



*Castle House
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NG24 1BY*

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Monday, 9 December 2024

Chair: Councillor J Hall
Vice-Chair: Councillor L Tift

To: All Members of the Council

MEETING:	Full Council
DATE:	Tuesday, 17 December 2024 at 6.00 pm
VENUE:	Civic Suite, Castle House, Great North Road, Newark, NG24 1BY

**You are hereby requested to attend the above Meeting to be held at the time/place
and on the date mentioned above for the purpose of transacting the
business on the Agenda as overleaf.**

If you have any queries please contact Nigel Hill on Tel: 01636 655243 Email: Nigel.hill@newark-sherwooddc.gov.uk.

AGENDA

	<u>Page Nos.</u>
1. Notification to those present that the meeting will be recorded and streamed online	
2. Apologies for absence	
3. Declarations of Interest by Members and Officers	
4. Minutes from the meeting held on 15 October 2024	5 - 20
5. Communications which the Chairman, Leader, Chief Executive or Portfolio Holders may wish to lay before the Council	
6. In accordance with Rule No. 3.1 to receive the presentation or the debating of any Petitions from Members of the Council (if any)	
7. Questions from Members of the Public and Council (if any)	
8. Political Composition of the Council and Allocation of Seats on Committees	21 - 29
9. Proposed Schedule of Meetings 2025/26	30 - 36
10. Localised Council Tax Support Scheme 2025/26	37 - 40
11. Treasury Management Mid-Year Report 2024/25	41 - 51
12. Review of Statement of Gambling Policy 2025-27	52 - 99
13. Notices of Motion	

Cross-Party Support for Local Farmers and Protection Against the Impact of Recent Budget Changes

In accordance with the Rule No. 3.4.3, Councillor J. Lee will move and Councillor P. Farmer will second a motion to the following effect:

“Context:

Following the recent Budget announcement by Chancellor Rachel Reeves MP, significant changes to inheritance tax have been introduced that directly impacts our district’s farming community. Changes, to cap agricultural property relief at £1 million for farms, are a threat to the viability of small to medium sized farms in our district.

This Council should note that the average UK farm size is 213 acres⁽¹⁾ and land values in Newark and Sherwood average £11,000 per acre⁽²⁾, depending on grade and area (source Savills) means the land value alone is £2.3 million and with other assets included most average farms in our area

carry a IHT rating of over £3,000,000. The Country Land and Business Association (CLA) puts the total farms affected in the UK at 70,000⁽³⁾.

The resultant changes to the cap could force local farmers to sell portions of their holdings to pay for the inheritance tax burdens.

Selling holdings will impact farmers and the farming community's ability to produce food and threatens national food security at a time when geopolitical tensions threaten to destabilise global food production capacity. Furthermore, it will also increase our district's food supply chain in turn increasing the logistical CO2 footprint at a time when global carbon emissions are still on the increase.

Farming also supports environmental objectives such as increasing biodiversity through habitat creation and support for pollinators whilst simultaneously enhancing natural flood management like tree planting and creating and maintaining buffer zones to mitigate localised flooding.

Detail:

The Council recognises:

- The invaluable contribution of farmers to our district, our food security, enhancing the natural environment and the local economy.
- The immediate and long-term risks posed to local farmers and multi-generational farming families by the current Budget measures.

This Council resolves to write to the Chancellor of the Exchequer, Rachel Reeves MP, on behalf of Newark and Sherwood District's farming community and urge a reconsideration of the most recent budget decision to levy inheritance tax on agricultural land and protect family-owned farms from excessive tax burdens that threaten their operations and legacy."

1)Source DEFRA (Statics for agricultural land use in the UK at 1 June 2023. Accessed 4 Dec 2024)

2) Source Savills (www.savills.com). Accessed 4 Dec 2024

3)Source CLA

14. Minutes for Noting

(a)	Cabinet - 4 November 2024	100 - 107
(b)	Policy and Performance Improvement Committee - 28 October 2024	108 - 113
(c)	Policy and Performance Improvement Committee - 25 November 2024	114 - 119
(d)	Planning Committee - 3 October 2024	120 - 124

(e)	Planning Committee - 14 October 2024	125 - 127
(f)	Planning Committee - 11 November 2024	128 - 137
(g)	Cabinet - 3 December 2024	To Follow
(h)	Executive Shareholder Committee - 3 December 2024	To Follow
(i)	Planning Committee - 5 December 2024	To Follow

15. Exclusion of the Press and Public

To consider resolving that, under section 100A (4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A of the Act.

None

Agenda Item 4

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of **Full Council** held in the Civic Suite, Castle House, Great North Road, Newark, NG24 1BY on Tuesday, 15 October 2024 at 6.00 pm.

PRESENT: Councillor J Hall (Chair)
Councillor L Tift (Vice-Chair)

Councillor N Allen, Councillor A Amer, Councillor A Brazier, Councillor L Brazier, Councillor C Brooks, Councillor R Cozens, Councillor S Crosby, Councillor L Dales, Councillor D Darby, Councillor P Farmer, Councillor A Freeman, Councillor S Forde, Councillor P Harris, Councillor S Haynes, Councillor R Holloway, Councillor R Jackson, Councillor J Kellas, Councillor J Lee, Councillor K Melton, Councillor S Michael, Councillor D Moore, Councillor E Oldham, Councillor P Peacock, Councillor C Penny, Councillor M Pringle, Councillor P Rainbow, Councillor K Roberts, Councillor N Ross, Councillor S Saddington, Councillor T Smith, Councillor M Shakeshaft, Councillor M Spoor, Councillor P Taylor and Councillor T Wildgust

APOLOGIES FOR ABSENCE: Councillor I Brown, Councillor T Thompson and Councillor T Wendels

Prior to the transaction of business, the Council stood in silence in memory of Neil Tift who worked in Housing Income & Leaseholder Management.

23 NOTIFICATION TO THOSE PRESENT THAT THE MEETING WILL BE RECORDED AND STREAMED ONLINE

The Chair advised the Council that the meeting was being recorded and streamed online in accordance with usual practice.

24 DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

NOTED the interests previously declared by Members in Agenda Item No. 12 – Minutes for Noting.

25 MINUTES FROM THE MEETING HELD ON 16 JULY 2024

AGREED that the minutes of the meeting held on 16 July 2024 be approved as a correct record and signed by the Chair.

26 COMMUNICATIONS WHICH THE CHAIR, LEADER, CHIEF EXECUTIVE OR PORTFOLIO HOLDERS MAY WISH TO LAY BEFORE THE COUNCIL

The Chair informed Members that she had invited two students, Elizabeth Woods and Jaya Kalia, from The Minster School, Southwell, to speak to the Council about their personal aspirations for the future and their thoughts on how the Council may help to improve their community. Elizabeth and Jaya addressed the Council.

The students were thanked for their attendance by Members.

The Chair also informed Members of recent events both herself and the Vice-Chair had attended on behalf of the Council, including the Boots & Berets Awards Ceremony, the Nottinghamshire Day Flag Raising Ceremony, hosting the Merchant Navy Day Flag Raising, the Tour of Britain, the 84th Anniversary of the Battle of Britain and the Council's own Community & Sports Award.

The Chair also extended her congratulations to Officers at the National Civil War Centre – Newark Museum who had been awarded the prestigious accolade of winning a 'Family Friendly Museum of the Year' award.

The Chair also announced her charities as Newark Women's Aid; Nottinghamshire Wildlife Trust; and Nottinghamshire Mind (Newark).

The Portfolio Holder for Climate & the Environment thanked the Street Scene Team for their efforts to open the Sherwood Avenue Park.

The Portfolio Holder for Housing advised that the Council had been shortlisted for the Best Development Team – Rural/Suburban at the Inside Housing Awards. He also advised that Alexander Lodge was being considered for another award as was Dale Lane, Blidworth. He also referred to the recently adopted Garden Tidy Scheme which offered one-off support to residents, thanking the Tenant Engagement Board for their support of this initiative.

27 QUESTIONS FROM MEMBERS OF THE PUBLIC AND COUNCIL (IF ANY)

In accordance with Rule No. 3.3.3, one question had been submitted by Councillor R. Jackson to the Council. Details of the question put forward and the response given by Councillor P. Taylor are attached as Appendix A to the minutes.

28 LEADERS APPOINTMENTS

The Council considered the report of the Chief Executive which detailed changes to the appointments made by the Executive Leader of the Council for Portfolio Holders and the Cabinet and also set out new Portfolio Holder remits following the changes.

AGREED to note the appointments of the Cabinet Members and Portfolio Holders and the revised remits of Portfolio Holders.

29 POLITICAL COMPOSITION OF THE COUNCIL AND ALLOCATION OF SEATS ON COMMITTEES

The Council considered the report of the Chief Executive which sought to approve the allocation of seats to Political Groups in accordance with Appendix A to the report and to the changes to appointments to Committees as detailed in Appendix B to the report.

The changes were required following the formation of a Green Party Group on the Council.

AGREED with 34 votes for and 2 abstentions that:

- a) the allocation of seats to Political Groups (as set out in Appendix B to the Minutes) be approved; and
- b) the changes to appointments to Committees (as set out in the Schedule attached as Appendix C to the Minutes) be approved.

30 RECORD OF URGENT DECISION - EXPANSION OF THE CARELINE SERVICE

NOTED the record of the urgent decision taken in accordance with the provisions of the Council's Constitution.

31 NOTICES OF MOTION

Building Regulations

In accordance with the Rule No. 3.4.3, Councillor R Jackson moved and Councillor R Holloway, seconded a motion to the following effect:

“There continues to be pressure for renewable energy solutions such as solar to address our moves towards achieving net zero. A simple way we could help and reduce pressure for solar farms taking up valuable agricultural land would be to require all new housing and warehouses to incorporate solar panels. I know that Part L of the Building Regulations goes some way towards this but I think we can and should go further. I would ask that the Council considers how it could introduce such a policy in the future and that it writes to Angela Rayner, the Secretary of State for Housing, Communities and Local Government to ask that Building Regulations are strengthened in order to require solar panels on all new appropriate developments as standard.”

The motion, on being put to the vote, was declared lost with 14 votes for, 19 against and 3 abstentions.

Winter Fuel Allowance

In accordance with the Rule No. 3.4.3, Councillor R Holloway moved and Councillor T Smith, seconded a motion to the following effect:

“The Labour Government has chosen to restrict the Winter Fuel Payment to only pensioners in receipt of means-tested benefits like Pension Credit, as recently announced by Chancellor Rachel Reeves.

We know that the Winter Fuel Payments play a significant role in helping older residents of Newark and Sherwood and across the UK afford heating during the coldest months, thereby preventing 'heat or eat' dilemmas and safeguarding health.

It is nationally acknowledged that this Winter Fuel payment has been a lifeline for many older people across the UK and that restricting its availability solely to those on Pension Credit risks leaving many pensioners in financial hardship, this will have a direct impact on 23,970 Pensioners across the Newark and Sherwood District.

Many of those Pensioners will have been relying on this payment to see them through the coldest winter months and now have no time to set money aside to meet the rising cost of keeping warm.

The decision to means-test Winter Fuel Payments, especially with such short notice and without adequate compensatory measures, is deeply unfair and will disproportionately affect the health and well-being of our poorest older residents.

This Council resolves to:

- Request that the Council Leader write to the Chancellor of the Exchequer, urging a review of the decision to means-test the Winter Fuel Payment, and asking the government to ensure that vulnerable pensioners, particularly those who do not claim Pension Credit, are protected from fuel poverty.
- Encourage local efforts to promote Pension Credit uptake through council services and partnerships with local charities and community organisations to ensure that all eligible pensioners in Newark and Sherwood are supported in claiming their entitlement.”

In accordance with Rule No. 4.6.1, Councillor P Peacock moved and Councillor L Brazier seconded an amendment to the motion as follows:

“The Labour Government has chosen to restrict the Winter Fuel Allowance to only pensioners in receipt of means-tested benefits like Pension Credit, as recently announced by Chancellor Rachel Reeves.

We know that the Winter Fuel Allowance plays a significant role in helping older residents of Newark & Sherwood and across the UK afford heating during the coldest months, thereby preventing ‘heat or eat’ dilemmas and safeguarding health.

It is nationally acknowledged that this Winter Fuel Allowance has been a lifeline for many older people across the UK and that restricting its availability solely to those on Pension Credit risks leaving many pensioners in financial hardship, this will have a direct impact on many pensioners across the Newark & Sherwood district.

Many of those pensions will have been relying on this payment to see them through the coldest winter months and now have no time to set money aside to meet the rising cost of keeping warm. The decision to means-test the Winter Fuel Allowance, especially with such short notice and without adequate compensatory measures will disproportionately affect the health and wellbeing of our poorest older residents.

It is noted that the Winter Fuel Allowance is not enough to take our most vulnerable pensioners out of fuel poverty.

This Council acknowledges that households with children are the hardest hit by fuel poverty with more than 6 million children living in households suffering from fuel poverty. These families have been let down for many years, without any extra help with their heating costs.

This Council resolves to:

- Write to the Chancellor of the Exchequer, urging a review of the threshold for Winter Fuel Allowance eligibility and review the financial support to our most vulnerable families to ensure they are protected from fuel poverty; and
- Continue to encourage local efforts to promote Pension Credit uptake through Council services and partnerships with local charities and community organisations to ensure that all eligible pensions in Newark & Sherwood are supported in claiming their entitlement. “

(Meeting adjourned at 7.51pm and recommenced at 8.05pm)

Following the adjournment the Chair announced that the amendment to the original motion had been accepted by Councillor R Holloway as the mover. This therefore became an alternation to the motion in accordance with Rule No. 4.7.1 and was debated by the Council.

The motion, on being put to the vote, was agreed unanimously.

In accordance with Rule No. 5.4 a recorded vote was taken as follows:

Name of Councillor	Vote
Neil Allen	For
Adrian Amer	For
Alice Brazier	For
Lee Brazier	For
Celia Brooks	For
Rowan Cozens	For
Susan Crosby	For
Linda Dales	For
Debbie Darby	For
Phil Farmer	For
Simon Forde	For
Andy Freeman	For
Jean Hall	For
Peter Harris	For
Simon Haynes	For
Rhona Holloway	For
Roger Jackson	For
Jack Kellas	For
Johno Lee	For
Keith Melton	For
Sylvia Michael	For
David Moore	For
Emma Oldham	For
Paul Peacock	For
Claire Penny	For
Mike Pringle	For
Penny Rainbow	For
Karen Roberts	For

Neil Ross	For
Sue Saddington	For
Maurice Shakeshaft	For
Tom Smith	For
Matthew Spoons	For
Paul Taylor	For
Linda Tift	For
Tim Wildgust	For

Note: The Chair advised that although some Members may have a non-registerable interest in this motion, this did not prevent them from taking part in the debate and voting.

Addressing Violence Against Women and Girls

In accordance with the Rule No. 3.4.3, Councillor P Taylor moved and Councillor M Shakeshaft, seconded a motion to the following effect:

“The aim of the motion is to express the seriousness of the amount of violence against women and girls. 1 in 4 women and girls experience violence from male perpetrators.

The Council’s commitment to do all within its power to highlight the issue and assist in increasing the safety of women and girls across Newark and Sherwood.

The Council commits to

- a. Continuing to actively participate in the white ribbon campaign - The [White Ribbon](#) is the globally recognised symbol to end men’s violence against women and girls. Allyship is a central message of the White Ribbon; it represents men taking responsibility to challenge this issue and being allies, every day, to stop violence against women and girls before it starts.
- b. Achieving the Domestic Abuse Housing Alliance accreditation (DAHA) which ensures the Council deliver safe and effective responses to incidents of domestic abuse in our district.
- c. Working with partners including the Police & Crime Commissioners Office to make women and girls safer.
- d. Castle House becoming a safe space for women and girls to request support and that all other Council premises should aim to become safe spaces once staff have been trained.
- e. Involving more businesses in this campaign to make women and girls safer.
- f. Ensuring our staff and Councillors are trained to support women and girls when it is needed.

It is time that men who are the principal perpetrators take ownership of addressing this issue in order to reduce the number of women and girls who suffer from violence against them.”

The motion, on being put to the vote, was agreed unanimously.

During the debate, in accordance with Rule No. 2.7.2, a Motion to continue the meeting for a further hour was agreed.

Councillor R Jackson left the meeting after this vote was taken.

Conduct and Public Service

In accordance with the Rule No. 3.4.3, Councillor R Cozens moved and Councillor P Peacock, seconded a motion to the following effect:

“Earlier this year the Local Government Information Unit published findings showing that less than half of people in England trusted their local councillors to act in their best interests. Trust in national Government is even lower. Only 25% of people reported that they trusted national Government to act in their interests.

The purpose of this motion is to encourage us to take a good hard look at ourselves and how we are perceived by others.

This matters for all sorts of reasons. We are collectively the employer to over 700 people, the vast majority live and vote in our District. There is a requirement to promote and maintain high standards of behaviour and conduct throughout the entire Council. This is as well as upholding the Members’ Code of Conduct.

In our roles as Councillors we are closely observed, here and online. People expect us to set a good example and be role models for the Council’s values. The public also observe us, perhaps only a small selection here, but plenty online and in the newspaper. When they observe poor behaviour, it reflects badly on us and on public service more generally. It can also have a detrimental effect on the mental health and wellbeing of members, employees and relatives.

There is no place for the increasing toxicity and intimidation that prevails in public debate, particularly online and in social media. It is a real deterrent for the next generation of councillors and creates a risk for the future of representative democracy.

It is the case that the vast majority of councillors work very hard, for little reward and recognition, with the utmost dignity, integrity and compassion.

My proposal therefore is:

That Full Council requests the Audit & Governance Committee to review the Code of Conduct and the LGA’s Civility in Public Life programme, with a view to identifying practical measures the Council could adopt to address poor conduct by members where it arises. This includes a request for clear and robust guidance around member behaviour on social media. If necessary, the Council shall make representations to Government and the Local Government Association for proposed changes and stiffer sanctions.”

The motion, on being put to the vote, was agreed with 26 votes for, 1 against with 8 abstentions.

In accordance with Rule No. 5.4 a recorded vote was taken as follows:

Name of Councillor	Vote
Neil Allen	For
Adrian Amer	Against
Alice Brazier	For
Lee Brazier	For
Celia Brooks	For
Rowan Cozens	For
Susan Crosby	For
Linda Dales	For
Debbie Darby	For
Phil Farmer	Abstain
Simon Forde	Abstain
Andy Freeman	For
Jean Hall	For
Peter Harris	For
Simon Haynes	Abstain
Rhona Holloway	For
Jack Kellas	Abstain
Johno Lee	Abstain
Keith Melton	For
Sylvia Michael	Abstain
David Moore	For
Emma Oldham	For
Paul Peacock	For
Claire Penny	For
Mike Pringle	For
Penny Rainbow	For
Karen Roberts	Abstain
Neil Ross	For
Sue Saddington	Abstain
Maurice Shakeshaft	For
Tom Smith	For
Matthew Spoons	For
Paul Taylor	For
Linda Tift	For
Tim Wildgust	For

In accordance with Rule No. 2.7.2, a Motion to continue the meeting for a further hour was agreed.

32 MINUTES FOR NOTING

32a CABINET - 23 JULY 2024

Minute No. 159 – Long Term Plan for Towns – Town Plan Investment Plan 2024/2027 (Key Decision)

Councillor P Harris queried why there was no mention of other towns, only Newark, in the Long Term Plan for Towns item.

Councillor P Peacock advised that this was specifically a Long Term Plan for Newark.

32b CABINET - 10 SEPTEMBER 2024

32c CABINET - 24 SEPTEMBER 2024

Minute No. 182 – Proposal to Adopt the Land and Ongoing Maintenance of the Middlebeck Phase One Development (Key Decision)

Councillor P Harris expressed concern as to the apparent preferred option of appointing a management company to undertake land maintenance.

Councillor P Peacock advised that it was not possible for the District Council to impose such a condition on a developer, but this was not the position in respect of this site where a management company would not be undertaking the maintenance.

32d EXECUTIVE SHAREHOLDER COMMITTEE - 23 JULY 2024

Minute No. 4 – Arkwood Developments Performance Report Quarter 4

Councillor P Harris queried as to why Arkwood Developments were only proposing to fit minimal solar panels on developments whereas they should be leading on this.

Councillor P Peacock advised that he would arrange for Councillor Harris to meet with Arkwood Developments to discuss this further.

32e EXECUTIVE SHAREHOLDER COMMITTEE - 10 SEPTEMBER 2024

32f POLICY AND PERFORMANCE IMPROVEMENT COMMITTEE - 22 JULY 2024

32g POLICY AND PERFORMANCE IMPROVEMENT COMMITTEE - 2 SEPTEMBER 2024

32h PLANNING COMMITTEE - 11 JULY 2024

32i PLANNING COMMITTEE - 1 AUGUST 2024

32j PLANNING COMMITTEE - 5 SEPTEMBER 2024

32k AUDIT AND GOVERNANCE COMMITTEE - 31 JULY 2024

32l AUDIT AND GOVERNANCE COMMITTEE - 25 SEPTEMBER 2024

32m GENERAL PURPOSES COMMITTEE - 12 SEPTEMBER 2024

32n LICENSING COMMITTEE - 12 SEPTEMBER 2024

Meeting closed at 10.20 pm.

Chair

FULL COUNCIL MEETING – 15 OCTOBER 2024

QUESTIONS FROM MEMBERS OF THE COUNCIL

In accordance with Rule No. 3.3.3 the following question was submitted to the Council from Councillor Roger Jackson:

“In light of the recent disclosure that some food outlets in parts of the country are not displaying the correct food hygiene score for their premises, has Newark & Sherwood District Council come across this problem?”

Reply from Councillor Paul Taylor – Portfolio Holder for Public Protection & Community Relations

“There is currently no legal requirement for food businesses to display their Food Hygiene Rating, unlike in Wales and Northern Ireland. The majority of our premises have a good Food Hygiene Rating of 3 and above and it is in their interest to display their rating. Our Business Compliance Team, who inspect premises across the district, have not found many instances of the businesses displaying the stickers incorrectly. Where an inspection has been undertaken and the score is to be lowered, officers request the sticker to be handed over to be disposed of, to prevent incorrect scores showing, until the new lower score sticker is issued.

When eating out I would urge everyone to consider the food hygiene rating when choosing where to eat. If there is no sticker on display ask the business what their rating is.”

Supplemental Question from Councillor Roger Jackson

“Could you tell me if all our food businesses are having a minimum of one inspection per year, with more for poor performing businesses?”

Reply from Councillor Paul Taylor – Portfolio Holder for Public Protection & Community Relations

“The Food Standards Agency issues rules on frequency of inspections, with those with a poor rating premise having a re-inspection very quickly. A report on inspections is due to be considered by the Cabinet next month.”

