Business Manager, Development informed Members that the planning application had been presented to the Planning Committee on 7 October 2014 where the National Air Traffic Services (NATS) had issued an objection to the application. Members had resolved that the application be granted, subject to conditions, and NATS continued to formally object on safeguarding grounds. This had resulted in the Secretary of State calling in the application and a public Inquiry is due to be held in May 2016. Since that time, a condition had been negotiated to mitigate harm and it was now the intention for the appellant and NATS to lobby the Secretary of State to withdraw interest in the application. The application was submitted to the Planning Committee for a final resolution and to inform the applicant, NATS and the Secretary of State.

The Committee considered the application expressing their general support. The Local Ward Member did raise concern of the cumulative effect of the number of wind turbines within the area and felt that this should be considered.

AGREED (with 11 votes for , 1 against and 1 abstention) that along with Officer recommendation full planning permission be granted, subject to the conditions within the report which include the Secretary of State rescinding the call in request and referring the matter back to NSDC for a decision.

164. 22 THE WEAVERS , NEWARK ON TRENT (16/00106/FUL)

The Committee considered the report of the Deputy Chief Executive, following a site visit prior to the meeting, which sought full planning permission for the demolition of an existing single storey side extension and rear conservatory and construction of a two storey extension to side and single storey extension to the front, rear and side, with new French doors to the rear elevation at first floor level. Members noted a previous application which had been granted in 2013 but had now lapsed.

A schedule of communication was tabled at the meeting, which included correspondence, received after the agenda was published from Newark Town Council raising objections to the application on the basis of over intensification and overbearing to neighbouring properties.

Councillor T. Roberts addressed the Committee on behalf of Newark Town Council arguing the application was too large and would nearly double the footprint of the existing property. Councillor K. Girling, Local Ward Member, also addressed the Committee and stated that he felt this application was too different from the previous original application to be approved, and would be represent a significant change for neighbours in the area.

Members considered the application, and noted that in fact much of the proposed work could be undertaken under Permitted Development Rights, and it was argued that by approving planning permission with associated conditions there would be more control for prevent negative impact on neighbours. It was suggested that a condition be included to prevent the use of the garage roof as a balcony area.

AGREED (with 11 votes for and 2 votes against) that along with Officer recommendation, full planning permission be granted with the conditions contained within the report and subject to an additional condition preventing the garage roof space being used for ancillary purposes such as a balcony area.

165. 5 QUEEN STREET, BLADERTON, (16/00178/FUL)

The Committee considered the report of the Deputy Chief Executive which, following a site visit prior to the meeting, sought full planning permission for the retention of a bungalow and erection of a four bedroom house with attached double garage, the formation of a new vehicular access from Marshall Court and associated parking spaced repair and part demolition of Queen Street boundary wall and erection of railings.

Councillor Mrs L. Hurst of Balderton Parish Council addressed the Committee raising objections on behalf of Balderton Parish Council. Councillor Mrs Hurst also presented Members of the Committee with some photographs of the application site and surrounding areas. She explained that there were no objections to a property on the site as accessed from Queen Street, however, access from Marshal Court was not appropriate and would impact particularly on the resident of no. 7 Marshal Court.

Members were in general agreement that this application with a four bedroom house and access from Marshal Court was not supportable. Members felt that the proposed property was too large for the site and the proposed access from Marshall Court was not suitable and would negatively impact on the property of no.7 Marshall Court. It was therefore proposed and duly seconded to refuse the application against officer recommendation.

AGREED (unanimous) that contrary to officer recommendation, full planning permission be refused for reasons of a compromised access, which would lead to unacceptable conflict with pedestrian movement and the over intensification of the site resulting in a cramped form of development with inadequate amenity area.