ALLOCATION OF SEATS TO POLITICAL GROUPS

Committee	Conservative	Labour	Independents for Newark & District	Liberal Democrats	Newark & Sherwood District Independents	Green	Independent N/A - Amer	Independent N/A - Brown	Total Seats By Committee
Policy & Performance Improvement	5	4	3	1	1	1			15
Planning	5	4	2	2		1	1		15
General Purposes	6	4	2	1	1	1			15
Licensing	6	4	2	1	1	1			15
Audit & Governance*	4	3	3	1	1				12
Board of Gilstrap Trustees+	2	1					1	1	5
Total Seats by Group	28	20	12	6	4	4	2	1	77

*Note The Audit & Governance Committee includes one independent co-opted member acting in an advisory capacity

+Note The Board of Trustees of the Gilstrap Charity includes up to four non-voting co-opted Members (Newark Wards)

MEMBERS APPOINTMENTS – 2024/25

(as at 15.10.24)

Chair of the Council	Councillor Jean Hall
Vice Chair of the Council	Councillor Linda Tift

PORTFOLIO HOLDERS

Strategy, Performance & Finance	Councillor Paul Peacock (Leader of the Council)
Heritage, Culture & the Arts	Councillor Rowan Cozens (Deputy Leader of the Council)
Climate & the Environment	Councillor Emma Oldham
Sustainable Economic Development	Councillor Claire Penny
Housing	Councillor Lee Brazier
Health, Wellbeing & Leisure	Councillor Susan Crosby
Public Protection & Community Relations	Councillor Paul Taylor

CONSERVATIVE GROUP

Leader	Councillor Rhona Holloway
Deputy Leader	Councillor Roger Jackson

LABOUR GROUP

Leader	Councillor Paul Peacock
Deputy Leader	Councillor Lee Brazier

INDEPENDENTS FOR NEWARK & DISTRICT

Leader	Councillor Rowan Cozens
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LIBERAL DEMOCRAT GROUP

Leader	Councillor Peter Harris
Deputy Leader	Councillor Keith Melton

NEWARK & SHERWOOD DISTRICT INDEPENDENTS

Leader	Councillor Tina Thompson
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GREEN

Leader	Councillor Emma Oldham
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Note Paragraph 1.1 of the Constitution

1.1 Appointment and Term of Office

- 1.1.1 The Leader is elected by the Council and holds office for a four-year period starting on the day of their election as Leader at an Annual Meeting of the Council, unless their term of office as a Councillor is shorter, in which case the term of office as Leader will be the same as their term of office as a Councillor.
- 1.1.2 The Leader's period of office will cease at an earlier date if they
- i. resign from the office; or
 - ii. are no longer a Councillor; or
 - iii. are removed from office by resolution of the Council.
- 1.1.3 If there is a vacancy in the position of Leader, the Council will elect a Leader at the first meeting following such vacancy.

MEMBERSHIP OF COMMITTEES

POLICY & PERFORMANCE IMPROVEMENT COMMITTEE						
CONSERVATIVE	LABOUR	INDEPENDENTS FOR NEWARK & DISTRICT	LIBERAL DEMOCRATS	N&S INDS	GREEN	IND - NON-ALIGNED
1. N. Allen	1. A. Brazier	1. S. Forde	1. K. Roberts	1.T. Thompson	1. M. Spors	
2. R. Jackson	2. C. Brooks	2. D. Moore				
3. J. Kellas	3. A. Freeman	3. N. Ross (V/C)				
4. P. Rainbow	4. M. Pringle (C)					
5. T. Wendels						
SUBSTITUTES	SUBSTITUTES	SUBSTITUTES	SUBSTITUTES	SUBSTITUTES	SUBSTITUTES	SUBSTITUTES
1. P. Farmer	1. L. Tift	1. J. Hall	1. P. Harris	1.D. Darby	1. -	
2. S. Michael	2. -	2. -				
PLANNING COMMITTEE						
CONSERVATIVE	LABOUR	INDEPENDENTS FOR NEWARK & DISTRICT	LIBERAL DEMOCRATS	N&S INDS	GREEN	IND - NON-ALIGNED
1. L. Dales	1. C. Brooks	1. S. Forde	1. P. Harris		1. E. Oldham	1. A. Amer
2. P. Rainbow	2. A. Freeman (C)	2. D. Moore (V/C)	2. K. Melton			
3. S. Saddington	3. M. Shakeshaft					
4. T. Smith	4. L. Tift					
5. T. Wildgust						
LICENSING COMMITTEE						
CONSERVATIVE	LABOUR	INDEPENDENTS FOR NEWARK & DISTRICT	LIBERAL DEMOCRATS	N&S INDS	GREEN	IND - NON-ALIGNED
1. N. Allen	1. A. Brazier	1. J. Hall (C)	1. K. Roberts	1. D. Darby	1. M. Spors	
2. R. Jackson	2. L. Brazier	2. D. Moore				
3. S. Michael	3. P. Taylor					
4. S. Saddington	4. L. Tift (V/C)					
5. T. Wendels						
6. T. Wildgust						
GENERAL PURPOSES COMMITTEE						
CONSERVATIVE	LABOUR	INDEPENDENTS FOR NEWARK & DISTRICT	LIBERAL DEMOCRATS	N&S INDS	GREEN	IND - NON-ALIGNED
1. N. Allen	1. A. Brazier	1. J. Hall (C)	1. K. Roberts	1. D. Darby	1. M. Spors	
2. R. Jackson	2. L. Brazier	2. D. Moore				
3. S. Michael	3. P. Taylor					
4. S. Saddington	4. L. Tift (V/C)					
5. T. Wendels						
6. T. Wildgust						

AUDIT & GOVERNANCE COMMITTEE						
CONSERVATIVE	LABOUR	INDEPENDENTS FOR NEWARK & DISTRICT	LIBERAL DEMOCRATS	N&S INDS	GREEN	IND - NON-ALIGNED
1. P. Farmer	1. A. Freeman	1. R. Cozens	1. P. Harris (C)	1. T. Thompson		
2. S. Haynes	2. C. Penny	2. S. Forde (V/C)				
3. J. Kellas	3. M. Shakeshaft	3. J. Hall				
4. S. Michael						
BOARD OF GILSTRAP TRUSTEES^						
CONSERVATIVE	LABOUR	INDEPENDENTS FOR NEWARK & DISTRICT	LIBERAL DEMOCRATS	N&S INDS	GREEN	IND - NON-ALIGNED
1. S. Haynes	1. P. Taylor					1. A. Amer (C)
2. J. Kellas						2. I. Brown
MANSFIELD AND DISTRICT CREMATORIUM JOINT COMMITTEE#						
CABINET						
1. L. Brazier						
2. S. Crosby						
3. P. Peacock						
TENANT ENGAGEMENT BOARD						
Membership to comprise of the Portfolio Holder with responsibility for housing and three representatives to be appointed by the Policy & Performance Improvement Committee (plus three tenant representatives).						
PLANNING POLICY BOARD						
Membership to comprise of the Portfolio Holder with responsibility for planning policy and three representatives to be appointed by the Planning Committee and three representatives to be appointed by the Policy & Performance Improvement Committee.						

Notes:

1. C = Chair
2. VC = Vice-Chair
- ^ Newark Ward Members not appointed to sit on the Trustee Board as non-voting co-optees.
- # The Mansfield Crematorium Joint Committee is an Executive Function which does not need to reflect political balance and will comprise of Executive Members.



Report to: Full Council – 17 December 2024

Portfolio Holder: Councillor Paul Peacock, Strategy, Performance & Finance

Director Lead: John Robinson, Chief Executive

Lead Officer: Nigel Hill, Business Manager - Elections & Democratic Services, Ext. 5243

Report Summary	
Report Title	Political Composition of the Council and allocation of seats on Committees to Political Groups.
Purpose of Report	To inform the Council of the political composition of the Council following recent Group changes.
Recommendations	That the Council: a) agree the allocation of seats to Political Groups in accordance with Appendix A to the report; and b) changes to appointments to Committees etc. be made in accordance with Appendix B to the report.
Reason for Recommendation	To ensure the Council complies with Section 15 of the Local Government & Housing Act 1989 and the Local Government (Committees & Political Groups) Regulations 1990.

1.0 Background

- 1.1. Section 15 of the Local Government & Housing Act 1989 requires the Council to consider the political composition of the Council. The Act, together with Local Government (Committees & Political Groups) Regulations 1990, require local authorities to allocate seats on Committees of a local authority on a proportional basis, in accordance with the number of seats on the Council held by each political group.
- 1.2 Councillors Dales and Holloway gave notice on 23 November 2024 that they had left the Conservative Group on the Council.
- 1.3 Both Councillors Dales and Holloway have indicated that they will sit as Independent non-aligned Members on the Council going forward.
- 1.4 Following these changes, the seats held by each Group on the Council are now as follows:

	<u>No. of Seats</u>
Conservative	12
Labour	10
Independents for Newark & District	6
Liberal Democrat	3
Newark & Sherwood District Independents	2
Green	2
Independent N/A (Amer)	1
Independent N/A (Brown)	1
Independent N/A (Dales)	1
Independent N/A (Holloway)	1

- 1.5 Under the Leader / Executive model of governance only certain Committees are required to reflect the political balance. There are a total of 77 seats on Committees which must comply with political balance rules as follows:

Committee	No. of Members
Policy & Performance Improvement Committee	15
Planning Committee	15
Licensing Committee	15
General Purposes Committee	15
Audit & Governance Committee	12
Board of Gilstrap Trustees	5
Total	77 seats

Based on these new arrangements the following calculation can be made:

- a) No of seats on Council = 39

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

	%
Conservative	30.77%
Labour	25.64%
Independents for Newark & District	15.38%
Liberal Democrats	7.69%
N&S District Independents	5.13%
Green	5.13%
Ind N/A (Amer)	2.56%
Ind N/A (Brown)	2.56%
Ind N/A (Dales)	2.56%
Ind N/A (Holloway)	2.56%
	100%

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

			<u>Rounded</u>
Conservative	77 x 30.77%	23.69	24* 26
Labour	77 x 25.64%	19.74	20*
Independents for Newark & District	77 x 15.38%	11.84	12
Liberal Democrats	77 x 7.69%	5.92	6
N & S District Independents	77 x 5.13%	3.95	4
Green	77 x 5.13%	3.95	4
Ind N/A (Amer)	77 x 2.56%	1.97	2
Ind N/A (Brown)	77 x 2.56%	1.97	2* 1
Ind N/A (Dales)	77 x 2.56%	1.97	2* 1
Ind N/A (Holloway)	77 x 2.56%	1.97	2* 1
			<hr/> 77 <hr/>

*Following discussions with groups and the Independent non-aligned Members.

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

Conservative	26
Labour	20
Independents for Newark & District	12
Liberal Democrats	6
Newark & Sherwood District Independents	4
Green	4
Independent N/A (Amer)	2
Independent N/A (Brown)	1
Independent N/A (Dales)	1
Independent N/A (Holloway)	1

1.6 The allocation of seats on Committees to each political group calculated above, gives seats to the independent non-aligned Members on the Council, but the allocation of these seats is at the discretion of the Full Council. Given the changes reported, the minimal changes in committee membership would be for Cllr Dales to remain on the Planning Committee and Cllr Holloway to go onto the Policy & Performance Improvement Committee and have one seat each only. This means the Conservative Group loses 2 seats.

1.7 Following the changes in the Conservative Group they appointed Cllr Kellas as their new Leader with Cllr Jackson remaining as Deputy Leader. Given Cllr Kellas is now the Leader of the Largest Opposition Group he will sit on the Cabinet, therefore is restricted from being able to continue to sit on the Policy & Performance Improvement Committee.

1.8 As a result of the changes reported, the matrix at **Appendix A** sets out the proposed allocation of seats to political groups to reflect this change.

1.9 A revised schedule of Member Appointments is attached as **Appendix B** to the report. This confirms the appointments of the Leader and Deputy Leader of the Conservative Group.

2.0 Implications

In writing this report and in putting forward recommendations, officers have considered the following implications: Data Protection, Digital and Cyber Security, Equality and Diversity, Financial, Human Resources, Human Rights, Legal, Safeguarding and Sustainability and where appropriate they have made reference to these implications and added suitable expert comment where appropriate.

Background Papers and Published Documents

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

None

APPENDIX A

ALLOCATION OF SEATS TO POLITICAL GROUPS

Committee	Conservative	Labour	Independents for Newark & District	Liberal Democrats	Newark & Sherwood District Independents	Green	Independent N/A - Amer	Independent N/A - Brown	Independent N/A - Dales	Independent N/A - Holloway	Total Seats By Committee
Policy & Performance Improvement	4	4	3	1	1	1				1	15
Planning	4	4	2	2		1	1		1		15
General Purposes	6	4	2	1	1	1					15
Licensing	6	4	2	1	1	1					15
Audit & Governance*	4	3	3	1	1						12
Board of Gilstrap Trustees+	2	1					1	1			5
Total Seats by Group	26	20	12	6	4	4	2	1	1	1	77

*Note The Audit & Governance Committee includes one independent co-opted member acting in an advisory capacity

+Note The Board of Trustees of the Gilstrap Charity includes up to four non-voting co-opted Members (Newark Wards)

MEMBERS APPOINTMENTS – 2024/25

(as at 17.12.24)

Chair of the Council	Councillor Jean Hall
Vice Chair of the Council	Councillor Linda Tift

PORTFOLIO HOLDERS

Strategy, Performance & Finance	Councillor Paul Peacock (Leader of the Council)
Heritage, Culture & the Arts	Councillor Rowan Cozens (Deputy Leader of the Council)
Climate & the Environment	Councillor Emma Oldham
Sustainable Economic Development	Councillor Claire Penny
Housing	Councillor Lee Brazier
Health, Wellbeing & Leisure	Councillor Susan Crosby
Public Protection & Community Relations	Councillor Paul Taylor

CONSERVATIVE GROUP

Leader	Councillor Jack Kellas
Deputy Leader	Councillor Roger Jackson

LABOUR GROUP

Leader	Councillor Paul Peacock
Deputy Leader	Councillor Lee Brazier

INDEPENDENTS FOR NEWARK & DISTRICT

Leader	Councillor Rowan Cozens
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LIBERAL DEMOCRAT GROUP

Leader	Councillor Peter Harris
Deputy Leader	Councillor Keith Melton

NEWARK & SHERWOOD DISTRICT INDEPENDENTS

Leader	Councillor Tina Thompson
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GREEN

Leader	Councillor Emma Oldham
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Note Paragraph 1.1 of the Constitution

1.1 Appointment and Term of Office

- 1.1.1 The Leader is elected by the Council and holds office for a four-year period starting on the day of their election as Leader at an Annual Meeting of the Council, unless their term of office as a Councillor is shorter, in which case the term of office as Leader will be the same as their term of office as a Councillor.
- 1.1.2 The Leader's period of office will cease at an earlier date if they
- i. resign from the office; or
 - ii. are no longer a Councillor; or
 - iii. are removed from office by resolution of the Council.
- 1.1.3 If there is a vacancy in the position of Leader, the Council will elect a Leader at the first meeting following such vacancy.

MEMBERSHIP OF COMMITTEES

POLICY & PERFORMANCE IMPROVEMENT COMMITTEE						
CONSERVATIVE	LABOUR	INDEPENDENTS FOR NEWARK & DISTRICT	LIBERAL DEMOCRATS	N&S INDS	GREEN	IND - NON-ALIGNED
1. N. Allen	1. A. Brazier	1. S. Forde	1. K. Roberts	1.T. Thompson	1. M. Spors	1. R. Holloway
2. R. Jackson	2. C. Brooks	2. D. Moore				
3. P. Rainbow	3. A. Freeman	3. N. Ross (V/C)				
4. T. Wendels	4. M. Pringle (C)					
SUBSTITUTES	SUBSTITUTES	SUBSTITUTES	SUBSTITUTES	SUBSTITUTES	SUBSTITUTES	SUBSTITUTES
1. P. Farmer	1. L. Tift	1. J. Hall	1. P. Harris	1.D. Darby	1. -	
2. S. Michael	2. -	2. -				
PLANNING COMMITTEE						
CONSERVATIVE	LABOUR	INDEPENDENTS FOR NEWARK & DISTRICT	LIBERAL DEMOCRATS	N&S INDS	GREEN	IND - NON-ALIGNED
1. P. Rainbow	1. C. Brooks	1. S. Forde	1. P. Harris		1. E. Oldham	1. A. Amer
2. S. Saddington	2. A. Freeman (C)	2. D. Moore (V/C)	2. K. Melton			2. L. Dales
3. T. Smith	3. M. Shakeshaft					
4. T. Wildgust	4. L. Tift					
LICENSING COMMITTEE						
CONSERVATIVE	LABOUR	INDEPENDENTS FOR NEWARK & DISTRICT	LIBERAL DEMOCRATS	N&S INDS	GREEN	IND - NON-ALIGNED
1. N. Allen	1. A. Brazier	1. J. Hall (C)	1. K. Roberts	1. D. Darby	1. M. Spors	
2. R. Jackson	2. L. Brazier	2. D. Moore				
3. S. Michael	3. P. Taylor					
4. S. Saddington	4. L. Tift (V/C)					
T. Wendels						
T. Wildgust						
GENERAL PURPOSES COMMITTEE						
CONSERVATIVE	LABOUR	INDEPENDENTS FOR NEWARK & DISTRICT	LIBERAL DEMOCRATS	N&S INDS	GREEN	IND - NON-ALIGNED
N. Allen	1. A. Brazier	1. J. Hall (C)	1. K. Roberts	1. D. Darby	1. M. Spors	
R. Jackson	2. L. Brazier	2. D. Moore				
S. Michael	3. P. Taylor					
S. Saddington	4. L. Tift (V/C)					
5. T. Wendels						
6. T. Wildgust						

<u>AUDIT & GOVERNANCE COMMITTEE</u>						
CONSERVATIVE	LABOUR	INDEPENDENTS FOR NEWARK & DISTRICT	LIBERAL DEMOCRATS	N&S INDS	GREEN	IND - NON-ALIGNED
1. P. Farmer	1. A. Freeman	1. R. Cozens	1. P. Harris (C)	1. T. Thompson		
2. S. Haynes	2. C. Penny	2. S. Forde (V/C)				
3. J. Kellas	3. M. Shakeshaft	3. J. Hall				
4. S. Michael						
<u>BOARD OF GILSTRAP TRUSTEES^</u>						
CONSERVATIVE	LABOUR	INDEPENDENTS FOR NEWARK & DISTRICT	LIBERAL DEMOCRATS	N&S INDS	GREEN	IND - NON-ALIGNED
1. S. Haynes	1. P. Taylor					1. A. Amer (C)
2. J. Kellas						2. I. Brown
<u>MANSFIELD AND DISTRICT CREMATORIUM JOINT COMMITTEE#</u>						
CABINET						
1. L. Brazier						
2. S. Crosby						
3. P. Peacock						
<u>TENANT ENGAGEMENT BOARD</u>						
Membership to comprise of the Portfolio Holder with responsibility for housing and three representatives to be appointed by the Policy & Performance Improvement Committee (plus three tenant representatives).						
<u>PLANNING POLICY BOARD</u>						
Membership to comprise of the Portfolio Holder with responsibility for planning policy and three representatives to be appointed by the Planning Committee and three representatives to be appointed by the Policy & Performance Improvement Committee.						

Notes:

1. C = Chair
2. VC = Vice-Chair
- ^ Newark Ward Members not appointed to sit on the Trustee Board as non-voting co-optees.
- # The Mansfield Crematorium Joint Committee is an Executive Function which does not need to reflect political balance and will comprise of Executive Members.



Report to: Meeting of the Full Council – 17 December 2024
 Portfolio Holder: Councillor Paul Peacock, Strategy, Performance & Finance
 Director Lead: Sue Bearman, Assistant Director – Legal & Democratic Services
 Lead Officer: Nigel Hill, Business Manager – Elections & Democratic Services, Ext. 5243

Report Summary	
Report Title	Proposed Schedule of Meetings 2025/26
Purpose of Report	To approve a Schedule of Meetings for the period from May 2025 to May 2026.
Recommendations	That the proposed Schedule of Meetings for 2025/26 as set out in the Appendix to the report be approved.
Reason for Recommendation	To ensure the Council has a full schedule of meetings in place for the 2025/26 Municipal Year.

1.0 Background

- 1.1 A proposed draft Schedule of Meetings for 2025/26 is attached as an **Appendix** to the report. The Schedule reflects the Council’s governance arrangements.
- 1.2 It is necessary to get future meetings dates scheduled to enable the effective planning of Council business going into the 2025/26 Municipal Year.
- 1.3 Members will note that there is a more regular pattern of Cabinet meetings on a monthly basis, but with four meetings identified as taking the regular performance reports, with these meetings being followed by meetings of the Executive Shareholder Committee as is the current practice. These meetings of the Cabinet will also take ‘regular’ Cabinet items, but this will be kept under review given the need to have a clear focus on reviewing performance.
- 1.4 In addition, the schedule proposes a new meeting day of Mondays for the Audit & Governance Committee. This followed an informal survey undertaken with current Members but no consensus on a preferred day of the week was established from the replies received.

2.0 Implications

In writing this report and in putting forward recommendations, officers have considered the following implications: Data Protection, Digital and Cyber Security, Equality and Diversity, Financial, Human Resources, Human Rights, Legal, Safeguarding and

Sustainability and where appropriate they have made reference to these implications and added suitable expert comment where appropriate.

Background Papers and Published Documents

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

None.