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

Councillor	Vote
D. Batey	For
R.V. Blaney	For
Mrs C. Brooks	For
D. Clarke	Apology for absence
R.A. Crowe	For
Mrs M. Dobson	For

G.P. Handley	For
N. Mison	For
D.R. Payne	For
Mrs P.J. Rainbow	For
Mrs S.E. Saddington	Apology for absence
Mrs L.M.J. Tift	For
I. Walker	For
B. Wells	For
Mrs Y. Woodhead	For

166. THE OLD VICARAGE, CHURCH LANE, SOUTH SCARLE (15/02125/FUL)

The Committee considered the report of the Deputy Chief Executive, following a site visit prior to the meeting, which sought planning permission for construction of a garage, lean to building and all associated external works.

A schedule of communication was tabled at the meeting, which detailed correspondence received after the agenda was published including an email Councillor D. Clarke, comments from a resident at a neighbouring property and a letter in objection from a resident.

Prior to the Committee considering the application, the Deputy Chief Executive advised that they should disregard the contents of the email from Councillor Clarke as it could be deemed to constitute lobbying contrary to the provisions of paragraph 7.9 of the protocol for Members on dealing with planning matters.

Mr Severn addressed the Committee representing the views of South Scarle Parish Meeting. He stated that at a meeting where 40-50 residents attended, residents voted against the application as it was considered overbearing to neighbouring properties and too similar to a previous application which had been refused. It would also damage views in the area.

Members considered the application and felt that the proposed development would negatively impact on the amenity of the area, impacting the legible grouping of buildings within the conservation area. Members also queried whether it could be requested that the significant amounts of rubble that had been viewed during the site visit be removed. Members raised concern over the possibility of creeping development on the site and felt that it should be monitored closely. It was proposed and seconded to refuse the application, against officer recommendation.

AGREED (with 12 votes for and 1 abstention) that contrary to officer recommendation, full planning permission be refused on the basis that the building was not significantly different in terms of its impact to the visual and character concerns identified by previous Inspector, in respect of the previous application on the site which had been refused on appeal specifically the prominent, urbanised and cramped form of development within a grouping of well-defined and legible buildings in the Conservation Area.

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

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

167. LAND AT CLAY BARN, MAIN STREET, MAPLEBECK (16/00114/FUL)

This item was deferred pending a site visit to the proposed development site.

168. HOLLY FARM SHOP, GREAT NORTH ROAD, CROMWELL (15/01706/FUL)

Councillor R. Blaney left prior to the consideration of this item. Councillor B. Wells left during the consideration of this item.

The Committee considered the report of the Deputy Chief Executive, which sought planning permission for change of use from A1 to C3 dwelling with front extension and rear conservatory and to create new access from the highway.

Mr Swift, Chairman of Cromwell Parish Meeting addressed the Committee in support of the application. He stated that historical use had proved that the building was not viable for use as a shop, particularly given the service station within Cromwell. The site had not flooded recently, and for the building to be in use would be preferable to a derelict building and help prevent fly-tipping within the village.

The Committee considered the application and felt that for the reasons expressed by Mr Swift, that application should be approved contrary to officer recommendation. It was therefore proposed and duly seconded that planning permission be granted.

AGREED (unanimously) that contrary to officer recommendation, full planning permission be approved subject to conditions which shall be delegated to officers and include material, plan reference, and removal of permitted development rights.

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

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

169. LAND AT BOWBRIDGE ROAD, NEWARK ON TRENT, (15/02299/FULM)

The Committee considered the report of the Deputy Chief Executive, which sought planning permission for an 'extra care' residential development for the elderly consisting of 60 single and two bed apartments and the associated communal spaces.

In considering the application, Members noted the Highways requirements around adopted/un-adopted roads on the site, particularly in relation to any further future development on the site. The Committee welcomed the application.

AGREED (unanimous) that in accordance with Officer recommendation, full planning permission be granted with the conditions contained within the report

170. ACTIVE4TODAY LTD, NEWARK AND SHERWOOD FITNESS CENTRE, BOWBRIDGE ROAD, NEWARK ON TRENT (16/00190/ADV)

The Committee considered the report of the Deputy Chief Executive, which sought planning permission for the erection of a hoarding sign.