2025	Monday	Tuesday	Wednesday	Thursday	Friday
May				1 COUNTY COUNCIL ELECTIONS	2
	5 BANK HOLIDAY	6	7	8 PLANNING	9
	12	13	14	15	16
	19	20 ANNUAL COUNCIL	21	22	23
	26 BANK HOLIDAY	27	28	29	30
June	2 POLICY & PERFORMANCE IMPROVEMENT	3	4	5 PLANNING	6
	9	10 CABINET	11	12	13
	16	17 MEMBER TRAINING	18	19 GENERAL PURPOSES & LICENSING	20
	23	24	25	26	27
July	30 POLICY & PERFORMANCE IMPROVEMENT	1	2	3 PLANNING	4
	7 AUDIT & GOVERNANCE	8 CABINET (with PERFORMANCE) / EXECUTIVE SHAREHOLDER	9	10	11
	14	15 COUNCIL	16	17	18
	21	22	23	24	25
	28	29	30	31	

2025	Monday	Tuesday	Wednesday	Thursday	Friday
August					1
	4	5	6	7 PLANNING	8
	11	12	13	14	15
	18	19	20	21	22
	25 BANK HOLIDAY	26	27	28	29
September	1 POLICY & PERFORMANCE IMPROVEMENT	2	3	4 PLANNING	5
	8	9 CABINET (with PERFORMANCE) / EXECUTIVE SHAREHOLDER	10	11	12
	15	16	17	18 GENERAL PURPOSES & LICENSING	19
	22 AUDIT & GOVERNANCE	23	24	25	26
	29	30			
October			1	2 PLANNING	3
	6 POLICY & PERFORMANCE IMPROVEMENT	7	8	9	10
	13	14 CABINET	15	16	17
	20	21 COUNCIL	22	23	24

2025/26	Monday	Tuesday	Wednesday	Thursday	Friday
	27	28	29	30	31
November	3	4	5	6 PLANNING	7
	10	11 CABINET	12	13	14
	17	18 MEMBER TRAINING	19	20	21
	24	25	26	27	28
December	1 POLICY & PERFORMANCE IMPROVEMENT	2	3	4 PLANNING	5
	8 AUDIT & GOVERNANCE	9 CABINET (with PERFORMANCE) / EXECUTIVE SHAREHOLDER	10	11 GENERAL PURPOSES & LICENSING	12
	15	16 COUNCIL	17	18	19
	22	23	24	25 BANK HOLIDAY	26 BANK HOLIDAY
	29	30	31		
January				1 BANK HOLIDAY	2
	5	6	7	8	9
	12	13	14	15 PLANNING	16
	19	20 CABINET	21	22	23
	26	27	28	29	30

2026	Monday	Tuesday	Wednesday	Thursday	Friday
February	2	3	4	5	6
	9	10 COUNCIL	11	12 PLANNING	13
	16	17	18	19	20
	23 POLICY & PERFORMANCE IMPROVEMENT	24 CABINET	25	26	27
March	2 AUDIT & GOVERNANCE	3	4	5 COUNCIL (TAX SETTING)	6
	9	10	11	12 PLANNING	13
	16 POLICY & PERFORMANCE IMPROVEMENT	17	18	19 GENERAL PURPOSES & LICENSING	20
	23	24 CABINET (with PERFORMANCE) / EXECUTIVE SHAREHOLDER	25	26	27
	30	31			
April			1	2	3 BANK HOLIDAY
	6 BANK HOLIDAY	7	8	9 PLANNING	10
	13 POLICY & PERFORMANCE IMPROVEMENT	14	15	16	17
	20 AUDIT & GOVERNANCE	21 CABINET	22	23	24
	27	28	29	30	

2026	Monday	Tuesday	Wednesday	Thursday	Friday
May					1
	4 BANK HOLIDAY	5	6	7 PLANNING	8
	11	12	13	14	15
	18	19 ANNUAL COUNCIL	20	21	22
	25 BANK HOLIDAY	26	27	28	29

All meetings will start at 6.00pm, with the exception of the Planning Committee which will start at 4.00pm.



Report to: Full Council Meeting – 17 December 2024

Portfolio Holder: Councillor Paul Peacock, Strategy, Performance & Finance

Director Lead: Sanjiv Kohli – Deputy Chief Executive, Director – Resources and Section 151 Officer

Lead Officer: Phil Ward, Business Manager – Revenues & Benefits, Ext. 5347

Report Summary	
Report Title	Localised Council Tax Support Scheme 2025/26
Purpose of Report	To confirm the continuation of the Localised Council Tax Support Scheme for 2025/26 with minor changes in accordance with the annual uprating amounts applied by the Department for Works and Pensions.
Recommendations	That the Council continues to adopt the existing Localised Council Tax Support Scheme for all potential claimants for the financial year 2025/26 and uprates the applicable amounts, premiums, state benefits and disregard criteria in accordance with the annual uprating amounts applied by the Departments for Works & Pensions.
Reason for Recommendation	To ensure that the Council discharges its responsibilities to agree it's Council Tax Support scheme by 31 January 2025.

1.0 Background

- 1.1 This report was considered and recommended for approval by the Cabinet at their meeting held on 4 November 2024.
- 1.2 As part of the 2012 Welfare Reform Act the national Council Tax Benefit scheme was abolished and in accordance with the Local Government Act 2013 local authorities were required to introduce Localised Council Tax Support schemes from 1 April 2013.
- 1.3 Government funding for the new schemes was reduced by approximately 10%, for Newark & Sherwood claimants and this amounted to around £1m.
- 1.4 Support for Council Tax is now offered as reductions within the council tax system with claimants of state pension age receiving a discount of up to 100% thereby ensuring that they receive no reduction in support as a direct result of the reform.
- 1.5 Localisation provided local authorities with the flexibility to design Council Tax Support schemes for working age claimants considering the needs of vulnerable groups and the importance of supporting work incentives. Our current scheme provides the following:

- a) A maximum award of 80% of the liability that Council Tax Support would cover for properties in Bands A and B.
- b) A maximum award of the liability that Council Tax Support would cover equivalent to a council tax band A charge for properties in Bands C to H.
- c) No entitlement to Council Tax Support where claimants have more than £16,000 in capital.
- d) A work incentive entitlement that maintains the current rate of council tax support for six weeks when moving into employment.
- e) Providing additional support to vulnerable groups by applying the annual uprating of income and disregard criteria in accordance with the annual uprating amounts applied by the Department for Works and Pensions.

2.0 Proposal

2.1 Council Tax Support is calculated by comparing the claimant's earned income and notional capital to the applicable amount. The applicable amount is a notional figure made up of amounts set by the DWP each year and is a measure of someone's basic living requirements.

2.2 Earned income is the average weekly income you earn after deductions for income tax, national insurance and half of any pension contributions.

2.3 There are two rules regarding notional capital, depending how old you are:

- If you are of working age (aged 18 to below pensionable age), notional income is calculated as £1 for every £250 of capital that you have that is over £6,000. For example, if you have £6,500 of savings, this will equate to £2 per week notional income. This is calculated by disregarding the first £6,000 and taking £1 per week for every £250 remaining (£500).
- If you are of pensionable age, notional income is calculated as £1 for every £500 of capital that you have that is over £10,000. For example, if you have £8,000 of savings, no notional income would be considered in the calculation.
- If you are in receipt of guaranteed pension credit, no capital is considered as notional income.

2.4 The applicable amount is made up of one or more of the following: dependent upon the makeup of the household:

- An amount for the claimant/partner known as a personal allowance.
- An amount for any dependent children – your children's personal allowance.
- An amount for any qualifying premiums such as the disability living premium or carers benefit.

2.5 By comparing the claimant(s) income and capital to the applicable amount a decision can then be made on the amount of any Council Tax Support entitlement.

2.6 This report recommends to Full Council uprating the applicable amounts, premiums, state benefits and disregard criteria in accordance with the annual uprating amounts

applied by the Department for Works and Pensions (DWP); whilst continuing the current Localised Council Tax Support Scheme for 2025/26 financial year.

- 2.7 In consideration of the obligation to consider vulnerable groups within the design of our local scheme Child Benefit, War Pensions, Personal Independence Payments, Disability Living Allowance and Attendance Allowance continue to be disregarded as income and the disability premiums are retained to protect families with children and people with disabilities.
- 2.8 By applying the annual uprating of income and disregards to the 2025/26 scheme the Council will continue to maintain the current level of support to all Council Tax Support claimants and ensure that the scheme continues to benefit the most vulnerable and low -income households using nationally recognised rates of DWP income rather than continuing with the 2024 rates that are being used in the current scheme.
- 2.9 Should the Council decide not to uprate the income and disregards in line with the annual uprating amounts applied by the DWP, this would then penalise claimants as where their income increases their applicable amount would remain the same as the current year. This would then potentially lead to a reduction in Council Tax support awarded.

3.0 Implications

In writing this report and in putting forward recommendations, officers have considered the following implications: Data Protection, Digital and Cyber Security, Equality and Diversity, Financial, Human Resources, Human Rights, Legal, Safeguarding, Sustainability, and Crime and Disorder and where appropriate they have made reference to these implications and added suitable expert comment where appropriate.

Financial Implications

- 3.1 As at the end of August 2024, the number of working age claimants eligible for Council Tax Support was 3,868 and the number of pensioners eligible for Council Tax Support was 2,850.
- 3.2 The value of support awarded to date for the 2024/25 year is £7,602,000, in line with the forecast expenditure for the scheme. This would be forecast to increase for 2025/26 but will be dependent on the total Council Tax bill including preceptors, which at the time of writing this report are not available. The implications of an 80% award will be built into the Council Tax base to prepare the budget for 2025/26.
- 3.3 The additional estimated cost of moving to a maximum (working age) award of up to 90% would be approximately £954,000 of which the cost to Newark and Sherwood District Council would be £110,000.
- 3.4 The additional estimated cost of moving to a maximum (working age) award of 100% would be £1,909,000 of which the cost to Newark and Sherwood District Council would be an additional £221,500.

Background Papers and Published Documents

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

None



Report to: Full Council – 17 December 2024

Relevant Committee Chair: Councillor Peter Harris, Audit & Governance Committee

Director Lead: Sanjiv Kohli, Director – Resources and S151 Officer

Lead Officer: Andrew Snape, Assistant Business Manager Financial Services, Ext. 5323

Report Summary	
Report Title	Treasury Management Mid-Year Report 2024/25
Purpose of Report	This report provides an update on the Council’s treasury activity and prudential indicators for the first half of 2024/25. This was reported to the Audit & Governance Committee on 11 December 2024.
Recommendations	That the Council note: (a) the treasury management activity; and (b) the Prudential Indicators detailed in Section 6 & 7 of the report.
Reason for Recommendation	To allow Full Council to note the Treasury Management Activity and Prudential Indicators.

1.0 Background Information

- 1.1 This report has been written in accordance with the requirements of the Chartered Institute of Public Finance and Accountancy’s (CIPFA) Code of Practice on Treasury Management (revised 2017). The primary requirements of the Code are as follows:
- 1.2 Creation and maintenance of a Treasury Management Policy Statement which sets out the policies and objectives of the Council’s treasury management activities.
- 1.3 Creation and maintenance of Treasury Management Practices which set out the manner in which the Council will seek to achieve those policies and objectives.
- 1.4 Receipt by the full council of an annual Treasury Management Strategy Statement - including the Annual Investment Strategy and Minimum Revenue Provision Policy - for the year ahead, a Mid-year Review Report and an Annual Report, (stewardship report), covering activities during the previous year.
- 1.5 Delegation by the Council of responsibilities for implementing and monitoring treasury management policies and practices and for the execution and administration of treasury management decisions.

- 1.6 Delegation by the Council of the role of scrutiny of treasury management strategy and policies to a specific named body. For this Council the delegated body is the Audit and Governance Committee.
- 1.7 This mid-year report has been prepared in compliance with CIPFA’s Code of Practice on Treasury Management, and covers the following:
- An economic update for the first part of the 2024/25 financial year;
 - A review of the Treasury Management Strategy Statement and Annual Investment Strategy;
 - The Council’s capital expenditure, as set out in the Capital Strategy, and prudential indicators;
 - A review of the Council’s investment portfolio for 2024/25;
 - A review of the Council’s borrowing strategy for 2024/25;
 - A review of any debt rescheduling undertaken during 2024/25;
 - A review of compliance with Treasury and Prudential Limits for 2024/25.
- 1.8 Treasury Management is defined as: “The management of the local authority’s borrowing, investments and cash flows, its banking, money market and capital market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks”.
- 1.9 The second main function of the treasury management service is the funding of the Council’s capital plans. These capital plans provide a guide to the borrowing need of the Council, essentially the longer term cash flow planning to ensure the Council can meet its capital spending operations. This management of longer term cash may involve arranging long or short term loans, or using longer term cash flow surpluses, and on occasion any debt previously drawn may be restructured to meet Council risk or cost objectives.

2.0 Summary of Treasury Balances as at 30 September 2024

2.1 Below is a summary of the Councils borrowing position as at 30 September 2024, further information is available at section 4.

Balance on 01/04/2024 £m		Balance on 30/09/2024 £m
85.463	Total Borrowings	94.922
4.864	Total Other Long Term Liabilities	4.789
90.327	TOTAL EXTERNAL DEBT	99.711

2.2 Below is a summary of the Council’s investment position as at 30 September 2024, further information is available at section 5.

Balance on 01/04/2024 £m		Balance on 30/09/2024 £m
---	--	---

21.910	Total Short Term Investments	30.020
12.500	Total Long Term Investments	12.500
34.410	TOTAL INVESTMENTS	42.520

2.3 Below is a summary of the Councils capital expenditure position as at 30 September 2024, further information is available at section 3.

Capital Expenditure	2024/25 Initial Capital Budget £m	2024/25 Revised Estimate £m	2024/25 Current Expenditure £m
General Fund Expenditure	25.599	28.442	5.012
HRA Expenditure	25.808	21.025	8.459
Total Capital Expenditure	51.407	49.467	13.471

2.4 **Prudential Indicators**, during the first half of the financial year there was no breach in the prudential indicators.

Treasury Management Strategy Statement (TMSS) and Annual Investment Strategy update

2.5 The Treasury Management Strategy Statement (TMSS) for 2024/25 was approved by Full Council on 7 March 2024. There are no suggested policy changes to the TMSS within this report; the details in this report update the position in the light of the updated economic position and capital budget changes approved throughout the year.

3.0 The Council's Capital Position

3.1 This part of the report is structured to update:

- The Council's capital expenditure plans;
- How these plans are being financed;
- The impact of the changes in the capital expenditure plans on the prudential indicators and the underlying need to borrow; and
- Compliance with the limits in place for borrowing activity.

3.2 The table below shows the revised estimates for capital expenditure and the changes since the Capital Programme was agreed within the Capital budget on 7 March 2024.

Capital Expenditure	2024/25 Original Budget Approved 7 March 2024 £m	2024/25 Revised Budget as at 30 September 2024 £m	Actual Spend as at 30 September 2024 £m
General Fund Expenditure	25.599	28.442	5.012
HRA Expenditure	25.808	21.025	8.459
Total Capital Expenditure	51.407	49.467	13.471

Financed By:			
Capital Receipts	1.667	2.579	
Capital Grants & CIL	4.907	11.082	
Capital Reserves	0.756	0.076	
Revenue	13.719	15.267	
Total Financing	21.049	29.004	
Borrowing Requirement	30.358	20.463	

3.3 The financing of the Capital Programme will be determined by the S151 Officer at the year-end based on best use of resources.

3.4 The movement from the Budget approved 7 March 2024 relates to approved capital carry forward requests and approved variations to the capital programme as shown in the table below.

Original Capital Budget Approved 2024/25	£51.407m
Capital Slippages Carried Forward	£13.588m
Cabinet Approvals 10 September 24	(£1.763m)
Cabinet Variations requested 3 December 24	(£13.765m)
New Revised Budget	£49.467m

4.0 Borrowing Strategy

4.1 At 30 September 2024 the Council held £94.922m of loans, as part of its strategy for funding previous years' borrowing within those capital programmes.

4.2 Borrowing Activity in 2024/25

	General Fund		HRA	
	Balance on 01/04/2024 £m	Balance on 30/09/2024 £m	Balance on 01/04/2024 £m	Balance on 30/09/2024 £m
Short Term Borrowing	0.528	1.006	6.532	15.513
Long Term Borrowing	3.500	3.500	74.903	74.903
Total Borrowing	4.028	4.506	81.435	90.416
Other Long Term Liabilities	4.864	4.789	0.000	0.000
Total External Debt	8.892	9.295	81.435	90.416
CFR	34.591	45.216	101.067	113.030
Under / (over) borrowing	25.699	35.921	19.632	22.613

4.3 As the Council is in a significant under borrowed position, as per the table in 4.2, there may be a requirement during the remainder of the financial year where new borrowing is required. Any new borrowing will be within the approved Treasury Management Borrowing Strategy framework and will have been reviewed by the S151 Officer for cost effectiveness as whether to borrow shorter term or long term in relation to interest rate forecasts.

4.4 **LOBOs:** The Council holds £3.5m of LOBO (Lender's Option Borrower's Option) loans where the lender has the option to propose an increase in the interest rate at set

dates, following which the Council has the option to either accept the new rate or to repay the loan at no additional cost. All of the £3.5m of LOBOS had options during the last 6 months, none of which were exercised by the lender. The Council acknowledges there is an element of refinancing risk even though in the current interest rate environment lenders are unlikely to exercise their options.

4.5 **Internal borrowing:** For the Council, the use of internal resources in lieu of borrowing has continued to be the most cost-effective means of funding of capital expenditure that has not been funded from grants and other resources. This has lowered overall treasury risk by reducing both external debt and temporary investments. However, this position will not be sustainable over the medium to longer term as the Council needs to use reserves for the purpose they were set aside for, and external borrowing may need to be undertaken.

4.6 **Debt rescheduling:** The premium charge for early repayment of PWLB debt remains relatively expensive for the loans in the Council's portfolio and therefore unattractive for debt rescheduling activity. No rescheduling activity was undertaken or is proposed during the rest of the financial year as a consequence.

5.0 Investment Activity

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

5.2 Investment Activity in 2024/25

Type of Investment	Balance on 01/04/2024 £m	Balance on 30/09/2024 £m	Average Interest Rate
Short term Investments			
<i>Fixed Term Deposits:</i>			
Santander	5.000	5.000	4.81%
Lloyds 95 Day Notice	5.000	5.000	4.99%
Close Brothers	2.000	0	0%
Standard Chartered Sustainable Deposit	0	3.000	5.10%
<i>Money Market Funds:</i>			
Goldman Sachs	0.310	0.310	4.92%
Deutsche Bank	0.050	1.905	4.94%
Invesco	4.710	6.870	5.02%
Northern Trust	2.600	5.695	5.00%
CCLA	2.240	2.240	4.92%
Total Short Term Investments	21.910	30.020	
Long term Investments			
CCLA Property Fund	7.000	7.000	4.83%
CCLA Diversified Income Fund	5.500	5.500	4.05%
Total Long Term Investments	12.500	12.500	
TOTAL INVESTMENTS	34.410	42.520	
Increase/ (Decrease) in Investments		8.110	

5.3 Both the CIPFA Code and government guidance require the Council to invest its funds prudently, and to have regard to the security and liquidity of its treasury investments before seeking the optimum rate of return, or yield. The Council’s objective when investing money is to strike an appropriate balance between risk and return, minimising the risk of incurring losses from defaults and the risk of receiving unsuitably low investment income.

6.0 **Non-Treasury Investments**

6.1 The definition of investments in CIPFA’s revised Treasury Management Code now covers all the financial assets of the Council as well as other non-financial assets which the Council holds primarily for financial return or regeneration purposes. This is replicated in MLUHC’s Investment Guidance, in which the definition of investments is further broadened to also include all such assets held partially for financial return or regeneration purposes.

Breakdown below of current Non-Treasury Investments held;

Counterpart	Balance at 30/09/2024 £m
Loans to Housing Associations	0.011
Loans to Parish Councils	0.009

6.2 These investments are due to generate £0.001m of investment income for the Council after taking account of direct costs, representing a rate of return of 6.31%.

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

	Upper Limit %	Actual at 30/9/24 £m	Actual at 30/9/24 £m	Compliance
Under 12 Months	15%	12.987	13.68%	Yes
12-24 Months	15%	5.000	5.27%	Yes
2-5 Years	30%	18.031	19.00%	Yes
5-10 Years	100%	8.039	8.47%	Yes
Over 10 Years	100%	50.865	53.59%	Yes

Limits to Investing Activity

6.4 **Security.** The Council has adopted a voluntary measure of its exposure to credit risk by monitoring the value-weighted average credit rating of its investment portfolio. This is calculated by applying a score to each investment (AAA=1, AA+=2, etc.) and taking the arithmetic average, weighted by the size of each investment. Unrated investments are assigned a score based on their perceived risk.

Credit risk indicator	Target	Actual	Compliance
Portfolio average credit rating	A	AA	Yes

6.5 Liquidity Risk Indicator. The Council has adopted a voluntary measure of its exposure to liquidity risk by monitoring the amount of cash available to meet unexpected payments within a banding period, without additional borrowing.

Total Cash Available within;	Limit	Actual 30/09/24	Compliance
3 Months	100%	59%	Yes
3-12 Months	80%	12%	Yes
Over 12 Months	60%	29%	Yes

6.6 Principal Sums Invested for over 364 Days. The purpose of this indicator is to control the Council's exposure to the risk of incurring losses by seeking early repayment of its investments.

Price risk indicator	Limit	Actual 30/09/24	Compliance
Limit on principal invested beyond year end	£15m	£12.5m	Yes

7.0 Limits to Capital Activity

7.1 Capital Financing Requirement. The table below shows the CFR, which is the underlying external need to incur borrowing for a capital purpose.

	2024/25 Original Estimate £m	2024/25 Revised Estimate £m
CFR – non housing	45.216	43.412
CFR – housing	113.030	109.095
Total CFR	158.246	152.507
Estimated Net Movements in CFR		-5.739

7.2 Capital Financing Costs to Net Revenue Stream. Although capital expenditure is not charged directly to the revenue budget, interest payable on loans and MRP are charged to revenue, offset by any investment income receivable. The net annual charge is known as financing costs; this is compared to the net revenue stream i.e. the amount funded from Council Tax, business rates and general government grants.

	2024/25 Original Estimate £m	2024/25 Revised Estimate £m
General Fund		
Financing Costs	-1.379	-1.480
Proportion of net revenue stream	-5.61%	-6.02%

<i>Housing Revenue Account</i>		
Financing Costs	13.924	13.924
Proportion of net rental stream	47.09%	47.05%

8.0 Economic Background/Interest Rate Forecast

8.1 **Appendix A and Appendix B** gives a summarised outlook for the economic background and interest rate forecast from our Treasury Consultants, Link.

9.0 Implications

In writing this report and in putting forward recommendations, officers have considered the following implications: Data Protection; Digital & Cyber Security; Equality & Diversity; Financial; Human Resources; Human Rights; Legal; Safeguarding & Sustainability and where appropriate they have made reference to these implications and added suitable expert comment where appropriate.

Background Papers and Published Documents

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

None.

Economics Update

- The third quarter of 2024 (July to September) saw:
 - GDP growth stagnating in July following downwardly revised Q2 figures (0.5% q/q)
 - A further easing in wage growth as the headline 3myy rate (including bonuses) fell from 4.6% in June to 4.0% in July;
 - CPI inflation hitting its target in June before edging above it to 2.2% in July and August;
 - Core CPI inflation increasing from 3.3% in July to 3.6% in August;
 - The Bank of England initiating its easing cycle by lowering interest rates from 5.25% to 5.0% in August and holding them steady in its September meeting;
 - 10-year gilt yields falling to 4.0% in September.
- The economy's stagnation in June and July points more to a mild slowdown in GDP growth than a sudden drop back into a recession. Moreover, the drop in September's composite activity Purchasing Managers Index, from 53.8 in August to 52.9, was still consistent with GDP growth of 0.3%-0.4% for the summer months. This is in line with the Bank of England's view, and it was encouraging that an improvement in manufacturing output growth could be detected, whilst the services PMI balance suggests non-retail services output grew by 0.5% q/q in Q3. Additionally, the services PMI future activity balance showed an uptick in September, although readings after the Chancellor's announcements at the Budget on 30th October will be more meaningful.
- The 1.0% m/m jump in retail sales in August was stronger than the consensus forecast for a 0.4% m/m increase. The rise was reasonably broad based, with six of the seven main sub sectors recording monthly increases, though the biggest gains came from clothing stores and supermarkets, which the ONS reported was driven by the warmer-than-usual weather and end of season sales. As a result, some of that strength is probably temporary.
- The government's plans to raise public spending by around £16bn a year (0.6% GDP) have caused concerns that a big rise in taxes will be announced in the Budget, which could weaken GDP growth in the medium-term. However, if taxes are raised in line with spending (i.e., by £16bn) that would mean the overall stance of fiscal policy would be similar to the previous government's plan to reduce the budget deficit. Additionally, rises in public spending tend to boost GDP by more than increases in taxes reduce it. Our colleagues at Capital Economics suggest GDP growth will hit 1.2% in 2024 before reaching 1.5% for both 2025 and 2026.
- The further easing in wage growth will be welcomed by the Bank of England as a sign that labour market conditions are continuing to cool. The 3myy growth rate of average earnings fell from 4.6% in June to 4.0% in July. On a three-month annualised basis, average earnings growth eased from 3.0% to 1.8%, its lowest rate since December 2023. Excluding bonuses, the 3myy rate fell from 5.4% to 5.1%.
- Other labour market indicators also point to a further loosening in the labour market. The 59,000 fall in the alternative PAYE measure of the number of employees in August marked the fourth fall in the past five months. And the 77,000 decline in the three months to August was the biggest drop since November 2020. Moreover, the number of workforce jobs fell by 28,000 in Q2. The downward trend in job vacancies continued too. The number of job vacancies fell from 872,000 in the three months to July to 857,000 in the three months to August. That leaves it 34% below its peak in May 2022, and just 5% above its pre-pandemic level. Nonetheless, the Bank of England is still more concerned about the inflationary influence of the labour market rather than the risk of a major slowdown in labour market activity.

- CPI inflation stayed at 2.2% in August, but services inflation rose from a two-year low of 5.2% in July to 5.6%, significantly above its long-run average of 3.5%. Food and fuel price inflation exerted some downward pressure on CPI inflation, but these were offset by the upward effects from rising furniture/household equipment inflation, recreation/culture inflation and a surprisingly large rise in airfares inflation from -10.4% in July to +11.9% in August. As a result, core inflation crept back up from 3.3% to 3.6%. CPI inflation is also expected to rise in the coming months, potentially reaching 2.9% in November, before declining to around 2.0% by mid-2025.
- The Bank initiated its loosening cycle in August with a 25bps rate cut, lowering rates from 5.25% to 5.0%. In its September meeting, the Bank, resembling the ECB more than the Fed, opted to hold rates steady at 5.0%, signalling a preference for a more gradual approach to rate cuts. Notably, one Monetary Policy Committee (MPC) member (Swati Dhingra) voted for a consecutive 25bps cut, while four members swung back to voting to leave rates unchanged. That meant the slim 5-4 vote in favour of a cut in August shifted to a solid 8-1 vote in favour of no change.
- Looking ahead, CPI inflation will likely rise in the coming months before it falls back to its target of 2.0% in mid-2025. The increasing uncertainties of the Middle East may also exert an upward pressure on inflation, with oil prices rising in the aftermath of Iran's missile attack on Israel on 1 October. China's recent outpouring of new fiscal support measures in the latter stages of September has also added to the upshift in broader commodity prices, which, in turn, may impact on global inflation levels and thus monetary policy decisions. Despite these recent developments, our central forecast is still for rates to fall to 4.5% by the end of 2024 with further cuts likely throughout 2025. This is in line with market expectations, however, although a November rate cut still looks likely, December may be more problematic for the Bank if CPI inflation spikes towards 3%. In the second half of 2025, though, we think a more marked easing in inflation will prompt the Bank to speed up, resulting in rates eventually reaching 3.0%, rather than the 3.25-3.50% currently priced in by financial markets.
- Our forecast is next due to be updated around mid-November following the 30 October Budget, 5 November US presidential election and the 7 November MPC meeting and the release of the Bank of England Quarterly Monetary Policy Report.
- Looking at gilt movements in the first half of 2024/25, and you will note the 10-year gilt yield declined from 4.32% in May to 4.02% in August as the Bank's August rate cut signalled the start of its loosening cycle. Following the decision to hold the Bank Rate at 5.0% in September, the market response was muted, with the 10-year yield rising by only 5bps after the announcement. This likely reflected the fact that money markets had priced in a 25% chance of a rate cut prior to the meeting. The yield had already increased by about 10bps in the days leading up to the meeting, driven in part by the Fed's "hawkish cut" on 18 September. There is a possibility that gilt yields will rise near-term as UK policymakers remain cautious due to persistent inflation concerns, before declining in the longer term as rates fall to 3.0%.
- The FTSE 100 reached a peak of 8,380 in the third quarter of 2024, but its performance is firmly in the shade of the US S&P500, which has breached the 5,700 threshold on several occasions recently. Its progress, however, may pause for the time being whilst investors wait to see who is elected the next US President, and how events in the Middle East (and Ukraine) unfold. The catalyst for any further rally (or not) is likely to be the degree of investors' faith in AI.

Interest rate forecasts

APPENDIX B

The Council has appointed Link Group as its treasury advisors and part of their service is to assist the Council to formulate a view on interest rates. The PWLB rate forecasts below are based on the Certainty Rate (the standard rate minus 20 bps) which has been accessible to most authorities since 1st November 2012.

Our latest forecast on 28 May sets out a view that short, medium and long-dated interest rates will fall back over the next year or two, although there are upside risks in respect of the stickiness of inflation and a continuing tight labour market, as well as the size of gilt issuance. Our PWLB rate forecasts below are based on the Certainty Rate (the standard rate minus 20 bps, calculated as gilts plus 80bps) which has been accessible to most authorities since 1st November 2012.

Link Group Interest Rate View 28.05.24										
	Dec-24	Mar-25	Jun-25	Sep-25	Dec-25	Mar-26	Jun-26	Sep-26	Dec-26	Mar-27
BANK RATE	4.50	4.00	3.50	3.25	3.25	3.25	3.25	3.00	3.00	3.00
3 month ave earnings	4.50	4.00	3.50	3.30	3.30	3.30	3.30	3.00	3.00	3.00
6 month ave earnings	4.40	3.90	3.50	3.30	3.30	3.30	3.30	3.10	3.10	3.20
12 month ave earnings	4.30	3.80	3.50	3.40	3.40	3.40	3.40	3.20	3.30	3.40
5 yr PWLB	4.50	4.30	4.10	4.00	3.90	3.90	3.90	3.90	3.90	3.80
10 yr PWLB	4.60	4.40	4.30	4.10	4.10	4.10	4.00	4.00	4.00	3.90
25 yr PWLB	5.00	4.80	4.70	4.50	4.50	4.40	4.40	4.40	4.30	4.30
50 yr PWLB	4.80	4.60	4.50	4.30	4.30	4.20	4.20	4.20	4.10	4.10



Report to: Full Council - 17 December 2024
 Relevant Committee Chair: Councillor Jean Hall, Licensing Committee
 Director Lead: Matthew Finch, Communities & Environment
 Lead Officer: Narelle Plowright, Senior Licensing Officer Ext. 5894

Report Summary	
Report Title	Review of Statement of Gambling Policy 2025-2027
Purpose of Report	To seek adoption by Full Council of the amended Statement of Gambling Policy.
Recommendation	That Full Council adopt the revised Statement of Gambling Policy 2025-2027 in order to allow licensing decisions to be made.
Reason for Recommendation	Section 349 of the Gambling Act 2005 requires that the Licensing Authority must in respect of each three-year period, determine its policy with respect to the exercise of its licensing functions and publish a statement of that policy. The Statement of Gambling Policy 2025-2027 has been consulted upon and is to be considered at the meeting of the Licensing Committee to be held on 12 December 2024.

1.0 Background

- 1.1 The Gambling Act 2005 requires the Council to have in place a Policy relating to the carrying out of its functions under that Act. In respect of carrying out its duties the Council is required to adopt and have in place a Statement of Gambling Policy relating to those duties. The Policy sets out the principles which the Council will apply in considering and granting licences under the Act.
- 1.2 The Gambling Act requires the Policy to be reviewed every three years. The current Policy was adopted in January 2022 and therefore needs to be reviewed and adopted before January 2025.
- 1.3 The purpose of the Statement of Gambling Policy is to assist the Licensing Authority in determining applications and to provide clarity for applicants, residents and members of the business community. This also provides information and guidance on the general approach that the Licensing Authority will take when assessing applications and sets out expected operating standards.

- 1.4 This Licensing Authority covers a variety of licensed premises undertaking a range of activities, including small society lotteries, family entertainment centres, bingo halls, betting shops, track betting and gaming machines in pubs and clubs. It is therefore important that the Gambling Policy is sufficiently flexible to reflect their differing needs and characteristics.
- 1.5 In September 2024 a draft copy of a revised Policy was presented to the General Purposes Committee and it was agreed that the draft should be released for consultation. Following a six-week consultation, we have received two consultation responses from the Fire Service and Councillor Roberts regarding the wording of parts of the Policy.
- 1.6 On 12 December Officers will submit, for consideration, an update report to the Licensing Committee detailing the results of the consultation. Subject to their approval, the proposed minor amendments will be recommended to full Council for adoption. The Policy is attached as an Appendix to the report.

2.0 Proposal/Options Considered

- 2.1 Members should be aware that if we are unable produce a gambling policy statement in accordance with the Act and accompanying Regulations this will render the Authority susceptible to criticism and legal challenge. Without adoption of the Statement of Gambling Policy, the Licensing Authority is powerless to make decisions or exercise the licensing objectives in its locality.
- 2.2 Subject to the Licensing Committee's approval, Full Council are recommended to adopt the draft Statement of Gambling Policy as amended, for the period 2025 until 2027.

3.0 Implications

In writing this report and in putting forward recommendations, officers have considered the following implications: Data Protection; Digital & Cyber Security; Equality & Diversity; Financial; Human Resources; Human Rights; Legal; Safeguarding & Sustainability and where appropriate they have made reference to these implications and added suitable expert comment where appropriate.

3.1 Legal

Section 349 of the Gambling Act 2005 requires that Licensing Authorities have in place a Statement of Gambling Policy with respect to the exercise of its licensing functions and that this policy is reviewed at least every three years.

In preparing a statement or revision under section 349 of the Act a licensing authority is required to consult:

- a) the chief officer of police for the authority's area;
- b) one or more persons who appear to the authority to represent the interests of persons carrying on gambling businesses in the authority's area; and

c) one or more persons who appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority's functions under this Act.

The Gambling Statement of Policy is part of the Council's Policy Framework and therefore final approval is a matter reserved for Full Council.

3.2 Financial

The associated preparation and publication costs will be met in full from Gambling Act 2005 applications and annual fees income.

3.3 Safeguarding

Protecting children and other vulnerable persons from being harmed or exploited by gambling is one of the licensing objectives underpinning the Gambling Act 2005.

Background Papers and Published Documents

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

Gambling Act 2005

Newark & Sherwood District Council

Statement of Gambling Policy 2025 - 2027



STATEMENT OF GAMBLING POLICY
Gambling Act 2005
(Published January 2025)

Preface

Under the Gambling Act 2005, a new regime for regulating gambling and betting was introduced throughout the United Kingdom from 1 September 2007. Apart from the National Lottery and spread betting, gambling and betting is regulated by the Gambling Commission, whose duties include licensing the operators and individuals involved in providing gambling and betting facilities.

Newark and Sherwood District Council, along with other local licensing authorities, has a duty under the Act to licence premises where gambling is to take place, and to licence other activities (such as registering small society lotteries). This document sets out how we intend to approach this task.

CONTENTS

1	<u>THE GAMBLING ACT 2005</u>	1
1.1	The Licensing Objectives	1
1.2	The Licensing Framework	1
1.3	Authorised Activities	3
1.4	Relationship with Other Legislation	4
1.5	"Demand" for Gaming Premises	4
1.6	Rights of Applicants and Third Parties	4
1.7	Data Sharing, Data Security and the Principles of Better Regulation	4
1.8	Equality	5
1.9	Declaration	5
1.10	Consultation	5
2	<u>LOCAL AREA PROFILE</u>	6
2.1	Newark and Sherwood District	6
2.2	Local Risk Assessments	7
2.3	Gambling Related Harm as a Public Health Issue	9
3	<u>MAKING REPRESENTATIONS</u>	10
3.1	Who Can Make a Representation?	10
3.2	Interested Parties	10
3.3	Policy One	11
3.4	Form and Content of Representation	12
3.5	Policy Two	13
3.6	Irrelevant Considerations	14
3.7	Reviews	14
4	<u>LICENSING OBJECTIVES</u>	16
4.1	Preventing Gambling from Being a Source of Crime and Disorder	16
4.2	Policy Three	17
4.3	Ensuring Gambling is Conducted in a Fair and Open Way	17
4.4	Protection of Children	18
4.5	Vulnerable Persons	19
5	<u>PREMISES LICENCES</u>	20
5.1	General Principles	20
5.2	Betting and Track Premises	20
5.3	General Matters Relevant to Tracks	21
5.4	Gaming Machines used on Tracks	22
5.5	Betting Premises in Relation to Tracks	23
5.6	Betting Machines on Tracks	23
5.7	Condition on Rules Being Displayed on Tracks	23
5.8	Applications and Plans for Tracks	24
5.9	Adult Gaming Centres (AGCs)	24
5.10	Club Gaming Permits and Club Machine Permits	25
5.11	Alcohol Licensed Premises	25
5.12	Family Entertainment Centres	26

5.13	Prize Gaming Permits	27
5.14	Travelling Fairs	27
5.15	Small Society Lotteries	27
5.16	Temporary Use Notices	28
5.17	Occasional Use Notices	28
5.18	Casinos	28
5.19	Bingo	28
6	<u>INSPECTION AND ENFORCEMENT</u>	30
6.1	General Statement	30
6.2	Inspections	30
6.3	Policy Four	30
6.4	Enforcement	31
	<u>Glossary of Terms</u>	33
	<u>Appendices</u>	34
	Appendix One	34
	Appendix Two	35
	Appendix Three	36

1. THE GAMBLING ACT 2005

1.1 The Licensing Objectives

1.1.1 Under the Gambling Act 2005, Newark and Sherwood District Council, along with other local licensing authorities, has a duty under the Act to licence premises where gambling is to take place and to licence certain other activities (such as registering small society lotteries).

1.1.2 This document sets out how the Council intends to approach this task.

1.1.3 Section 349(1) of the Gambling Act 2005 imposes a statutory requirement upon Newark & Sherwood District Council as the statutory Licensing Authority to prepare a Statement of Principles and to review it before each successive period of three years.

1.1.4 The Act sets out three licensing objectives which this Statement will promote. The three objectives are as follows:

- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime;
- Ensuring that gambling is conducted in a fair and open way; and
- Protecting children and other vulnerable persons from being harmed or exploited by gambling.

In exercising their functions under the Gambling Act 2005, Licensing Authorities must have regard to the three licensing objectives.

1.2 The Licensing Framework

1.2.1 The Gambling Act 2005 brought about changes to the way that gambling is administered in the United Kingdom. The Gambling Commission is the national gambling regulator and has a lead role in working with central government and local authorities to regulate gambling activity.

1.2.2 The Gambling Commission issues operators licences and personal licences. Any operator wishing to provide gambling at a certain premises must have applied for the requisite personal licence and operator licence before they can approach the council for a premises licence. In this way the Gambling Commission is able to screen applicants and organisations to ensure they have the correct credentials to operate gambling premises. The Council's role is to ensure premises are suitable for providing gambling in line with the three licensing objectives and any codes of practice issued by the Gambling Commission. The council also issues various permits and notices to regulate smaller scale and/or ad hoc gambling in various other locations such as pubs, clubs and hotels

1.2.3 This Licensing Authority is aware that, in making decisions about premises licences and temporary use notices it should aim to permit the use of premises for gambling in so far as it considers they will be:

- in accordance with any relevant code of practice issued by the Gambling Commission,
- in accordance with any relevant guidance issued by the Gambling Commission,
- reasonably consistent with the licensing objectives and,
- in accordance with the Authority's statement of licensing policy.

1.2.4 'Gambling' is defined in the Act as either gaming, betting or taking part in a lottery:

- 'gaming' means playing a game of chance for a prize;
- 'betting' means making or accepting a bet on the outcome of a race, competition, or any other event; the likelihood of anything occurring or not occurring; or whether anything is true or not true;
- a 'lottery' is where persons are required to pay in order to participate in the arrangement, during the course of which one or more prizes are allocated to one or members of a class by a process which relies wholly on chance.

1.2.5 Private gaming in private dwellings and on domestic occasions is exempt from licensing or registration providing that no charge is made for participating; only equal chance gaming takes place; and it does not occur in a place to which the public have access. Domestic betting between inhabitants of the same premises or between employees of the same employer is also exempt.

The Council does not licence large society lotteries or remote gambling through websites. These areas fall to the Gambling Commission. The National Lottery is not licensed by the Gambling Act 2005 and is regulated by the Gambling Commission under the National Lottery Act 1993.

1.2.6 The aim of the Authority in this Statement is to address the impact of licensed premises in terms of crime and disorder arising from gambling and to ensure that their location and internal layout are appropriate with a view to protecting children and vulnerable persons. The Authority is committed to partnership with all stakeholders with a view to the promotion of this aim. The Authority recognises the impact that unregulated gambling may have on its community and sustainability as a viable local economy and in delivering the gambling regime will, with regard to the principles set out in this Statement, seek to support its local economy and protect vulnerable people. In doing so it will consider each application on its own merits within the context of this Statement, the legislation, and the guidance and codes of practice issued by the Gambling Commission.

1.2.7 The Authority will, in the statutory discharge of its functions, have particular regard to the principles to be applied in exercising its powers:

- under Section 157 of the Act to designate in writing a body competent to advise the Authority about the protection of children from harm;
- under Section 158 of the Act to determine whether a person is an interested party in relation to a premises licence or in relation to an application for or in respect of a premises licence.

1.2.8 Subject to statutory provision, a review of this Statement will take place periodically and any revisions to the Statement will be made taking into account information collated over a period of time; the outcomes of related initiatives at central and local government level and following appropriate consultation.

1.2.9 Nothing in this Statement should be regarded or interpreted as any indication that any statutory requirement of gambling or other law is to be overridden.

1.3 Authorised Activities

1.3.1 The Act gives Licensing Authorities a number of important regulatory functions in relation to gambling. The main functions are to:

- licence premises for gambling activities;
- issue provisional statements for premises;
- consider notices given for the temporary use of premises for gambling;
- grant permits for gaming and gaming machines in clubs and miners welfare institutes;
- regulate gaming and gaming machines in alcohol licensed premises;
- grant permits to Family Entertainment Centres for the use of certain lower stake gaming machines;
- grant permits for prize gaming;
- consider occasional use notices for betting at tracks;
- register small society lotteries

NB Operator licences, Personal Licences and Remote Gambling and the National Lottery are all dealt with by the Gambling Commission.

Spread betting is regulated by the Financial Services Authority.

In carrying out its licensing functions within the framework established by this Statement, the Authority will have particular regard to:

- maintaining a close working relationship with the responsible authorities;
- taking necessary and appropriate steps for the protection of children and other vulnerable persons; and
- the need to treat each application on its own merits taking into account the individual circumstances at each premises.

1.4 Relationship with Other Legislation

1.4.1 In complying with the provisions of the Gambling Act 2005, whilst the Authority recognises the requirements of the following, this Statement is not intended to duplicate the existing legislation and regulatory orders which incur statutory obligations.

1.4.2 In particular, in making a determination in respect of any application, the Authority will make its decision on the individual merits of each application and will not take into account irrelevant matters, such as the likelihood of the application receiving planning permission, or building regulation approval.

1.5 “Demand” for Gaming Premises

1.5.1 The Authority will not consider the demand for gaming premises when making decisions about applications for a premises licence under the Act.

1.6 Rights of Applicants and Third Parties

1.6.1 This Statement does not override the right of any person to make an application under the Act and have that application considered on its individual merits.

1.6.2 Similarly this Statement does not undermine the right of any third party to make representations on an application or to seek a review of a licence where provision has been made for them to do so.

1.7 Data Sharing, Data Security and the Principles of Better Regulation

1.7.1 The Authority will act in accordance with the provisions of the Gambling Act 2005 in its exchange of information which includes the provision that the General Data Protection Regulation will not be contravened. The Authority will also have regard to any Guidance issued by the Gambling Commission on this matter, as well as any relevant regulations issued by the Secretary of State under the powers provided in the Gambling Act 2005. It will also have regard to the Regulators’ Code.

1.8 Equality

1.8.1 The Council aims to act positively to reduce inequality, to work against discrimination and to promote and create access to services by everyone, irrespective of their age, disability, race, gender, sexuality, cultural or social background, religion or belief. This policy is subject to an Equalities Impact Assessment that was undertaken in November 2018.

1.9 Declaration

1.9.1 The Authority in preparation of this Statement has had due regard to;

- the Gambling Act 2005;
- the Gambling Act 2005 (Licensing Authority Policy Statement) (England and Wales) Regulations 2006;
- guidance issued by the Gambling Commission and by the Secretary of State under Section 25 of the Act; and
- responses from those consulted on the Statement.