The Committee considered the application, noting the applicant was the District Council. It was suggested that the sign be used for other site developments if appropriate, such as the Extra Care facility.

AGREED (unanimous) that in line with Officer recommendation, Planning Permission be granted with the conditions detailed in the report.

171. RESPONSE TO THE GOVERNMENTS TECHNICAL CONSULTATION ON THE IMPLEMENTATION OF THE HOUSING AND PLANNING BILL

The Committee considered the report of the Deputy Chief Executive seeking comments to include in the Council's responses to the Governments technical consultation on the proposed approach to implementing the planning provisions in the Housing and Planning Bill. The Committee considered the report and made the following comments:

- The Committee raised concern over the lack of time available to make comments on the consultation;
- Local Planning Authorities should be able to increase planning fees in line with inflation if above performance target;
- With regard to fast-track services, the Committee felt that it was not appropriate to 'fast track' a planning judgement. However use of the pre-application process and involvement of Local Ward Members could help speed up the process of planning application;
- The setting of specific deadlines for the neighbourhood planning process was supported; and
- The Committee did not support the proposal to test competition within the planning process as they felt there would be a loss of democratic oversight and the local knowledge provided by officers and members was important. Members also questioned whether a conflict of interest may arise with the approved provider.

The Members agreed that the comments be incorporated into the response prepared by the Deputy Chief Executive and the Business Manager-Development. These would be combined with the responses from the Economic Development Committee who had also considered the report.

AGREED (unanimously) that:

- a) the contents of the report be noted; and
- b) the proposed comments outlined in the report and the comments from the Committee are used as the basis for the District Council's response.

172. APPEALS LODGED

NOTED that the report be noted.

173. APPEALS DETERMINED

NOTED that the report be noted.

174. EXCLUSION OF THE PRESS AND PUBLIC

AGREED (unanimously) that under Section 100(A) of the Local Government Act 1972, the press and public be excluded from the meeting during discussion of the following items of business on the grounds that they involved the likely disclosure of exempt information as defined in Paragraphs 3 and 4 of Schedule 12A of the Act and that the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

175. HIGHFIELDS APPEAL INFORMATION

The Committee considered the exempt report presented by the Deputy Chief Executive in relation to the Highfields Appeal Decision.

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

176. ANNUAL REPORT DETAILING THE EXEMPT REPORTS CONSIDERED BY THE PLANNING COMMITTEE

The Committee considered the report of the Deputy Chief Executive listing the exempt items considered by the Committee for the period 20 May 2015 to date. The Committee agreed that the report considered on 7 July 2015 relating to enforcement action should remain confidential. The Committee felt that the report considered on 2 February 2016 regarding land at Southwell Road, Farnsfield could be released into the public domain.

AGREED that:

- (a) the report considered on 7 July 2015- Enforcement Case No. 12/00400/ENF remain confidential and exempt; and
- (b) the report considered on 2 February 2016- Land at Southwell Road, Farnsfield , be released to the public.

The meeting closed at 7.22pm

Chairman

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Special Meeting of the **PLANNING COMMITTEE** held in the Council Chamber, Kelham Hall, Newark on Wednesday, 20 April 2016 at 4.00pm.

PRESENT: Councillor D.R. Payne (Chairman)

Councillors: D.M. Batey, R.V. Blaney, Mrs C. Brooks, R.A. Crowe, Mrs M. Dobson, G.P. Handley, N.B. Mison, Mrs P.J. Rainbow, Mrs S.E. Saddington, Mrs L. Tift, I. Walker, B. Wells and Mrs Y. Woodhead.

ALSO IN

ATTENDANCE: Councillors: P. Duncan, K. Girling and D.J. Lloyd

177. APOLOGIES FOR ABSENCE

There were no apologies.

178. DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

There were none.

179. DECLARATION OF ANY INTENTIONS TO RECORD THE MEETING

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

180. LAND AT THE JUNCTION OF KELHAM ROAD AND GREAT NORTH ROAD, NEWARK (14/01598/FULM)

The Committee considered the report of the Deputy Chief Executive, following a site inspection held prior to the meeting, which sought full planning permission for the demolition of the former highways depot buildings and the erection of a Class A1 retail food store and petrol filling station along with associated parking, servicing, landscaping, public realm, access works and other associated works.

A schedule of communication was tabled at the meeting, which included correspondence, received after the agenda was published from the Agent and an Objector.

Councillor D.J. Lloyd, representing Newark Town Council spoke against the application in accordance with Newark Town Council's views as contained within the report.

Members considered the application and it was commented that the whole of the Newark area would be affected by granting the application through traffic congestion, which was already an issue around the cattle market roundabout and within the town centre. It was also felt that the link shopping would not take place due to the supermarket being located on the outskirts of the town. It was felt that the application was too soon and in the wrong location. The site being in a flood zone also raised concern, given that a petrol filling station also formed part of the application and the impact of the store on local residents should also be taken into consideration.

A Member queried the impact test and felt that the information contained within the report underestimated that. It was considered that this application would have not only a detrimental retail impact for Newark Town Centre, but also on the towns heritage assets including the Victorian railway, church and castle. The merger of Argos stores was also raised and whether the application store if granted would also provide goods, which would lead to the closure of the current Argos store within the Town Centre.

Highways concerns were discussed and it was commented that it had been acknowledged by Highways England that the A46 in Newark had the third worst journey times in the region. The railway timetable had also been revised with an increase of trains, with barriers being lowered more regularly and the introduction of a Saturday service, which would commence next month and also lead to greater highway congestion. It was felt that local knowledge and understanding should be taken into consideration and the existing businesses and market should be looked after and retained.

A Member commented that an additional reason for refusal was required in terms of the imbalance of spatial distribution of retail outlets in Newark and that this should be tested through the local plan review. The Business Manager confirmed that further work on the Local Plan Review would be produced later in the year.

Members also commented that a Town Centre Manager had also been considered in the past and dismissed as not viable given that the Council was not a Unitary Authority and whilst the Council owned the market place, it was managed by Newark Town Council, and the surrounding road owned by Nottinghamshire County Council.

AGREED (unanimously) that planning permission be refused for the reasons contained within the report and the following additional reasons:

- (i) the Strategic and Local Highway networks, notably the A46 Cattle Market Roundabout and Great North Road, the latter of which includes a level crossing are already congested as a matter of fact and local knowledge. The Local Planning Authority is of the opinion that the Applicant has failed to adequately demonstrate that the proposed development would not adversely impact the road network in terms of queuing and vehicle movements. This is compounded by the introduction of signal controlled junctions, pedestrian crossing, no works to the existing access to the cattle market and greater use of the railway and associated downtime at the level crossing recently implemented. Further, the Local Planning Authority is of the view that there is greater congestion than identified currently on the A46 network, including the Cattle Market roundabout. As a result, the proposed development would have an adverse impact on highway safety and movements, contrary to Section 4 of the NPPF, Spatial Policy 7 of the Core Strategy (Adopted 2011) and Policy DM5 of the Newark and Sherwood Development Management and Allocations DPD (Adopted 2013). Regard has also been given to the National Planning Practice Guidance, a material planning consideration. There are no other material planning considerations that would outweigh the harm identified: and

- (ii) The Local Planning Authority is of the opinion that the current application is premature in the absence of a robust assessment through the recently commenced Plan Review as to whether, if any additional retail capacity is identified, this should co-locate with the significant growth provided by the Strategic Urban Extensions to the south of the town. The Authority is of the opinion that there are clear adverse impacts of granting permission (particularly in terms of absorbing any remaining capacity), which could prevent the viability of a similar sized retail store co-locating with the sustainable urban extension sites. This would clearly undermine the plan process. The development therefore represents unsustainable development contrary to the provisions of DM12 of the Newark and Sherwood Development Management and Allocations DPD (Adopted 2013) and the NPPF and NPPG.