This Statement of Gambling Policy will not override the right of any person to make an application, make representations about an application, or apply for a review of a licence, as each will be considered on its own merits and according to the statutory requirements of the Gambling Act 2005

1.10 Consultation

1.10.1 The Gambling Act requires the Licensing Authority to consult the following on the Licensing Authority Statement of Policy or any subsequent revision:

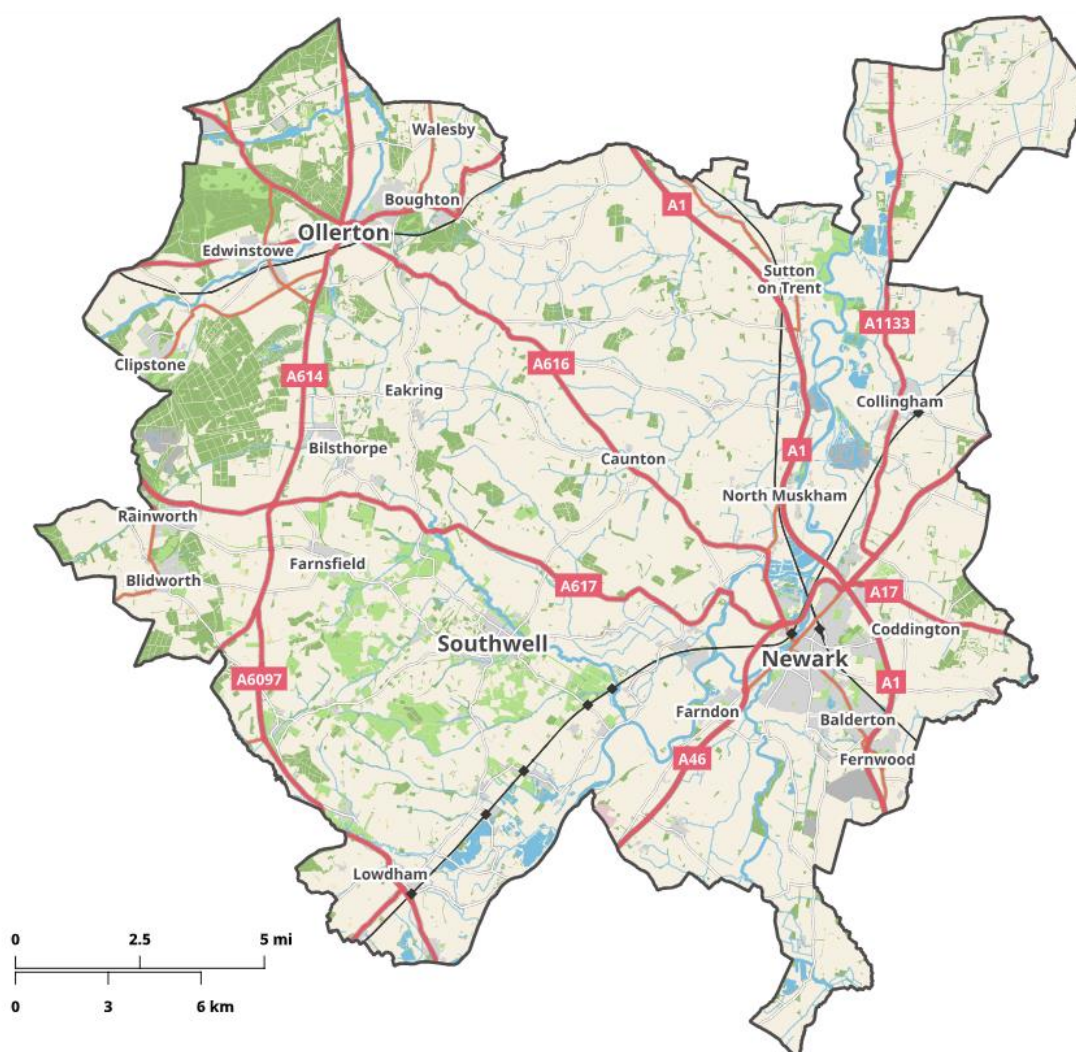
- in England and Wales, the chief officer of police for the Authority's area
- one or more persons who appear to the Authority to represent the interests of persons carrying on gambling businesses in the Authority's area
- one or more persons who appear to the Authority to represent the interests of persons who are likely to be affected by the exercise of the Authority's functions under this Act.

In developing this Statement the Authority has consulted widely to ascertain an appropriate licensing framework for its area. A full list of consultees is shown in **Appendix One**.

2. LOCAL AREA PROFILE

2.1 Newark and Sherwood District

2.1.1 The District of Newark and Sherwood covers 65,000 hectares and is bordered by Lincolnshire to the east, Bassetlaw to the north, Mansfield to the west and Rushcliffe/Nottingham to the south. It is a predominantly rural district and is served by its three main towns of Newark, Southwell and Ollerton with an overall population of around 123,100.



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2.1.2 As well as having a strong agricultural base, the area also has a range of engineering, food, drink and tourism industries, increasingly coupled with office-based customer services.

2.1.3 The District is easily accessible from the A1 which runs through Newark and has direct road links to and from the City of Nottingham. Public transport in the town is good and there is ample parking. Trains are readily available from its two stations – Newark Castle (Lincoln to Nottingham line), and Newark Northgate

(electrified east coast line to London Kings Cross). The nearest airport is Nottingham East Midlands Airport to the south near Castle Donington.

- 2.1.4 Of the 70,200 full-time and part-time jobs in the district, service industries make up nearly half the total (32,400), with distribution, hotels and restaurants employing 11,200 people, manufacturing 6,600 and finance and IT sector making up 4,800 further jobs.
- 2.1.5 There are 65,400 people in employment which is 77.5 % of the population. The average wage is £540 per week. The national average is £571
- 2.1.6 There are 53,332 dwellings in the District. The average price for a semi-detached house is £215,000 compared to £398,368 for the South East and a UK average of £292,000
- 2.1.7 A local area profile has been prepared based on local knowledge and taking into account a wide range of factors, data and information held by the Licensing Authority and its partners.

2.2 Local Risk Assessments

- 2.2.1 The Gambling Commission's Licence Conditions and Codes of Practice (LCCP) formalise the need for operators to consider local risks. Local risk assessments apply to all non-remote casino, adult gaming centre, bingo, family entertainment centre, betting and remote betting intermediary (trading room only) licences, except non-remote general betting (limited) and betting intermediary licences.
- 2.2.2 Licensees are required to assess the local risks to the licensing objectives posed by the provision of gambling facilities at each of their premises, and have policies, procedures, and control measures to mitigate those risks. In undertaking their risk assessments, they must take into account relevant matters identified in this policy statement.
- 2.2.3 The Local Authority would expect operators to take into account the broad principles listed below when completing their local risk assessment.
- 2.2.4 Licensees must review, and update as necessary, their local risk assessments:
 - a) to take account of significant changes in local circumstances, including those identified in a Licensing Authority's Statement of Gambling Policy;
 - b) when there are significant changes at a licensee's premises that may affect their mitigation of local risks;
 - c) when applying for a variation of a premises licence; and in any case, undertake a local risk assessment when applying for a new premises licence.
 - d) it is the expectation of the Licensing Authority that all other relevant legislation is complied with in full (e.g. Health and Safety, Food Licensing, Fire Safety)

- 2.2.5 The Licensing Authority has an expectation that all local risk assessments will take into account the local area profile of the area.
- 2.2.6 The three statutory licensing objectives for gambling include protecting children and other vulnerable persons from harm and exploitation. Licensing policies are not currently required to address Public Health concerns and Public Health is not a responsible authority under gambling legislation. However, the Gambling Commission has recognised the benefits of a Public Health Whole Population Approach (February 2018).
- 2.2.7 It is estimated that there are over 370,000 problem gamblers in England equivalent to 0.5% of the population. There are no local level estimates available. Gambling harm includes poor physical and mental ill-health and is associated with substance misuse problems, especially alcohol, and with smoking. It also contributes to debt problems, relationship breakdown and criminality.
- 2.2.8 The Commission has identified specific groups of people who are particularly at risk:
- ethnic groups
 - youth
 - low IQ
 - substance abuse/misuse
 - poor mental health.
- 2.2.9 Further information on the Gambling Commission’s position on Gambling as a public health issue is available on the Commission’s website.
- 2.2.10 There is an established link between domestic violence and problem gambling. A 2016 report by the University of Lincoln found that those who gamble are more likely to act violently towards their partner, with 45% of participants struggling with problem gambling having been in some form of physical fight in the last 5 years. We also know that 25% of women and 14% men in the UK experience domestic abuse during their lifetime, and that only a minority of this is reported to the police

Gambling and domestic violence are also closely linked because of the effect they can have on someone’s mental health. Those who struggle with gambling problems are more likely to suffer from low self-esteem, stress-related disorders, anxiety and depression, and abuse is also widely recognised as a cause of these issues.

Gambling is also used by people to escape other issues in their life, such as mental health problems and relationship issues. For women especially, gambling may offer escapes from difficult emotional experiences, such as domestic abuse. In any of these situations, gambling is never the answer and whilst you may feel that it provides a temporary escape, it will only make these issues worse over time.

GamCare offers support through their Women's Programme which is dedicated to supporting women who are affected by problem gambling, whether this is their own or someone else's.

2.3 Gambling Related Harm as a Public Health Issue

- 2.3.1 There is less evidence available to support The Statements of Gambling Policy at a local level. Nationally there is a significant amount of gambling that takes place on the internet which reduces barriers to where people can gamble. Problem gambling is linked with areas of socio-economic deprivation, so identifying areas with potentially higher levels of gambling harm can therefore be informed by the alcohol licensing maps.

3. MAKING REPRESENTATIONS

3.1 Who Can Make a Representation?

3.1.1 The Gambling Act allows “responsible authorities” (identified in section 157 of the Act) and “interested parties” to make representations to applications relating to premises licences and provisional statements. In the case of reviews, that right is also given to the licensee. With regard to other forms of notification and permit, the right to object is restricted to specified bodies. The following section therefore only relates to representations in respect of premises licences and provisional statements. A list of Responsible Authorities is set out in **Appendix Two**.

3.1.2 Premises licences are only necessary for the types of gambling listed below and interested parties may therefore only make representations in respect of:

- Casino premises
- Bingo premises
- Betting premises (including tracks)
- Adult gaming centres
- Licensed family entertainment centres

3.2 Interested Parties

3.2.1 Interested parties are defined as persons who in the Authority’s opinion:

- live sufficiently close to the premises to be likely to be affected by the authorised activities;
- have business interests that might be affected by the authorised activities, or
- represent either of the above.

3.2.2 The Authority will interpret the phrase “business interest” widely and not merely confine the phrase to meaning those engaged in trade and commerce. It may therefore include charities, churches, medical practices, schools and other establishments and institutions.

3.2.3 Similarly a wide interpretation will be given to those categories of persons and organisations that represent residents and businesses. These may include residents and tenants associations, trade unions and other associations, as well as individuals whose role is to represent the interests of one or more residents or businesses such as a councillor, MP or legal representative.

3.2.4 If an existing gambling business makes a representation that it is going to be affected by another gambling business starting up in the area, then without

further evidence relating to the licensing objectives supporting the representation, the Authority would not consider this to be a relevant representation because it relates to “demand” or competition.

3.2.5 It is for the Authority to determine on a case by case basis whether or not a person making a representation is an “interested party”. The Authority may ask for evidence to identify who is being represented and show that they have given authority for representations to be made on their behalf. In cases which are not clear-cut the benefit of the doubt will usually be exercised in favour of the person making the representation.

3.3 Policy One

3.3.1 In determining if someone lives sufficiently close to the premises to be likely to be affected by the authorised activities or have business interests that are likely to be affected, the Authority will normally take any or all of the following into account which appear relevant to it to ensure that those who are likely to be directly affected by the proposed activities can exercise their right to be heard:

- **the proximity of their home or business to the application premises;**
- **the nature of their residency (e.g. private resident, resident in home for the vulnerable etc.);**
- **the nature of the business making the representation;**
- **the nature of the authorised activities to be conducted on the application premises;**
- **the size and capacity of the application premises;**
- **the likely catchment area for the application premises;**
- **the routes likely to be taken to and from the application premises;**
- **the character of the area;**
- **the density of the built up area;**
- **the topography of the area;**
- **the local area profile; and**
- **mitigating measures contained within the applicant’s risk assessments.**

REASON: To ensure that those who are likely to be directly affected by the proposed activities can exercise their right to be heard.

3.4 Form and Content of Representation

3.4.1 The Act places a duty on the Authority to aim to permit the use of premises for gambling in so far as the Authority thinks the application is in accordance with:

- this Policy Statement,
- the Commission's Guidance,
- local area profile and applicants local risk assessments,
- the Codes of Practice, and
- where the application is reasonably in accordance with the licensing objectives.

3.4.2 As these are the main criteria against which an application is to be assessed, representations which address these issues are more likely to be accepted and given weight.

3.4.3 All representations must be made in writing and must be received by the Authority within the time limits set by the relevant regulations. For a representation to be relevant it should:

- be positively tied or linked by a causal connection to particular premises; and
- relate to the licensing objectives, or
- raise issues under this policy, the Commission's Guidance or Codes of Practice.

3.4.4 Representations received outside the statutory period for making such representations or which otherwise does not comply with the Regulations will be invalid and will not be taken into consideration when the application is determined. In addition, the Authority expects representations to be made in accordance with Policy Two.

3.4.5 A preferred form of representation is available. A copy of the form can be downloaded at www.newark-sherwooddc.gov.uk or requested directly from the service. Whilst representations which are not in the preferred form or which do not fully comply with Policy Two will not automatically be rejected, they may be less likely to comply with the law relating to representations resulting in them ultimately being rejected or given little or no weight.

3.4.6 Ordinarily, where representations are received, the Authority will hold a Hearing. However, a Hearing does not have to be held where the Authority thinks that a representation is frivolous, vexatious, or will certainly not influence the

Authority's determination of the matter. It is for the Authority to determine whether a representation falls within these categories, however representations which comply with Policy Two are unlikely to do so.

- 3.4.7 It is in the interest of those making representations that they include as much detail and evidence as possible at the time the representation is made. The Authority will determine whether a representation should be excluded as frivolous or vexatious based on the normal interpretation of the words. A representation may therefore be excluded if it obviously lacks seriousness or merit, or is designed to be antagonistic. An example may be a representation received from a rival operator which is based solely on the fact that the new premises would compete with their own.

3.5 POLICY TWO

3.5.1 A representation should indicate the following:

- (i) the name, address and a contact number for the person making the representation;**
- (ii) the capacity in which the representation is made (e.g. interested party, responsible authority, licensee) and if made as a representative should indicate who is being represented;**
- (iii) the name and address of the premises in respect of which the representation is being made;**
- (iv) the licensing objective(s) relevant to the representation;**
- (v) Why it is felt that the application:**
 - is not reasonably consistent with the licensing objectives; or**
 - is not in accordance with this Policy, the Commission's Guidance or the relevant Codes of Practice; or**
 - the local risk assessments are not considered suitable and sufficient; or**
 - otherwise should not be granted; or**
 - should only be granted subject to certain specified conditions;**
- (vi) details of the evidence supporting the opinion in (v).**

REASON: To ensure the representation is made by a responsible authority or interested party and that it is relevant and directly related to the application premises.

3.6 Irrelevant Considerations

3.6.1 Whilst not intended to provide an exhaustive list, the following matters cannot be taken into account and representations relating to them are likely to be discounted:

- need and demand for the relevant premises;
- issues relating to nuisance;
- traffic congestion and parking;
- likelihood of the premises receiving planning permission or building regulation approval;
- moral grounds.

3.6.2 Any person seeking to operate gambling premises must first have applied for, or obtained, an operating licence from the Gambling Commission. The Commission will therefore have made a judgement as to the applicant's suitability to operate the proposed form of gambling and therefore this issue is not relevant to the subsequent assessment of the premises licence application. The only exception is in relation to track premises licences. In this case an operator's licence is not required and the suitability of the applicant may, in appropriate cases, be taken into consideration.

3.7 Reviews

3.7.1 A premises licence may be reviewed by the Licensing Authority of its own volition or following the receipt of an application for a review from a responsible authority or interested party. Reviews cannot be delegated to an officer of the Licensing Authority – the lowest level of delegation permitted is to a Licensing Sub-Committee (Licensing Panel).

3.7.2 The Act provides that Licensing Authorities may initiate a review in relation to a particular class of premises licence or in relation to particular premises. Officers of the Council or of a responsible authority may be involved in the initial investigations of complaints leading to a review, or may try informal mediation or dispute resolution techniques prior to a full scale review being conducted.

3.7.3 If at any time the Authority considers it necessary in their scheme of delegation, they will establish a system that determines who initiates reviews, and that may include a 'filter' system to prevent unwarranted reviews from being conducted.

3.7.4 In relation to a class of premises, the Authority may review the use made of premises and, in particular, the arrangements that premises licence holders have made to comply with licence conditions. In relation to these general reviews, the Authority would most likely be acting as a result of specific concerns or

complaints about particular types of premises, which would cause it to want, for example, to look at the default conditions that apply to that category of licence. In relation to particular premises, the Authority may review any matter connected to the use made of the premises if it has reason to suspect that licence conditions are not being observed, or for any other reason (such as a complaint from a third party) which gives it cause to believe that a review may be appropriate.

- 3.7.5 Representations and review applications will be considered by the Authority in accordance with the relevant legislation, guidance issued by the Commission, this Statement of Principles, Codes of Practice, local area profile and the premises licence holder's local risk assessments.

4. LICENSING OBJECTIVES

4.1 Preventing Gambling From Being a Source of Crime and Disorder

4.1.1 The Gambling Commission will play a leading role in preventing gambling from becoming a source of crime and will maintain rigorous licensing procedures that aim to prevent inappropriate people from providing facilities for gambling.

4.1.2 The Authority places considerable importance on the prevention of crime and disorder, and will fulfil its duty under section 17 of the Crime and Disorder Act 1998 to do all it reasonably can to prevent crime and disorder in its area. A high standard of control is therefore expected to be exercised over licensed premises. The Authority will not generally be concerned with the suitability of an applicant and where concerns about a person's suitability arises the Authority will bring those concerns to the attention of the Commission.

4.1.3 The Authority will, when determining applications, consider whether the grant of a premises licence will result in an increase in crime and disorder. In considering licence applications, the Authority will particularly take into account the applicant's local risk assessments which should include reference to the following:

- the design and layout of the premises;
- the training given to staff in crime prevention measures appropriate to those premises;
- physical security features installed in the premises. This may include matters such as the position of cash registers or the standard of CCTV that is installed;
- where premises are subject to age restrictions, the procedures in place to conduct age verification checks;
- the likelihood of any violence, public order or policing problem if the licence is granted.

4.1.4 Where an application is received in relation to premises in an area noted for particular problems with organised crime, part of this determination will include consultation with the police and other relevant authorities. The Authority may then consider whether specific controls, such as a requirement for the provision of door supervisors, need to be applied in order to prevent those premises being a source of crime. In respect of betting offices the Authority will make door supervision a requirement only if there is clear evidence from the history of trading at the premises that the premises cannot be adequately supervised from the counter and that door supervision is both necessary and proportionate.

4.1.5 As far as disorder is concerned, there are already powers in existing anti-social behaviour and other legislation to deal with measures designed to prevent

nuisance, whether it arises as a result of noise from a building or from general disturbance once people have left a building. The Authority does not therefore intend to use the Act to deal with general nuisance issues, for example, parking problems, which can easily be dealt with using alternative powers. The Authority has no jurisdiction under the Act to deal with general nuisance issues.

4.1.6 In accordance with the Guidance, the Authority will only seek to address issues of disorder under the Act if the disorder amounts to activity which is more serious and disruptive than mere nuisance. A disturbance could be serious enough to constitute disorder if police assistance were required to deal with it. Another factor the Authority is likely to take into account is how threatening the behaviour was to those who could see or hear it, whether those people live sufficiently close to be affected or have business interests that might be affected.

4.1.7 The Authority will consult with the police and other relevant authorities when making decisions in this regard and will give due weight to any comments made by the police or other relevant authorities.

4.2 Policy Three

4.2.1 The Authority will have particular regard to the likely impact of licensing on related crime and disorder in the district, particularly when considering the location, impact, operation and management of all proposed licence applications.

REASON: Under the Crime and Disorder Act 1998 local authorities must have regard to the likely effect of the exercise of their functions on, and do all they can to prevent, crime and disorder in their area.

4.3 Ensuring Gambling is Conducted in a Fair and Open Way

4.3.1 The Gambling Commission does not expect local authorities to become concerned with ensuring that gambling is conducted in a fair and open way as this will either be a matter for the management of the gambling business (and therefore relevant to the Operating Licence), or will be in relation to the suitability and actions of an individual (and therefore relevant to the Personal Licence).

4.3.2 Both issues will be addressed by the Commission through the operating and personal licensing regime. This is achieved by ensuring that:

- operating and personal licences are issued only to those who are suitable to offer gambling facilities or work in the industry;
- easily understandable information is made available by operators to players about, for example: the rules of the game, the probability of losing or winning, and the terms and conditions on which business is conducted;
- the rules are fair;

- advertising is not misleading;
 - the results of events and competitions on which commercial gambling takes place are made public; and
 - machines, equipment and software used to produce the outcome of games meet standards set by the Commission and operate as advertised.
- 4.3.3 Because betting track operators do not need an operating licence from the Commission, the Authority may, in certain circumstances, attach conditions to a licence to ensure that the betting is conducted in a fair and open way. The Authority may in these circumstances also consider the suitability of the applicant to hold a track premises licence. Factors which will be taken into account include the applicant's business experience, their financial standing and whether they may be regarded as fit and proper to hold a licence.

4.4 Protection of Children

- 4.4.1 The Council expects operators of gambling premises to have in place policies and measures to ensure children and other vulnerable people are protected from being harmed or exploited by gambling. Harm in this context is not limited to harm from gambling but includes wider child protection considerations, including the risk of child sexual exploitation.
- 4.4.2 The efficiency of such policies and procedures will be considered on their merits, however they may include appropriate measures/training for staff as regards suspected truanting school children on the premises, measures/training covering how staff would deal with unsupervised very young children being on the premises, or children causing perceived problems.
- 4.4.3 The Council will pay particular attention to measures proposed by operators to protect children from harm in Adult Gaming Centres and Family Entertainment Centres. Such measures may include, but would not be limited to, the following:
- Proof of age schemes,
 - CCTV,
 - Supervision of entrances/machine areas,
 - Physical separation of areas,
 - Specific opening hours,
 - Self-barring schemes,
 - Notices/signage,
 - Measures/training for staff on how to deal with suspected truanting school children on the premises and how to recognise signs of potential child sexual exploitation,
 - Clear policies that outline the steps to be taken to protect children from harm,
 - Provision of information leaflets/helpline numbers for organisations such as GamCare.

- 4.4.4 The access of children and young persons to those gambling premises which are adult only environments will not be permitted.
- 4.4.5 The Authority will seek to limit the advertising for premises so that gambling products are not aimed at children or advertised in such a way that makes them particularly attractive to children.
- 4.4.6 The Authority will consult with the Nottinghamshire Safeguarding Children Board and the Nottinghamshire Safeguarding Adults Board on any application that indicates there may be concerns over access for children or vulnerable persons.
- 4.4.7 The Act provides for a Code of Practice on access to casino premises by children and young persons and the Authority will work closely with the Police to ensure the appropriate enforcement of the law in these types of premises.

4.5 Vulnerable Persons

4.5.1 In accordance with the provisions of the Act, the Authority will not seek to prohibit particular groups of adults from gambling in the same way that it seeks to prohibit children. The Act does not define “vulnerable persons” but the Gambling Commission’s guidance indicates that they include:

- People who gamble more than they want to;
- People who gamble beyond their means;
- People who may not be able to make an informed or balanced decision about gambling due to a mental impairment, alcohol or drugs.

The Authority will follow this guidance when considering whether, in relation to particular premises, any special considerations apply in relation to the protection of vulnerable persons.

4.5.2 The Authority encourages applicants to offer controls that limit access by customers to gambling or further access to alcohol where the customer shows signs of inebriation.

4.5.3 Where the legislation allows, the Authority will look particularly closely at applications that are made for premises close to sensitive areas or developments, for example;

- Residential areas,
- Schools and other educational establishments,
- Residential hostels for vulnerable adults,
- Premises licensed for alcohol or gambling.

5. **PREMISES LICENCES**

5.1 **General Principles**

5.1.1 In the Act, 'premises' is defined as including any place. Section 152 prevents more than one premises licence applying to any place. However a single building could be subject to more than one premises licence, provided that they are for different parts of the building and different parts of the building can reasonably be regarded as being different premises. This approach has been taken to allow large, multiple unit premises such as a pleasure park, pier, track or shopping mall to obtain discrete premises licences for units within them. The Authority will pay particular attention if there are issues about the sub-division of a single building or plot and will ensure that mandatory conditions relating to access between such premises are observed.

In relation to an application to split existing licensed premises thereby creating multiple premises, the Authority will expect the primary use of each premises to be the main business in accordance with the type of licence held. Any activities other than the primary use will be considered ancillary to the main business.

5.1.2 The procedure for obtaining premises licences is set by regulations. Should a licence be granted it will be made subject to mandatory and/or default conditions set by the Secretary of State. The Authority may choose to exclude default conditions if it thinks it appropriate and may also impose other specific conditions which are appropriate to the application where there is a specific evidenced risk.

5.1.3 The Gambling Commission plays a leading role in preventing gambling from being a source of crime and will maintain rigorous licensing procedures that aim to prevent criminals from providing facilities for gambling. With the exception of applicants for track premises anyone applying to the Authority for a premises licence will have to hold an operating licence from the Commission before a licence can be issued. Generally therefore the Authority will not be concerned with the suitability of an applicant. Where concerns arise about a person's suitability, the Authority will bring those concerns to the attention of the Commission.

5.1.4 The Licensing Authority will however be concerned with issues such as the impact of the licensed premises in terms of crime and disorder and matters such as the location of the premises and their internal layout in terms of protecting children and vulnerable persons. Such issues are discussed in more detail in the paragraphs below relating to the specific types of gambling premises. See local risk assessments at **section 2**.

5.2 **Betting Premises and Tracks**

5.2.1 Betting premises relates to those premises operating off-course betting. That is other than at a track.

5.2.2 Tracks are sites where races or other sporting events take place. Betting operators may operate self-contained betting premises within track premises although they would normally only open on event days. There may be several licensed premises at any track.

5.2.3 Permitted activities include:

- off-course betting;
- on-course betting for tracks;
- betting by way of betting machines, and;
- gaming machines as stipulated by regulations (see **Appendix Three**)

5.2.4 Factors for consideration when determining the application will be:

- location, particularly in relation to vulnerable persons;
- suitability of the premises;
- size of premises in relation to the number of betting machines;
- the ability of staff to monitor the use or abuse of such machines and;
- the provision for licence holders to ensure appropriate age limits are adhered to.

5.2.5 This is not an exhaustive list and each application will be judged on its merits. Any effective measures to support the licensing objectives will be taken into account.

5.2.6 Mandatory or default conditions may be attached by regulations issued by the Secretary of State. Conditions may be applied by the Authority in support of the licensing objectives if it is felt necessary and appropriate to the application and where there is a specific evidenced risk that is not adequately addressed by the policies, procedures and mitigation measures detailed by the applicant in its risk assessment.

5.3 General Matters Relevant to Tracks

5.3.1 In addition to the Southwell Racecourse the Authority has a number of premises that may apply for a premises licence to operate as a 'Track' for the purposes of the Gambling Act.

5.3.2 Tracks may be subject to one or more premises licences provided each licence relates to a specified area of the track. The Authority will especially consider the impact upon the third licensing objective (i.e. the protection of children and vulnerable persons from being harmed or exploited by gambling) in the determination of premises licence applications for tracks and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.

5.3.3 Track operators are not required to hold an operator's licence granted by the Gambling Commission unless they are operating gambling activities themselves. Therefore, premises licences for tracks issued by the Authority are likely to

contain requirements for premises licence holders relevant to their responsibilities in relation to the proper conduct of betting. The Authority recognises that Track operators will have an important role to play in the regulation of gambling activities and expects that they will take proactive action appropriate to that role; for example, ensuring that betting areas are properly administered and supervised.

5.3.4 The Authority will therefore expect the premises licence applicant to demonstrate suitable measures to ensure that children do not have access to adult-only gaming facilities. It is noted that children and young persons will be permitted to enter track areas where facilities for betting are provided on days when dog racing and/or horse racing takes place, but that they are still prevented from entering areas where gaming machines (other than category D machines) are provided.

5.3.5 Applicants are encouraged to offer their own measures to meet the licensing objectives, however, appropriate measures/licence conditions imposed by the Authority may cover issues such as:

- proof of age schemes,
- CCTV,
- supervision of entrances / machine areas,
- physical separation of areas,
- location of entrances,
- notices / signage,
- specific opening hours,
- self-barring schemes,
- provision of information leaflets / helpline numbers for organisations such as GamCare.

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

5.4 Gaming Machines used on Tracks

5.4.1 Guidance from the Gambling Commission addresses where such machines may be located on tracks and any special considerations that should apply in relation, for example, to supervision of the machines and preventing children from playing them. The Authority notes the Commission's Guidance that Licensing Authorities therefore need to consider the location of gaming machines at tracks, and applications for track premises licences will need to demonstrate that, where the applicant holds a pool betting operating licence and is going to use his entitlement to four gaming machines, these machines are located in areas from which children are excluded. Children and young persons are not prohibited from playing category D gaming machines on a track.

5.5 Betting Premises in Relation to Tracks

- 5.5.1 A Track may hold a betting premises licence allowing betting to take place within defined areas. There may also be a number of subsidiary licences authorising other gambling activities to take place including off-course betting. Unlike betting offices (bookmakers), a betting premises licence in respect of a track does not give an automatic entitlement to use gaming machines. Pool betting may also take place on certain types of tracks and the appropriate operating licence to enable this will be required before a premises licence authorising this activity may be determined by the Authority.
- 5.5.2 In line with the Commission's Guidance, the Authority will expect operators of self-contained units on tracks to seek an ordinary betting premises licence to ensure that there is clarity between the respective responsibilities of the track operator and the off-course betting operator running a self-contained unit on the premises.

5.6 Betting Machines on Tracks

- 5.6.1 The Authority will take into account the size of the premises and the ability of staff to monitor the use of these machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people when considering the number/nature/circumstances of betting machines an operator wants to offer. It will also take note of the Gambling Commission's suggestion that Licensing Authorities will want to consider restricting the number and location of such machines in respect of applications for Track Betting Premises Licences.
- 5.6.2 When considering whether to exercise its power to restrict the number of betting machines at a track, the Council will consider the circumstances of each individual application and, among other things, will consider the potential space for the number of machines requested, the ability of track staff to supervise the machines, especially if they are scattered around the site, and the ability of the track operator to prevent children and young persons and vulnerable people betting on the machines.

5.7 Condition on Rules Being Displayed on Tracks

- 5.7.1 The Gambling Commission has advised in its Guidance for local authorities that "...licensing authorities should attach a condition to track premises licences requiring the track operator to ensure that the rules are prominently displayed in or near the betting areas, or that other measures are taken to ensure that they are made available to the public. For example, the rules could be printed in the race-card or made available in leaflet form from the track office." The Authority encourages applicants to demonstrate in their application and in the conduct of their activity that they will comply with this.

5.8 Applications and Plans for Tracks

5.8.1 Regulations set out specific requirements for applications for premises licences and, in accordance with the Gambling Commission's suggestion that, to ensure the Authority gains a proper understanding of what it is being asked to licence, the premises licence application pack for a track includes the information that is required which includes detailed plans for the racetrack itself and the area(s) that will be used for temporary "on-course" betting facilities (often known as the "betting ring") and in the case of dog tracks and horse racecourses, fixed and mobile pool betting facilities operated by the Tote or track operator, as well as any other proposed gambling facilities. Plans should make clear what is being sought for authorisation under the track betting premises licence and what, if any, other areas are to be subject to a separate application for a different type of premises licence.

The Council appreciates that it is sometimes difficult to define the precise location of betting areas on tracks. The precise location of where betting facilities are provided is not required to be shown on track plans, both by virtue of the fact that betting is permitted anywhere on the premises and because of the difficulties associated with pinpointing exact locations for some types of track. Applicants should provide sufficient information that the Council can be satisfied that the plan indicates the main areas where betting might take place. For racecourses in particular, any betting areas subject to the "five times rule" (commonly known as betting rings) must be indicated on the plan. It would be helpful to the Authority and the Responsible Authorities if the plans were marked using a colour-coded scheme or, at a minimum, by use of a key to denote the use of those areas shown.

5.9 Adult Gaming Centres (AGCs)

5.9.1 These premises must be operated by the holder of a gaming machine general operating licence from the Gambling Commission as well as a premises licence from the Authority.

5.9.2 Permitted activities include the provision of gaming machines as stipulated by regulations (**see Appendix Three**).

5.9.3 Factors for consideration when determining the application for an AGC will include:

- the location;
- the ability of operators to minimise illegal access by under 18's to the premises; and
- the premises local risk assessment.

5.9.4 This is not an exhaustive list and each application will be judged on its merits. Any effective measures to support the licensing objectives will be taken into account.

5.9.5 Conditions may be applied by the Authority in support of the licensing objectives, if it is felt necessary. Mandatory or default conditions may be attached by regulations issued by the Secretary of State. No one under the age of 18 is permitted to enter an AGC.

5.10 Club Gaming Permits and Club Machine Permits

5.10.1 Club gaming permits authorise qualifying clubs to provide gaming machines as well as equal chance gaming and games of chance as prescribed in regulations.

5.10.2 Club machine permits allow the provision of higher category gaming machines.

5.10.3 Commercial clubs may in some circumstances operate with club machine permits but not club gaming permits.

5.10.4 The Authority may only refuse an application on the following grounds:

- (a) the applicant does not fulfill the requirements for a members' or commercial club or miners' welfare institute and therefore is not entitled to receive the type of permit for which it has applied;
- (b) the applicant's premises are used wholly or mainly by children and/or young persons;
- (c) an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities;
- (d) a permit held by the applicant has been cancelled in the previous ten years; or
- (e) an objection has been lodged by the Commission or the police;

and in the case of (a) or (b) must refuse the permit.

5.10.5 The authority may grant or refuse a permit, but it may not attach conditions to a permit.

5.11 Alcohol Licensed Premises

5.11.1 The Act provides an automatic entitlement to provide two gaming machines of category C or D. The premises licence holder must notify the Authority of his or her intention and pay the prescribed fee. Although the Authority has no discretion to refuse the notification, the authorisation may be removed if gaming has taken place on the premises that breaches a condition of section 282 of the Act.

5.11.2 The Authority may also issue "licensed premises gaming machine permits" to premises in this category on application for any additional number of category C and/or D machines. This would generally replace any automatic entitlement under section 282 of the Act.

5.11.3 The Authority must have regard to the licensing objectives and the Gambling Commission Guidance when granting these permits. Factors for consideration will include:

- location, particularly in relation to vulnerable persons;
- suitability of the premises, size of premises in relation to the number of betting machines;
- the ability of staff to monitor the use or abuse of such machines; and
- the provision for licence holders to ensure appropriate age limits are adhered to.

5.11.4 This is not an exhaustive list and each application will be judged on its merits. Any effective measures to support the licensing objectives will be taken into account.

5.11.5 It is a condition of the automatic entitlement to make available two gaming machines (of category C or D) that any relevant provision of a code of practice under section 24 about the location and operation of a gaming machine is complied with. The Authority will take account of these provisions. The relevant codes of practice are available on the Gambling Commission's website: www.gamblingcommission.gov.uk

5.12 Family Entertainment Centres

5.12.1 There are two classes of Family Entertainment Centres (FECs), dependent upon the type of gaming machines provided on the premises:

- FEC's with category C and D machines require a Premises Licence.
- Unlicensed FEC's provide only category D machines and are regulated through FEC gaming machine permits. An application for a permit may only be granted if the Authority is satisfied that the premises will be used as an unlicensed FEC, and if the Police have been consulted on the application. Applicants will need to demonstrate:
 - a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FEC's;
 - that the applicant has no relevant convictions (i.e. those set out in Schedule 7 of the Act); and
 - that staff are trained to have a full understanding of the maximum stakes and prizes.

5.12.2 In considering applications for permits, the Authority will give weight to child protection issues and will also consider the suitability of the location, in particular the:

- proximity of premises to schools and vulnerable adult centres (e.g. a centre for gambling addicts);
- proximity to residential areas where there may be a high concentration of families with children;
- town centre or edge of town centre locations.

5.12.3 It should be noted that a permit cannot be issued in respect of a vessel or a vehicle.

5.12.4 An applicant must be 18 years of age or over.

5.13 Prize Gaming Permits

5.13.1 These permits cover gaming where the nature and size of the prize is not determined by the number of people playing or the amount paid for or raised by the gaming - the prize is determined by the operator before play commences.

5.13.2 Consideration will be given to the following factors:

- proximity of premises to schools and vulnerable adult centres (e.g. a centre for gambling addicts);
- proximity to residential areas where there may be a high concentration of families with children;
- town centre or edge of town centre locations.

5.13.3 It should be noted that a permit cannot be issued in respect of a vessel or a vehicle.

5.13.4 The applicant must be 18 years of age or over. Relevant convictions will be taken into account, especially with respect to child protection issues.

5.14 Travelling Fairs

5.14.1 Provided a travelling fair allows only category D gaming machines to be made available, and the facilities for gambling (whether by way of gaming machines or otherwise) amount together to no more than an ancillary amusement at the fair, then no application for a licence is required under the Act. The Authority will want to satisfy itself from time to time that gambling at a travelling fair is within the definition of section 286 of the Act. A guide for those wishing to operate gambling machines at travelling fairs is available on the Commission website.

5.15 Small Society Lotteries

5.15.1 Small society lotteries are distinguished from large society lotteries by the amount of the proceeds that they generate. A lottery is small if the total value of tickets put on sale in a single lottery is £20,000 or less and the aggregate value

of the tickets put on sale in a calendar year is £250,000 or less. Other lotteries are dealt with by the Gambling Commission.

5.15.2 Small society lotteries are required to be registered with the local authority in the area where their principal office is located.

5.16 Temporary Use Notices

5.16.1 Premises which are not licensed for gambling may be used by a licensed operator for an aggregate period of 21 days in 12 months for prescribed types of gambling. In order to do so, the operator must serve a temporary use notice (or notices) on the Authority, the Commission and the Police. These are the only bodies who may object to such a notice. There are a number of statutory limits as regards Temporary Use Notices. It is noted that it falls to the Authority to decide what constitutes a “set of premises” where Temporary Use Notices are received relating to the same building/site (see Gambling Commission’s Guidance to Licensing Authorities).

5.17 Occasional Use Notices

5.17.1 Betting on unlicensed tracks may be authorised for up to 8 days in a calendar year by the service of occasional use notices by the occupier of the track or the person responsible for the administration of the event. The Authority has very little discretion as regards these notices aside from ensuring that the statutory limit of eight days in a calendar year is not exceeded. The Authority will need to consider whether a Notice in respect of premises can be dealt with under the definition of a “Track”. It will also need to consider whether the Applicant is permitted to avail him/herself of the notice, however, there is no provision for objections to be made to this type of activity or for it to be prohibited.

5.18 Casinos

5.18.1 The Authority has passed a “no Casino resolution” under Section 166 of the Gambling Act 2005. This means that it has taken the decision not to issue any casino premises licences in the district of Newark and Sherwood. This resolution shall take effect from January 2022 and shall remain in force unless a resolution is passed revoking the “no Casino resolution”.

5.19 Bingo

5.19.1 The holder of a bingo operating licence can apply for a bingo premises licence to provide any type of bingo game, including cash and prize bingo. Commercial bingo halls will also require a bingo premises licence from the Authority.

5.19.2 If the only type of bingo to be provided is prize bingo then this may be authorised by way of permit.

5.19.3 If children are allowed to enter premises licensed for bingo it is important that that they do not participate in gambling, other than on category D machines.

Where category C or above machines are available in premises to which children are admitted the Authority will expect to see that:

- all such machines are located in an area of the premises separate from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance;
- only adults (over 18s) are admitted to the area where the machines are located;
- access to the area where the machines are located is supervised;
- the area where the machines are located is arranged so that it can be observed by staff of the operator or the licence holder; and
- at the entrance to, and inside any such an area, there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.

5.19.4 The Gambling Commission has issued guidance about the need for licensing authorities to take into account the suitability and layout of bingo premises. Therefore, plans should make clear what is being sought for authorisation under the bingo premises licence and what, if any, other areas are to be subject to a separate application for a different type of premises licence. It would be helpful to the Authority and the Responsible Authorities if the plans were marked using a colour-coded scheme or at a minimum by use of a key to denote the use of those areas shown. The Gambling Commission has issued guidance on the division of a building into more than one premises which can be found at www.gamblingcommission.gov.uk.

5.19.5 A limited number of gaming machines may also be made available at bingo licensed premises.

5.19.6 Bingo is a class of equal chance gaming and is permitted in alcohol licensed premises and in clubs, provided it remains below a certain threshold as directed by the law, otherwise it will require a bingo operating licence which will have to be obtained from the Gambling Commission.

5.19.7 Developers may wish to apply to the Authority for a provisional statement before entering into a contract to buy or lease property or land to judge whether a development is worth taking forward in the light of a need to obtain a premises licence. There is no need to hold an operating licence in order to apply for a provisional statement.

6. INSPECTION AND ENFORCEMENT

6.1 General Statement

- 6.1.1 The authority will have regard to its Corporate Enforcement Policy, the relevant provisions of the Act, any relevant guidance and / or codes of practice when considering taking enforcement action. It will also have regard to the Regulators' Code.
- 6.1.2 It is the intention of the Authority to establish and maintain enforcement protocols with other enforcement agencies.

6.2 Inspections

- 6.2.1 The authority will inspect gambling premises and facilities for compliance with the Act and any licence conditions through the application of a risk based inspection programme.
- 6.2.2 The inspection programme will, in principle, operate a light touch in respect of low-risk premises whilst applying greater attention to those premises which are considered to present a higher risk.
- 6.2.3 In addition to programmed inspections, the Licensing Authority will also investigate any evidence based complaints that it receives.

6.3 Policy Four

- 6.3.1 **The authority will adopt a risk based assessment approach for determining the frequency of compliance inspections. The risk rating will be based broadly on the following factors:**

- **location of the premises and their impact on the surrounding area;**
- **enforcement history of the premises;**
- **nature of the licensed or permitted operation;**
- **potential to have an adverse effect on the licensing objectives;**
- **management record; and**
- **the local risk assessment.**

REASON: To provide a targeted and cost efficient enforcement service which will encourage and improve operating practice, promote the licensing objectives, and drive out poor practices; whilst at the same time meet accepted best practice principles of compliance inspection.

6.4 Enforcement

6.4.1 In general, the Gambling Commission will take the lead on the investigation and where appropriate, the prosecution of illegal gambling. There may be occasions in which the Licensing Authority is better placed to take the lead, particularly where there is illegal activity on a smaller scale confined to the Authority's area.

6.4.2 Where a licensed premises is situated in more than one administrative area then this authority will liaise with the other authority to determine the most appropriate course of action and who will lead any investigation or prosecution.

6.4.3 Part 15 of the Act gives "authorised persons" power of investigation and section 346 enables Licensing Authorities to institute criminal proceedings in respect of offences described in that section. In exercising these functions the Authority will have regard to the relevant provisions of the Gambling Act 2005, national guidance, relevant codes of practice, and the enforcement policy of the Council.

6.4.4 The Authority will endeavour to follow the principles of better regulation. The principles require that enforcement should be:

- **Proportionate:** regulators should only intervene when necessary. Remedies should be appropriate to the risk posed, and costs identified and minimised;
- **Accountable:** regulators must be able to justify decisions, and be subject to public scrutiny;
- **Consistent:** rules and standards must be joined up and implemented fairly;
- **Transparent:** regulators should be open, and keep regulations simple and user friendly; and
- **Targeted:** regulation should be focused on the problem, and minimise side effects.

6.4.5 The Licensing Authority will work closely with the Gambling Commission and exchange information on suspected illegal gambling and any proposed action that the Authority considers necessary.

6.4.6 The main enforcement and compliance role for the Licensing Authority in terms of the Gambling Act 2005 will be to ensure compliance with the premises licences and other permissions which it authorises. The Gambling Commission will be the enforcement body for Operator and Personal Licences. It is also worth noting that concerns about manufacture, supply or repair of gaming machines will not be dealt with by the Licensing Authority but will be notified to the Gambling Commission.

- 6.4.7 The Authority may institute proceedings in respect of a number of offences as identified in Section 346 of the Act.
- 6.4.8 The Authority will avoid duplication with other regulatory regimes.

Glossary of Terms

Many of the terms used in this Statement of Gambling Policy are defined in the appropriate section of the Act. Section 353 identifies various terminologies and directs the reader to the relevant section of the Act, where appropriate, for a full and complete meaning of the term.

In the interests of clarity the following terms, which are used in this Statement of Gambling Policy, are defined below.

Terminology	Definition
"the Act"	The Gambling Act 2005 (c19)
"Authority"	This refers to the "licensing authority" as defined by section 2 of the Act
"authorised person"	An officer of a licensing authority, and an officer of an authority other than a licensing authority, both of whom have been authorised for a purpose relating to premises in that authority's area
"authorised local authority officer"	An officer of a licensing authority who is an authorised person for a purpose relating to premises in that authority's area
"gambling commission"	An organisation established under section 20 of the Act that is responsible for regulating gambling in Great Britain
"guidance"	"Guidance to licensing authorities", issued by the gambling commission under section 25 of the Gambling Act 2005
"interested parties"	Defined at paragraph 2.3 of this statement of licensing principles
"mandatory condition"	A condition that must be placed on a licence by virtue of regulations
"regulations"	Refers to regulations made under the Gambling Act 2005
"responsible authorities"	Public bodies that must be notified of applications for premises licences and they also have the right to make representations in relation to those applications. They are listed in full in section 157 of the Act.

Appendix One

List of Bodies and Organisations Consulted

1. District Councillors
2. Directors and relevant Business Managers
3. Betting Shops/Bookmakers
4. Bingo Halls
5. Amusement Arcades
6. Racing Grounds
7. Parish & Town Councils
8. Town Centre Partnerships
9. ~~Pub Watch~~ Pubwatch
10. Nottinghamshire Police
11. Nottinghamshire Fire & Rescue
12. Licensing Solicitors
13. Gamblers Anonymous
14. NCC – Children’s Directorate
15. Citizens Advice Bureau
16. British Casino Association
17. Casino Operators Association of the U.K.
18. British Amusement Catering Trades Association
19. The Bingo Association
20. British Beer & Pub Association Midlands
21. Association of British Bookmakers
22. Gambling Commission
23. H.M. Revenue & Customs
24. Newark & Sherwood Primary Care Trust
25. Members of Parliament

Appendix Two

Gambling Act Responsible Authorities

1 Licensing Section
Newark & Sherwood District Council
Castle House
Newark
NG24 1BY

2 The Gambling Commission
Victoria Square House
Victoria Square
Birmingham
B2 4BP

3 The Chief Constable of Nottinghamshire
Nottinghamshire Police
HQ (CJ) Liquor Licensing
Mansfield Police Station
Great Central Road
Mansfield
NG18 2HQ

4 Environmental Services
Newark & Sherwood District Council
Castle House
Newark
NG24 1BY

5 Environment Agency
Trentside Offices
West Bridgford
Nottingham
NG2 5FA

6 Project Manager Safeguarding Children
Social Services Department
Children & Young People
Nottinghamshire County Council
County Hall
West Bridgford
NG2 7QP

7 HM Revenue & Customs.
Gambling Team
Excise Processing Teams
BX9 1GL

8 Nottinghamshire Fire & Rescue Service
Fire Protection North Group
Mansfield Fire Station
Rosemary Street
Mansfield
NG19 6AB

9 The Head of Planning
Newark & Sherwood District Council
Castle House
Newark
NG24 1BY

Appendix Three

Gaming Machine Categories

Category of machine	Maximum "Stake"	Maximum Prize
A	Unlimited	Unlimited
B1	£5	£10,000*
B2	£2	£500
B3	£2	£500
B3A	£2	£500
B4	£2	£400
C	£1	£100
D - non-money prize (other than a crane grab machine)	30p	£8
D - non-money prize (crane grab machine)	£1	£50
D (money prize)	10p	£5
D - combined money and non-money prize (other than a coin pusher or penny falls machine)	10p	£8 (of which no more than £5 may be a money prize)
D - combined money and non-money prize (coin pusher or penny falls machine)	20p	£20 (of which no more than £10 may be a money prize)

*With option of max £20,000 linked progressive jackpot on premises basis only.