The meeting closed at 5.57pm

Chairman

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the meeting of the **STANDARDS COMMITTEE** of Newark & Sherwood District Council held in Room G21, Kelham Hall, Newark on Wednesday 16 March 2016 at 10.00am.

PRESENT: District Councillors: N. Mison, Mrs P. Rainbow, Mrs S.E. Saddington (Chairman), F. Taylor and B. Wells

Parish Councillor: P. Morris

Independent Persons: Mrs S. Jones

18. **APOLOGIES FOR ABSENCE**

Apologies for absence were received from District Councillor M. Buttery, Mr R. Dix – Independent Person and Mrs P. White – Co-opted independent Person.

19. **DECLARATION OF INTERESTS BY MEMBERS AND OFFICERS**

There were no declarations of interest.

20. **DECLARATIONS OF ANY INTENTIONS TO RECORD THE MEETING**

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

21. **MINUTES**

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

22. **STANDARDS COMMITTEE PROGRESS REPORT 4 DECEMBER 2015 TO DATE**

The Committee considered the progress report from 4 December 2015 to date.

AGREED that the progress report be noted.

23. **CODE OF CONDUCT COMPLAINTS**

The Committee considered the report of the Deputy Chief Executive and Monitoring Officer which advised the Committee of code of conduct complaints received during the period from the date of the last meeting in December 2015 to date and the action taken in response to those complaints.

The first complaint related to the behaviour of a member of Newark & Sherwood District Council who had attended the Parish Council meeting in their capacity as the local district ward member and to the behaviour of a Parish Councillor at the same meeting.

Regarding the behaviour of the District Councillor the complainant alleged that the Councillor concerned treated the then Chairman of the Parish Council with disrespect and displayed an attitude which was arrogant and dismissive. The Monitoring Officers conclusion was that there was nothing in the complaint which demonstrated a code of conduct breach and rather it reflected robust debate on an issue on which opinions were divided. Therefore, after consultation with the Independent Person it was resolved not to take any further action as there was no prima facie evidence that this constituted a code of conduct breach. The complainant was advised accordingly.

The second complaint, raised by the same complainant, related to the behaviour of a Parish Councillor at the same meeting in which they questioned a payment which had been authorised by the Chairman to be made to the Parish Clerk. After consultation with the Independent Person, it was determined that the Parish Councillor concerned had acted properly in raising a question as to whether the Councils financial procedures had been properly followed, particularly given that a Parish Council Chairman does not hold any executive powers or authority. The complainant was accordingly advised that there was no code of conduct breach and that no further action would be taken.

The second complaint was received relating to email exchanges between the complainant and a member of Fernwood Parish Council regarding an event which had taken place in Fernwood. The complainant considered that the Member concerned, in his Facebooks posts, had made unnecessary and unfounded accusations against him. After consultation with the Independent Person, the Monitoring Officer reached the view that the Member concerned had made the posts in a personal rather than an in an official capacity which was made clear within one of those posts. Moreover, the posts had been removed. The complainant was accordingly advised that this was a personal matter between himself and the person against whom he had complained and did not fall within the jurisdiction of the Council's Standards regime.

The third complaint was received regarding the behaviour of a member of Edwinstowe Parish Council. There was a question as to whether the member concerned had been acting in an official capacity when the action of the subject of the complaint arose. However, in view of the nature of the complaint and in consultation with the Independent Person it was resolved that a letter should be sent to the Councillor concerned requesting that he issue a formal apology to the complainant and give an undertaking to the Standards Committee as to his future behaviour as an elected member. The Councillor concerned had sent a written apology to the complainant of which he had forwarded a copy and had, further, given the undertaking requested. In those circumstances the investigation had been discontinued, as it was considered that this was a satisfactory resolution to the matter.