Gaming Machines per Premises Type

Premises type	Machine category						
	A	B1	B2	B3	B4	C	D
Large casino(machine/table ratio of 5-1 up to maximum)		Maximum of 150 machines	Maximum of 150 machines	Any combination of machines in categories B to D (except B3A machines), within the total limit of 150 (subject to machine/table ratio)	Any combination of machines in categories B to D (except B3A machines), within the total limit of 150 (subject to machine/table ratio)	Any combination of machines in categories B to D (except B3A machines), within the total limit of 150 (subject to machine/table ratio)	Any combination of machines in categories B to D (except B3A machines), within the total limit of 150 (subject to machine/table ratio)
		Any combination of machines in categories B to D (except B3A machines), within the total limit of 150 (subject to machine/table ratio)	Any combination of machines in categories B to D (except B3A machines), within the total limit of 150 (subject to machine/table ratio)				

Small casino (machine/table ratio of 2-1 up to maximum)	Maximum of 80 machines	Maximum of 80 machines	Maximum of 80 machines	Any combination of machines in categories B to D (except B3A machines), within the total limit of 80 (subject to machine/table ratio)	Any combination of machines in categories B to D (except B3A machines), within the total limit of 80 (subject to machine/table ratio)	Any combination of machines in categories B to D (except B3A machines), within the total limit of 80 (subject to machine/table ratio)
	Any combination of machines in categories B to D (except B3A machines), within the total limit of 80 (subject to machine/table ratio)	Any combination of machines in categories B to D (except B3A machines), within the total limit of 80 (subject to machine/table ratio)	Any combination of machines in categories B to D (except B3A machines), within the total limit of 80 (subject to machine/table ratio)			
Pre-2005 Act casino(no machine/table ratio)	Maximum of 20 machines categories B to D (except B3A machines), or any number of C or D machines instead	Maximum of 20 machines categories B to D (except B3A machines), or any number of C or D machines instead	Maximum of 20 machines categories B to D (except B3A machines), or any number of C or D machines instead	Maximum of 20 machines categories B to D (except B3A machines), or any number of C or D machines instead	Maximum of 20 machines categories B to D (except B3A machines), or any number of C or D machines instead	Maximum of 20 machines categories B to D (except B3A machines), or any number of C or D machines instead
Betting premises and tracks occupied by pool betting		Maximum of 4 machines categories B2 to D (except B3A machines)	Maximum of 4 machines categories B2 to D (except B3A machines)	Maximum of 4 machines categories B2 to D (except B3A machines)	Maximum of 4 machines categories B2 to D (except B3A machines)	Maximum of 4 machines categories B2 to D (except B3A machines)

Bingo premises				Maximum of 20% of the total number of gaming machines which are available for use on the premises categories B3 or B4	Maximum of 20% of the total number of gaming machines which are available for use on the premises categories B3 or B4	Maximum of 20% of the total number of gaming machines which are available for use on the premises categories B3 or B4	No limit on category C or D machines
Adult gaming centre				Maximum of 20% of the total number of gaming machines which are available for use on the premises categories B3 or B4	Maximum of 20% of the total number of gaming machines which are available for use on the premises categories B3 or B4	Maximum of 20% of the total number of gaming machines which are available for use on the premises categories B3 or B4	No limit on category C or D machines
Licensed family entertainment centre							No limit on category C or D machines
Family entertainment centre (with permit)							No limit on category D machines
Clubs or miners' welfare institute (with permits)				Maximum of 3 machines in categories B3A or B4 to D	Maximum of 3 machines in categories B3A or B4 to D	Maximum of 3 machines in categories B3A or B4 to D	Maximum of 3 machines in categories B3A or B4 to D
Qualifying alcohol-licensed premises						1 or 2 machines of category C or D automatic upon notification	1 or 2 machines of category C or D automatic upon notification

Qualifying alcohol-licensed premises (with licensed premises gaming machine permit)						Number of category C-D machines as specified on permit	Number of category C-D machines as specified on permit
Travelling fair							No limit on category D machines

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of **Cabinet** held in the Civic Suite, Castle House, Great North Road, Newark, NG24 1BY on Monday, 4 November 2024 at 6.00 pm.

PRESENT: Councillor P Peacock (Chair)

Councillor R Cozens, Councillor S Crosby, Councillor L Brazier,
Councillor C Penny, Councillor P Taylor and Councillor R Holloway

ALSO IN ATTENDANCE: Councillor N Allen, Councillor I Brown, Councillor S Forde and
Councillor P Rainbow

APOLOGIES FOR ABSENCE: Councillor E Oldham

188 NOTIFICATION TO THOSE PRESENT THAT THE MEETING WILL BE RECORDED AND STREAMED ONLINE

The Leader advised that the proceedings were being audio recorded and live streamed by the Council.

189 DECLARATIONS OF INTEREST FROM MEMBERS AND OFFICERS

Councillor L Brazier declared an Other Registerable Interest in Agenda Item No. 7 – Sherwood Levelling Up, Long Term Plan for Towns Fund and UKSPF / UKRPF Fund Update as a Member of Ollerton & Boughton Town Council.

190 MINUTES FROM THE PREVIOUS MEETING HELD ON 24 SEPTEMBER 2024

The minutes from the meeting held on 24 September 2024 were agreed as a correct record and signed by the Chair.

191 CHAIR'S UPDATE

The Chair advised that further to the motion agreed by the Full Council on 15 October, he had worked with the Leader of largest opposition group to write to the Chancellor of the Exchequer urging a review of the threshold for Winter Fuel Allowance eligibility.

192 COST RECOVERY FOR RE-INSPECTION UNDER THE NATIONAL FOOD HYGIENE RATING SCHEME (KEY DECISION)

The Portfolio Holder for Public Protection & Community Relations introduced a report which outlined a proposed charging system which could be implemented to enable a fee to be levied for a request for a re-score under the Food Hygiene Rating Scheme. The Business Manager – Public Protection reported that the fixed fee of £176 for re-inspection and associated re-score under the Scheme was based upon a cost recovery calculation with between 20 and 30 requests anticipated each year.

AGREED (unanimously) that Cabinet approve:

- a) the introduction of a flat fee charge of £176 for re-rating inspection visits on a full-cost recovery basis, with effect from 1 April 2025 in accordance with the fee calculations; and
- b) the incorporation of the new fee into the annual fees and charges review to be undertaken each year as part of the budget setting process to ensure the fee continues to be based on cost recovery.

Reasons for Decision:

The re-inspections will provide businesses with an option to request a re-score visit after one month rather than wait for three months. This would be charged on a cost recovery basis and would allow businesses to improve their score quicker.

Options Considered:

Do nothing – food businesses would continue to receive a re-score but this would be in line with the FHRs Brand guidance and will only be after at least 3 months has expired.

193 SHERWOOD LEVELLING UP, LONG TERM PLAN FOR TOWNS FUND AND UKSPF / UKRPF FUND UPDATE (KEY DECISION)

The Portfolio Holder for Sustainable Economic Development introduced the report which gave an update on the status of various grant funding streams including Newark Towns Fund, Levelling Up Fund 1, UK Shared Prosperity Fund, Long Term Plans for Towns and Levelling Up Fund 3.

In presenting the report, the Director – Planning & Growth gave an update on the latest delivery position in respect of the four key funding programmes and confirmed that the recommendations had been written in anticipation of central government budget proposals being ratified, which was now confirmed following the budget statement.

AGREED (unanimously) that Cabinet:

- a) notes the contents of the report, including the updates associated with each funding programme, as well as future anticipated updates detailed within this report;

Levelling Up Fund 3 Grant from Government

- b) delegated authority be given to the Director - Planning & Growth and Deputy Chief Executive and Director - Resources, to accept a potential future LUF 3 grant offer via an Memorandum of Understanding, following a legal assessment of the terms and conditions of grant funding, in accordance with paragraph 1.20 of the report;

Ollerton Project:

- c) approves an initial release of £500,000 of any LUF 3 grant when received in accordance with b) above, subject to a legal review of the terms and conditions of the grant funding and in accordance with paragraph 1.22 of the report;

- d) subject to b) above, delegated authority be given to the Business Manager - Economic Growth & Visitor Economy of additional spend from the approved Capital Budget beyond the £500,000 detailed in c) above, subject only to securing legal control of the required land, subject to planning, securing a match funding resolution to any funding gap, in accordance with paragraph 1.22 of the report;

Clipstone Project:

- e) delegated authority be given to the Business Manager - Economic Growth & Visitor Economy to approve spend of the in principle capital budget for Clipstone Phases 1-3, subject only to: 1) receipt of the full LUF 3 grant from Government as detailed in b) above; 2) no demonstrable funding gap to deliver the scheme in accordance with the Council's approved Capital budget; and 3) all required land-take to deliver that phase of the scheme being secured or within control of the District Council in accordance with paragraph 1.23 of the report;

Long Term Plan for Towns Fund

- f) delegated authority be given to the Director - Planning & Growth and Deputy Chief Executive and Director - Resources, in consultation with the Newark Town Board, to accept a future Long Term Plan for Towns Fund grant offer of up to £20 million, subject to a review of the terms and conditions, new guidance and the submission of the Investment Plan; and
- g) delegated authority be given to Deputy Chief Executive and Director - Resources, in consultation with the Newark Town Board, to approve grant awards in accordance with the Newark Town Board's Assurance Framework and Long-Term Plan for Towns Investment Plan as detailed at paragraph 1.13 and Annex 1 of the report.

Reasons for Decision:

To ensure Members are aware of the recent updates and developments associated with key funding programmes and to enable funding streams to progress, despite delays with funding announcements to date, within Government timescales as required.

Options Considered:

If LUF3 and LTPfT grant funding is forthcoming it remains open to this Council to refuse to accept it or engage. This would represent a missed opportunity to delivery genuine and impactful transformative change in the communities of Ollerton, Clipstone and Newark.

194 ACTIVE TRAVEL FEASIBILITY REPORT (KEY DECISION)

The Business Manager - Regeneration & Housing Strategy presented a report which gave an update on the progress made with the active travel feasibility report and sought approval to adopt the report as a formal component within the Council's evidence base.

The purpose of the feasibility report was to strengthen the Council's evidence base to support future regeneration activities, policy development and the agenda of long-term development plans. The report identified opportunities to improve the district's infrastructure to enable communities to walk, wheel and cycle more often.

AGREED (unanimously) that Cabinet note the report and agrees:

- a) to adopt the feasibility report as at Appendix A as a key component of our evidence base to support future funding applications; provide strength to our S106 pipeline of projects; enhance policy development, and heighten the role of Newark and Sherwood District Council and its ongoing commitment to the active travel agenda; and
- b) to endorse ongoing partnership work with Nottinghamshire County Council, Active Travel England and relevant partners to support early exploratory work through future feasibility studies within the recommended priority areas where funding for these has been secured.

Reasons for Decision:

Adopting the feasibility study will allow Newark and Sherwood District Council and partners to make informed decisions on shaping and enhancing the district through physical infrastructure improvements. This improved connectivity will not only enable communities to move more through walking, wheeling and cycling opportunities, in line with the Council's Community Plan, but it will also support and improve the physical and mental wellbeing of our communities, and contribute towards the reduction in vehicular congestion and emissions across the district.

Options Considered:

That the feasibility report is not formally adopted by Members. This approach has been dismissed due to the strength the feasibility report provides for future work on the priority areas (in partnership with Nottinghamshire County Council as Highway Authority), and the strengthened position of the Council should future funding opportunities present themselves through the East Midlands Combined County Authority (EMCCA) and newly appointed Mayor, by having a broad concept of projects at the ready for further feasibility work.

195 LOCALISED COUNCIL TAX SUPPORT SCHEME 2025/26

The Business Manager – Revenues and Benefits presented a report in relation to the continuation of the Localised Council Tax Support Scheme for 2025/26 with minor changes in accordance with the annual uprating amounts applied by the Department for Works and Pensions (DWP). By applying the annual uprating of income and disregards to the 2025/26 scheme, the Council would continue to maintain the current level of support to all Council Tax Support claimants and ensure that the scheme continues to benefit the most vulnerable and low-income households using nationally recognised rates of DWP income rather than continuing with the 2024 rates that were being used in the current scheme.

AGREED (unanimously) that Cabinet recommends to Full Council the uprating of the applicable amounts, premiums, state benefits and disregard criteria in accordance with the annual uprating amounts applied by the Department for Works & Pensions (DWP); whilst continuing the current Localised Council Tax Support Scheme for 2025/26 financial year.

Reasons for Decision:

To ensure the Council discharges its responsibilities to agree its Council Tax Support scheme by 31 January 2025.

Options Considered:

An alternative option would be to increase the maximum award of 80% - the cost of doing this has been considered within the financial implications section in the report.

196 MUSIC DEVELOPMENT - HERITAGE, CULTURE AND THE ARTS

The Portfolio Holder for Heritage, Culture & the Arts presented a report which updated Members on the progress with music development in the District. During the budget setting process an additional £80,000 was included in the budget for additional activity in this area. In May 2024 the first 'Alive with Music' event was held with a follow up event in October. At the second event the Business Manager – Heritage & Culture presented draft proposals for strategic music development for feedback.

The report included at Appendix A, draft proposals with indicative costings at Appendix B. Key elements included the recruitment of a temporary freelance music network co-ordinator to drive this work forward. The draft proposal included the creation of a Newark & Sherwood music Forum which would bring interested parties together to co-create opportunities for collaboration. The proposals covered a six-month period extending into 2025/26.

AGREED (with 6 votes for and 1 against) that Cabinet:

- a) approve the proposal for music development through use of the existing community plan objectives budget within the Heritage & Culture Business Unit; and
- b) acknowledge the requirement for a carry forward into 2025/26 to complete delivery of the proposals

Reasons for Decision:

These recommendations align to objective 7 of the Community Plan – to celebrate and invigorate community spirit, pride of place and a sense of belonging – and in particular the actions to 'champion and promote the arts, culture and heritage through the enjoyment of music and arts' and to 'explore opportunities for having themed music and art events that focus on individual communities that celebrate diversity in the district'.

Options Considered:

The revised Community Plan, 2023-27, placed an increased emphasis on music in the district and this was supported with additional, non-recurring money in 2024/2025. Doing nothing was therefore not deemed to be a viable option, whilst the nature of the funding meant it was not possible to recruit permanent resources.

197 YORKE DRIVE - EQUITY LOAN OFFER (KEY DECISION)

The Business Manager – Regeneration & Housing Strategy presented a report which sought approval for an equity loan model as part of the decant strategy to facilitate the Yorke Drive regeneration scheme. As part of the scheme the Council had committed to provide a shared ownership option for existing homeowners on the estate whose property fell within the demolition zone. The model proposed (set out at Appendix 1 to the report) was an equity loan model whereby the Council would loan the homeowner the difference between the cost of their new (like for like) property and the value they had realised from the sale of their existing property (including a 10% home loss compensation).

AGREED (unanimously) that Cabinet:

- a) approve, in principle, the equity loan model detailed at Appendix 1 to the report, with delegated authority being granted to the Director - Housing, Health & Wellbeing in consultation with the Section 151 Officer and the Assistant Director - Legal & Democratic Services to finalise the final terms and form of agreement;
- b) delegated authority be given to the Director - Housing, Health & Wellbeing, in consultation with the Director – Resources and Section 151 Officer, to enter into individual equity loan agreements in accordance with the principles detailed in the Appendix; and
- c) re-confirm that delegated authority is granted to the Director of Housing Health and Wellbeing, in consultation with the Director of Resources and the Assistant Director Legal & Democratic Services, to acquire privately owned properties, or enter into option agreements for their acquisition, where essential for land assembly to deliver the Yorke Drive regeneration project.

Reasons for Decision:

To continue the delivery of the Yorke Drive Regeneration Programme, a key action within the Community Plan and delivering overarching transformation for the Bridge Ward.

Options Considered:

A range of alternative shared ownership/ equity models were considered and consulted upon with residents. Details on the alternative options considered were set out in section 2.3.3 of the report.

It remains an option for each homeowner to agree a straightforward sale to the Council, and this will still be offered to homeowners as an alternative to the equity loan arrangement, including provision for 'option agreements' – which allow the homeowner and Council to enter into a legally binding arrangement for the sale to be finalised at an appropriate time in the future.

If the Council fails to reach agreement with any homeowner the alternative is compulsory purchase.

The Director – Planning & Growth presented a report which updated Members on the various developments which formed the Greater Fernwood Strategic Urban Extension (SUE) site and recommended proposals to secure Open Space within Fernwood North (Barratt David Wilson, BDW) being transferred into public ownership via Newark & Sherwood District Council or Fernwood Parish Council.

The report gave the background to the parcels of land in the Greater Fernwood SUE and the approaches to the management and maintenance of the open space and set out proposals for taking on the ownership of the open space for Fernwood North following appropriate agreement with Fernwood Parish Council.

AGREED (unanimously) that Cabinet:

- a) continue to support the approach to securing a ‘No ManCo’ (Management Company) approach for future Open Spaces coming forward as part of Fernwood North (BDW) and Fernwood Central (Allison Homes). This approach shall be secured by S106 variations for both Phases, the details of which to be delegated to the Director – Planning & Growth in consultation with the Assistance Director Legal Services. S106 Agreements shall be subject to standard due diligence clauses covering design, implementation and handover of Open Spaces;
- b) delegated authority be given to the relevant Director and Assistant Director – Legal & Democratic Services authority to seek and secure S106 legal agreements from Fernwood Parish Council and Barratt David Wilson (BDW) to enter into arrangements to secure the future public ownership, management and maintenance of Open Space on the Fernwood North (Barratt David Wilson, BDW) Phases, subject to the terms set out in Exempt Appendix A, save for an additional caveat which allows Fernwood Parish Council (FPC) to take ownership, management and maintenance of Open Space at any time (including prior to any initial land transfer), subject to requisite notice (such period to be agreed) to the District Council;
- c) should FPC elect to own and manage Open Space in accordance with resolution b) above at any time, that the relevant Directors be authorised to underscore the importance of all Open Space across Fernwood (Fernwood Central – Allison Homes, Fernwood North – Persimmon, and Fernwood West (Business Park and Residential) being in a single ownership in order to ensure continuity of responsibility and consistency of service standards across the Parish; and
- d) should FPC elect not to agree the terms detailed in resolution b) above, that a further report and implications be brought to a future Cabinet (no later than January 2025).

Reasons for Decision:

The recommendations align with the Community Plan objectives in relation to access to green spaces, biodiversity, the environment and climate change.

Options Considered:

The existing S106 Planning legal agreements for Fernwood North (Barratt David Wilson, BDW) and Fernwood Central (Allison Homes) are clear that there will be a Management Company for the respective development sites, with each homeowner being subject to an annual charge to pay for the management and maintenance of Open Space.

Fragmentation of ownership, responsibility, and some areas operating under a Management Company has been problematic within Original Fernwood and the Council has previously negotiated with the developers to remove this possibility.

To date both developers have done what was asked and are selling new homes without levying a Management Company charge. To ensure this remains the case the Open Space for each phase of the development must be transferred into public ownership without delay.

Meeting closed at 6.42 pm.

Chair

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of **Policy & Performance Improvement Committee** held in the Civic Suite, Castle House, Great North Road, Newark, NG24 1BY on Monday, 28 October 2024 at 6.00 pm.

PRESENT: Councillor M Pringle (Chair)
Councillor N Ross (Vice-Chair)

Councillor N Allen, Councillor A Brazier, Councillor C Brooks, Councillor S Forde, Councillor A Freeman, Councillor R Jackson, Councillor J Kellas, Councillor S Michael (Substitute), Councillor D Moore, Councillor P Rainbow, Councillor K Roberts, Councillor M Spoons and Councillor T Thompson

IN ATTENDANCE: Councillor L Brazier, Councillor R Cozens, Councillor S Crosby,
Councillor S Haynes and Councillor R Holloway

APOLOGIES FOR ABSENCE: Councillor T Wendels

43 NOTIFICATION TO THOSE PRESENT THAT THE MEETING WILL BE RECORDED AND STREAMED ONLINE

The Chair advised that the meeting was being recorded and live streamed from Castle House.

44 DECLARATION OF INTEREST BY MEMBERS AND OFFICERS

There were no declarations of interest.

45 MINUTES OF THE MEETING HELD ON 2 SEPTEMBER 2024

The minutes from the meeting held on 2 September 2024 were agreed as a correct record and signed by the Chair.

46 CLIMATE EMERGENCY UPDATE

The Committee considered the report of the Environmental Policy & Projects Officer which provided Members with progress of the Climate Emergency Strategy and associated Action Plan. The report set out the background to the declaration of a Climate Emergency in 2019 and the work undertaken since that time resulting in the Council's agreed target for carbon reduction and the development of the Action Plan to deliver the vision outlined in the Climate Emergency Strategy. Details were provided in relation to the initiatives which the Council were committed to which included: the Green Rewards App; Climate Awareness Training; Net Zero Accelerator Training Workshops; Solar PV Installation; Local Area Energy Plan; Energy Efficiency Improvements to Homes; and Electric Vehicle Charge Points. Paragraph 9 of the report provided detailed information as to the monitoring and measuring of the Council's carbon emissions and how this would assist in being accountable to residents. It also enabled identification of areas with high carbon emissions suitable for targeted action.

In considering the report, Members raised a number of queries in relation to; incentives for using alternative methods of travelling to work for staff; use of solar panels and battery storage on Council owned buildings; timeframe for the adoption of using Hydrotreated Vegetable Oil (HVO) fuel; supply and planting of trees in the District; the Council's own energy consumption; engagement with landowners and farmers in relation to biodiversity and tree planning. Members were provided with the information as requested with a written response also being issued.

AGREED that the Annual Update on the progress of the Climate Emergency Strategy and associated Action Plan be noted.

47 TENANT ENGAGEMENT UPDATE - EMBEDDING THE TENANT VOICE

The Committee considered the report and presentation of Tenant Engagement Officers which provided Members with a progress report on tenant engagement methodology and practices together with new activities towards maximum compliance with the new consumer regulation regime.