A fourth complaint was received regarding comments made by a member of Newark Town Council at a Town Council meeting; alleging that a member of the District Council's Planning Committee had participated in discussion and debate on a matter in which they should have declared an interest. The complainant had made a formal public apology at a subsequent Town Council meeting and acknowledged that the District Councillor did not have an interest in the matter. It was also understood that he had offered a personal apology to the Councillor concerned. After consultation

with the Independent Person it was considered that this was a satisfactory resolution to the matter.

AGREED (unanimously) that the report be noted.

24. PROPOSED MEDIATION

The Committee considered the report of the Deputy Chief Executive which updated Members on the offer to mediate between Edwinstowe Allotment Association and Edwinstowe Parish Council.

The report provided information regarding complaints that had been received relating to the Parish Council's management of the allotments including complaints that information had been requested and not provided. Whilst these did not constitute Code of Conduct complaints, as they related to the Parish Council's administration of its affairs rather than the behaviour of individual Parish Councillors, members of the Standards Committee felt that it might assist in improving relationships between the respective parties if the District Council's Monitoring Officer and Deputy Monitoring Officer were to mediate between the parties.

Edwinstowe Parish Council accepted the offer of mediation but the Secretary and Chairman of the Allotment Association had questioned the merit of participating in mediation, stating they were no longer in dispute with the Parish Council. In those circumstances the Monitoring Officer had responded to the Allotment Association advising that, unless she heard to the contrary, there would be no merit in conducting mediation in these circumstances as it would appear that the matter had been resolved.

AGREED that the report be noted.

25. TERMS OF OFFICE OF CO-OPTED MEMBERS OF THE STANDARDS COMMITTEE

The Committee considered the report of the Deputy Chief Executive which sought to record the Council's appreciation of the contribution of the co-opted members to the work of the Standards Committee.

The Council at its meeting on the 10 March 2016 agreed a motion to delete the Standards Committee from the committee structure with effect from the May AGM and transfer its remit to the Policy and Finance Committee. The terms of office of the co-opted members of the committee expired at the 17 May 2016 AGM and it was not proposed that the Policy and Finance Committee make any co-options to that committee.

The Committee Chairman thanked all the elected Members who had served on the Committee, which included Parish Councillors I. Harrison and P. Morris, co-opted Independent Member – Mrs P White and the Monitoring Officer, Deputy Monitoring Officer and Democratic Services Officer for their work.

Members raised concern regarding the demise of the Standards Committee and felt that the Council decision was a retrograde step. Members asked if update reports regarding code of conduct complaints received by the Monitoring Officer could be submitted quarterly to Council and not Policy and Finance for consideration and that six monthly reports regarding Register of Members Interests be submitted to the Policy & Finance Committee. It was also suggested that a recommendation be made to the Councillors' Commission to rename Policy & Finance Committee to include Standards in the title. It was considered important that Standards should be included in the title to recognise the importance of upholding high standards of behaviour. They also raised concern regarding the lack of parish representation at future hearing panels.

AGREED that:

- (a) the Committee place on record its thanks on behalf of the Council to the co-opted members to the committee, Pam White, Paul Morris and Ian Harrison for their contribution to the work of the Committee;
- (b) Councillors' Commission be asked to consider recommending to Council that:
 - (i) Policy & Finance Committee be renamed Policy, Finance and Standards Committee;
 - (ii) Quarterly reports regarding Code of Conduct complaints be submitted to Council;
 - (iii) Six monthly reports be submitted to the Policy & Finance Committee regarding Register of Members Interests; and
 - (iv) The concerns of the Standards Committee regarding the lack of Parish representation on Hearing Panels also be noted.

The meeting closed at 10.35am.

Chairman