The report provided Members with the background to the changes to tenant engagement, highlighting that the latest changes were as a result of the introduction of the new consumer standards. Paragraph 1.5 of the report set out the new regulatory framework, listing the grading descriptions for standards compliance. Paragraph 2 of the report provided details of the Council's performance around tenant engagement for 2023/24 in comparison to previous years. Details of the existing tenant engagement framework and the review undertaken were reported together with statistical information on the tenant engagement survey carried out. Details of how the tenant voice at the Council was to be re-engineered following the appointment of the Tenant Participation Advisory Services (TPAS) were reported in paragraphs 6 and 7.

In considering the report, Members raised a number of queries in relation to: the benefits of the 'getting to know you' visits; data collection of tenants who responded with repeat issues; proportion of housing stock in the Sherwood constituency; did tenants in the Sherwood constituency engage with the Council; benchmarking with other local authorities and their engagement with TPAS; recruitment of officers in order to comply with Awaab's Law; possible training session for Members on housing issues in order for them to assist their constituents; and analysis of the type of complaints. Members were provided with the information as requested with a written response also being issued.

AGREED that the following be noted:

- a) the responsibilities of the Council as a housing authority in relation to consumer regulation;
- b) progress and planned engagement with the Tenant Participation Advisory Service on creating a new tenant engagement structure;

- c) feedback from the tenant engagement survey to be used alongside tenant satisfaction measures performance and learning from complaints to inform the workplan for service improvement for the next 18 months;
- d) the way in which the activity in c) above fits in the programme of scrutiny for the Policy & Performance Improvement Committee;
- e) the results of the TPAS re-engineering project will be reported to the Policy & Performance Improvement Committee in June 2025 to scrutinise the detailed action plan and plans for implementation; and
- f) the endorsement for approval by the Tenant Engagement Board and Cabinet.

48 RESIDENTS SURVEY TEMPERATURE CHECK - FINDINGS

The Committee considered the report and presentation of the Transformation & Service Improvement Officer which provided Members with a summary of the findings of the Resident Survey Temperature Check.

The report set out the background to the district wide consultation for the 2022 Resident Survey with details of the number of responses and how these were gathered. It was reported that in July 2024 approval was given to undertake the temperature check with the aim of aligning the survey with the Local Government Association (LGA) project of 'Are You Being Served?'. Details of the approach taken were reported in Paragraph 2 of the report with subsequent paragraphs detailing the topics covered in the questions, how the survey was conducted and the results of the Council's survey against that the LGA.

In considering the report, Members raised a number of queries in relation to: the outcome of Question 15; the demographic of the respondents to Question 9; and were the questions asked in isolation or was context given. Members were provided with the information as requested with a written response also being issued.

AGREED that the following be noted:

- a) the findings of the Resident Survey Temperature Check;
- b) that the Community Plan 2023-2027 set out that it is important to listen to the views of residents; to capture district wide views of residents, using feedback to allow the Council to drive service improvement and deliver services that meet the needs of residents; and
- c) that the Council conducts a district wide consultation every four years, with the next resident survey planned for 2026.

49 PRESENTATION BY COUNCILLOR R. COZENS - PORTFOLIO HOLDER FOR HERITAGE, CULTURE & THE ARTS

The Committee considered the presentation delivered by Councillor Rowan Cozens, the Portfolio Holder for Heritage, Culture & the Arts. Detailed within the presentation were a number of projects undertaken, together with information as to how these were resourced. These included: Daisy Exhibition over Newark Market Place; Book Themed Art Benches; Surfboard Art Installation; Music Around the Forest at Vicar Water Country Park; Polish Community assisting in Curating Local Exhibition at Newark Civil War Centre (NCWC); Alive with Music events; Installation of Community Designed Sculpture at Vicar Water; Photography Competition; Newark-on-Sea; Inflatable Whale Exhibition; Hidden History Walking Tours; Tour of Britain; Activities delivered by NPO; Equality, Equity & Diversity Inclusion Training for all staff; Learning and Participation Events for those with SEND; Restoration of Kidney Stones; Changing Places Style Facility; and the Castle Gatehouse.

In considering the presentation, Members raised a number of queries. Two questions to the Portfolio Holder had been submitted prior to the meeting which had focused on the location of the events and that they appeared to be Newark centric. The Portfolio Holder advised that herself and Officers were actively trying to address this issue but noted that the Palace Theatre, Newark Castle and the NCWC were all based in Newark and as major assets, attracted specific funding. She added that the Alive with Music events had resulted in the development of conversations with residents in the west of district.

A Member acknowledged that whilst the Sherwood constituency did not have the aforementioned major attractions, in terms of visitor numbers, Sherwood Forest attracted a higher volume, suggesting that events to promote the Sherwood Forest experience and Robin Hood be held at the Visitor Centre. The Member also queried whether it was possible to loan bundles of artifacts, taken from the museum's collection, to local schools. In response, the Portfolio Holder advised that she would speak with Officers in this regard.

A Member queried what the latest position was in relation to the appointment of the Senior Tourism & Visitor Economy Officer and how the Destination Management Plan was progressing. The Portfolio Holder advised that she would speak with Officers and provide a response after the meeting.

In referring to the two Alive with Music Events, a Member commented that he had attended both events and had been impressed with the subsequent discussions about the learning and practicing of music, querying how the Portfolio Holder saw the Council being able to assist in the gap created by the lack of funding for this type of activity in education. He noted that this type of learning easily transferred to skills required for future careers but not just in music. In response, the Portfolio Holder advised that there should be a celebration of what was already on offer and that this should be publicised.

In noting the presentation, a Member commented that there was no reference to the income generated by Sherwood Forest or the Showground, adding that the current spend on culture was too high. The Portfolio Holder stated that she would welcome a

fuller conversation with the Member to address his comments. She added that years of austerity had led to a lack of funding for provision of the creative industry, especially for young people and that a continuation of this neglect would be against current trends in both education and Government.

In referring to the responses received to the Residents' Survey, a Member noted that the Heritage, Culture & the Arts Portfolio was the lowest of their priorities. He also referred to the action within the Community Plan in relation to the displaying of artifacts outside of Newark and how this was progressing. In response, the Portfolio Holder commented that it was difficult to ask specific questions in the gathering of data. It was, however, possible to look at footfall and the number of views of an exhibition. It was also possible to view data captured by the Newark Towns Fund, noting that any responses to consultations were only as good as the questions asked and how the responses were interpreted. She added that there were officers who were Newark focused but that events could be held in the Sherwood constituency.

A Member noted that in the finals of the recent BBC Young Musician of the Year contest, none of the finalists had attended a state school. He queried as to what the Portfolio Holder thought was the impact on young people from the lack of funding. In response, the Portfolio Holder commented that schools had been starved of funding for music for a number of years. She added that the amount spent on sport provision should be reviewed, noting that funding would be made available if a talented athlete was identified but that this would not be the case for a talented musician.

In closing the debate, the Chair thanked the Portfolio Holder for her presentation and Members for their questions.

AGREED that Councillor Rowan Cozens, Portfolio Holder for Heritage, Culture & the Arts be thanked for her attendance.

50 DIGITAL STRATEGY WORKING GROUP

NOTED the verbal update of the Chair of the Digital Strategy Working Group, Councillor Neil Ross.

51 FORWARD PLAN OF CABINET - OCTOBER 2024 TO JANUARY 2025

NOTED the Forward Plan of the Cabinet for the period October 2024 to January 2025.

52 MINUTES OF CABINET MEETING HELD ON 10 SEPTEMBER 2024

NOTED the Minutes of the Cabinet meeting held on 10 September 2024.

53 MINUTES OF CABINET MEETING HELD ON 24 SEPTEMBER 2024

NOTED the Minutes of the Cabinet meeting held on 24 September 2024.

54 ITEMS FOR FUTURE MEETINGS

AGREED that the provisional items for future Agendas be noted and that the following be brought to a future meeting of the Committee:

Presentation by Portfolio Holder for Climate & the Environment.

Review of HRA Business Plan Assumptions.

Projected General Fund and Housing Revenue Account and Revenue & Capital Outturn Report to 31.04.25 as at 30.09.24.

Newark Town Fund Update.

Update on Kerbside Glass Recycling.

Update on Outcome of Kidney Stones Consultation.

Meeting closed at 8.21 pm.

Chairman

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of **Policy & Performance Improvement Committee** held in the Civic Suite, Castle House, Great North Road, Newark, NG24 1BY on Monday, 25 November 2024 at 6.00 pm.

PRESENT: Councillor M Pringle (Chair)
Councillor N Ross (Vice-Chair)

Councillor N Allen, Councillor A Brazier, Councillor C Brooks, Councillor S Forde, Councillor A Freeman, Councillor R Jackson, Councillor J Kellas, Councillor D Moore, Councillor P Rainbow, Councillor K Roberts, Councillor M Spoons, Councillor T Thompson and Councillor T Wendels

IN ATTENDANCE: Councillor S Haynes, Councillor J Lee, Councillor S Michael, Councillor E Oldham and Councillor L Tift.

55 NOTIFICATION TO THOSE PRESENT THAT THE MEETING WILL BE RECORDED AND STREAMED ONLINE

The Chair advised that, due to a technical issue, the meeting would not be live streamed. It was, however, still being recorded and requested that Members use their microphones when speaking. He noted that the recording would be published on the Council's website the following day.

56 DECLARATION OF INTEREST BY MEMBERS AND OFFICERS

There were no declarations of interest.

57 MINUTES OF THE MEETING HELD ON 28 OCTOBER 2024

The minutes from the meeting held on 28 October 2024 were agreed as a correct record and signed by the Chair.

58 PROJECTED GENERAL FUND AND HOUSING REVENUE ACCOUNT REVENUE AND CAPITAL OUTFURN REPORT TO 31 MARCH 2025 AS AT 30 SEPTEMBER 2024

The Committee considered the report of the Business Manager – Financial Services which provided Members with the forecast position for the 2024/25 financial year for the Council's General Fund and Housing Revenue Account revenue and capital budgets. The report also provided Members with information as to the performance against the approved estimates of revenue expenditure and income and on major variances from planned budget performance, in accordance with the Council's Constitution.

Details were provided as to the current position (as at 30 September 2024) variances. Table 1 showed a projected favourable variance against the revised budget of £0.421m, with an overall favourable variance of £0.719m that would require transferring to the General Fund reserves. Table 2 provided an overview of projected Housing Revenue Account (HRA) Outturn for 2024/25 with a favourable variance on

the net cost of HRA Services against the revised budget of £0.134m with an overall increase in the forecast transfer to the Major Repairs Reserve of £0.033m. Details of the overview of the Projected Capital Outturn 2024/25 were also provided.

AGREED (unanimously) that:

- a) the General Fund projected favourable outturn variance of £0.719m be noted;
- b) the Housing Revenue Account projected favourable outturn variance of £0.033m to the Major Repairs Reserve be noted; and
- c) the Capital Programme revised budget and financing of £49.467m be noted.

59 REVIEW OF HRA BUSINESS PLAN ASSUMPTIONS

The Committee considered the report of the Business Manager – Financial Services which provided Members with an overview of the key assumptions to be made within the production of the 30-year Housing Revenue Account Business Plan.

The report set out the background to the development and maintenance of the HRA Business Plan, setting out some of the key assumptions which would affect the Plan from an external perspective. Those external factors would then be considered when looking at internal factors e.g. setting of rent, capital improvements or revenue services. The agreed assumptions would then be fed into the overall HRA Business Plan which in turn would form the basis of the HRA Budget and Rent Setting report.

In response to whether the Council was liable for payment of Council Tax on NSDC void properties, the Business Manager confirmed that to be the case.

Members queried whether there had been any changes in the number of properties being sold under the Right to Buy Scheme. The Business Manager advised that the usual annual figure had been between 20-25 but following announcement from central Government in relation to the reduction in discount, the expectation was that this figure would reduce.

Members also queried what impact the number of empty properties on the Yorke Drive Estate had had on Council Tax receipts. The Business Manager advised he would circulate the information.

AGREED (unanimously) that the assumptions presented, to be utilised in the update of the 30-year HRA Business Plan, be endorsed.

60 NEWARK TOWNS FUND UPDATE

The Committee considered the report of the Director – Planning & Growth which provided Members with an update on the progress and achievements of Newark Towns Fund projects. The report set out the background to the awarding of the Town Fund Grant and the selection of the ten priority projects as listed within the report.

Details of the assurance framework were provided together with progress for each of the projects, which included changes to grant profiles following approval of project adjustment requests as detailed within the report.

In considering the report a Member queried the number of apprenticeships delivered at the YMCA's Community Activity Village, noting that it was below the agreed target. In response, Members were advised that the YMCA ran a scholarship programme which was similar to an apprenticeship scheme, but not accredited. Officers assured Members that they would continue to work with the YMCA to ensure the apprenticeship numbers were monitored.

AGREED that the progress made in the delivery of the various Newark Towns Fund projects be noted and welcomed.

61 UPDATE FOR KERBSIDE GLASS RECYCLING SCHEME

The Committee considered the report of the Waste & Recycling Manager which provided Members with information as to the current performance and future risks of the glass recycling project. The report set out that kerbside glass recycling had commenced on 8 April 2024 following a period of 8 weeks when wheeled bins had been distributed. It also provided information as to the take-up of the service by residents and the gradual withdrawal of Glass Recycling UK bottle banks sites across the district. It was reported that where these had high usage, NSDC own glass collection points had been installed. Statistical information was provided as to the amount of glass collected and how this compared favourably to the estimates calculated as the scheme was being developed.

In considering the report Members raised a number of queries in relation to: capturing data as to the number of bins that were not emptied every 8 weeks and the reason for that; information on the future income likely to be realised by glass recycling; issues around capacity at the Newark Lorry Park for the storage of collected glass; use of a sticker to remind residents when their bins were due for collection; contamination of silver bins by residents putting glass in them; the final destination of the glass the Council sells; method used to determine the regularity of collections; and any noise issues from residents due to the emptying of glass bins. The Waste & Recycling Manager provided satisfactory answers to all the points raised by Members within the meeting.

AGREED that:

- a) the current status of the project be noted; and
- b) further updated be provided as required.

62 COMMUNITY PLAN PERFORMANCE UPDATE - Q2

The Committee considered the report of the Transformation & Service Improvement Officer which presented to Members the Quarter 2 Community Plan Performance Report (July to September 2024). Members were asked to review the Community Plan Performance Report attached as Appendix 1 together with the Compliance Report attached as Appendix 2.

In considering the report Members sought further detail on how the Council was working with Nottinghamshire County Council to deliver the Family Hub initiative and how this would continue into the future. The Transformation & Service Improvement Officer advised she would provide a written response to Members.

AGREED that the Community Plan Performance Report Q2 be noted.

63 RESPONSE TO KIDDEY STONES CONSULTATION

The Committee considered the report of the Transformation & Business Improvement Manager which provided Members with the results of the recent consultation on the proposal to site the Kiddey Stones at Castle House. The report set out the background leading to the Cabinet determining to agree, in principle, with the proposals pending a public consultation of the Kiddey Stones being installed at Castle House. The report provided details of the consultation method and the analysis of the results.

In considering the report Members commented on the location chosen for the siting of the stones. Suggestions were made for alternative locations with some Members indicating that should the location be changed, they could support the project.

Members sought clarity on how the project was to be financed, querying which budget it would be funded from and when this had been accounted for. They also raised the issue of: additional costs that would be incurred, should the recommendations of the Police be followed; what the final overall cost of the project would be and what that would cover; and whether alternative funding had been considered.

General comment was made as to whether Cabinet would consider not proceeding with the project in light of the public response; whether a Deed of Gift from Newark Town Council to Newark & Sherwood District Council had been considered; and whether the accuracy of the responses following their analysis could be relied upon.

Councillor J. Lee, who was in attendance at the meeting was invited by the Chair to put forward any comments he would wish to be submitted to Cabinet alongside those of the Committee Members.

All the themes that the Policy & Performance Improvement Committee Members wished Cabinet to consider when reviewing the report were captured, with the Chair relaying these back to the meeting at the end of the discussion.

AGREED that:

- a) the contents of the report and consultation responses as detailed in Appendices A to E be noted; and
- b) the comments, as detailed above, be included in the Kiddey Stones report to the meeting of Cabinet scheduled for 10 December 2024.

64 PRESENTATION BY COUNCILLOR E. OLDHAM - PORTFOLIO HOLDER FOR CLIMATE & THE ENVIRONMENT

The Committee considered the presentation delivered by Councillor Emma Oldham, the Portfolio Holder for Climate & the Environment. Detailed within the presentation were a number of projects undertaken, these included: Climate Change Action Plan; energy generation, energy management and tackling fuel poverty; waste collection and recycling; fleet management and maintenance; air quality; biodiversity and conservation; Council's Tree Strategy; maintenance and enhancement of parks and open spaces; public engagement in relation to the natural environment; and statistical data from the residents' survey.

In noting the presentation, a Member commented that much of the activities undertaken were Newark centric and queried whether it would be possible to work with Edwinstowe Parish Council to assist them in improving their playgrounds for areas where there was no district council provision. She added that events held in Newark were difficult for residents in the west of the district to access as bus services were limited. The Portfolio Holder responded that she was actively pushing for additional funding for district wide activities, noting that access to external funding was limited.

In relation to waste collection, Members made comment on whether data was captured on emptying rates as that would enable a data led provision. Reference was made about potentially including a 'micro-chip' in future bin provision and also whether information was available as to the final destination of recycled materials.

Referring to the Woodland Trust's Tree Equity Score, a Member commented that there was a perception that some areas benefited more than others and queried whether it was possible for information to be circulated on the location of the target areas. The Portfolio Holder advised that the Tree Equity Score was a free online tool. She added that Hawtonville and Brunel Drive were lower than the national average in terms of tree coverage and that Hawtonville had been chosen to find potential locations for new trees.

AGREED that Councillor Emma Oldham, Portfolio Holder for Climate & the Environment be thanked for her attendance.

65 CABINET FORWARD PLAN - NOVEMBER 2024 TO FEBRUARY 2025

NOTED the Forward Plan of the Cabinet for the period November 2024 to February 2025.

66 ITEMS FOR NEXT AGENDA

AGREED that the provisions items for future Agendas be noted and that the following be brought to a future meeting of the Committee:

Bassetlaw and Newark & Sherwood SCO Progress & Performance/Review of Priorities

Portfolio Holder Presentation – Cllr. Susan Crosby

Newark Town Centre Master Plan
Domestic Abuse Housing Alliance Accreditation
Consultation on the Draft Local Nature Recovery Strategy

Meeting closed at 8.58 pm.

Chair

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of **Planning Committee** held in the Civic Suite, Castle House, Great North Road, Newark, NG24 1BY on Thursday, 3 October 2024 at 4.00 pm.

PRESENT: Councillor A Freeman (Chair)
Councillor D Moore (Vice-Chair)

Councillor A Amer, Councillor C Brooks, Councillor K Melton, Councillor E Oldham, Councillor P Rainbow, Councillor M Shakeshaft, Councillor T Smith, Councillor M Spoor, Councillor L Tift and Councillor T Wildgust

ALSO IN ATTENDANCE: Councillor L Brazier, Councillor R Jackson and Councillor P Peacock

APOLOGIES FOR ABSENCE: Councillor L Dales, Councillor P Harris and Councillor S Saddington

58 NOTIFICATION TO THOSE PRESENT THAT THE MEETING WILL BE RECORDED AND STREAMED ONLINE

The Chairman informed the Committee that the Council was undertaking an audio recording of the meeting and that it was being live streamed.

59 DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

Councillors A Freeman and K Melton declared an other registerable interests for any relevant items, as they were appointed representatives on the Trent Valley Internal Drainage Board.

Councillor T Smith declared an other registrable interest as Ward Member for Rainworth South & Blidworth as he had taken part in community meetings in relation to Minute 53 from the last meeting, Land South of Dale Lane, Blidworth.

Councillor D Moore declared an interest in Land at Bowbridge Road, Newark on Trent, noting he resides close to the land in question and left the room when the application was considered.

Mr M Lamb, Director of Planning & Growth declared an interest in Land off Mansfield Road, Clipstone and left the room when the application was considered.

60 MINUTES OF THE MEETING HELD ON 5 SEPTEMBER 2024

AGREED that the minutes of the meeting held on 5 September 2024 to include an omission to Minute 53 Land South of Dale Lane, Blidworth, that the Nottinghamshire County Council Highway to consider to move the speed limit back, the minutes were then signed by the Chair.

61 CHANGE TO ORDER OF APPLICATIONS

The Chair asked the committee to consider a change to the order of the last three applications, item 11 to move up to item 9, item 9 to move down to item 10 and item 10 to move down to item 11. This would not delay proceedings as the change in order meant the last two items did not have any public speakers taking part.

AGREED (unanimously) that the order of applications be taken as agreed.

62 LAND OFF MANSFIELD ROAD, CLIPSTONE - 23/00832/FULM (MAJOR)

The Committee considered the report of the Acting Business Manager – Planning Development, which sought the development of 126 dwellings with open space, landscaping, highways and drainage infrastructure and associated works on land off Mansfield Road, Clipstone.

This application has been referred to the Planning Committee for determination by the local ward member, Councillor Paul Peacock, due to concerns regarding the design of footpath at the perimeter of headstock land leading to Anti-Social Behaviour, too few bungalows, drainage concerns, no details regarding play area, added pressures on local health services, added pressures on education places and added pressure of further junction on Mansfield Road and only one road in and out of the estate.

Councillor Paul Peacock spoke as Local Ward Member and Richard West agent for the applicant spoke in support of the application.

Members considered the presentation from the Acting Business Manager Planning Development, which included photographs and plans of the proposed development.

AGREED that Planning Permission be granted subject to a S106 Agreement and the conditions set out in Section 11 in the report.

63 CHECKERS FARM, PRIORY ROAD, THURGARTON, NG14 7GU - 23/01779/FULM (MAJOR)

The Committee considered the report of the Acting Business Manager – Planning Development, which sought the residential redevelopment of former farm complex comprising the demolition of existing buildings and conversion of agricultural buildings to create 3 dwellings and associated garages at Checkers Farm, Priory Road, Thurgarton, NG14 7GU.

A site visit had taken place prior to the commencement of the Planning Committee, for members as the proposal is particularly contentious, and the aspects being raised can only be viewed on site.

This application is being referred to the Planning Committee for determination, in accordance with the Council's Constitution, because the application is a departure from the Development Plan.

Holly Grant spoke against the application and George Machin agent for the applicant, spoke in support of the application.

Members considered the presentation from the Acting Business Manager Planning Development, which included photographs and plans of the proposed development.

AGREED (unanimously) that Planning Permission be granted subject to the condition(s) detailed at Section 10.0 and the expiry of the press notice.

64 TRENT VALLEY LIVERY LTD, TRENT VALLEY EQUESTRIAN CENTRE, OCCUPATION LANE, FISKERTON, SOUTHWELL, NG25 0TR - 24/00808/FUL

The Committee considered the report of the Acting Business Manager – Planning Development, for the change of use from stables building to single dwelling at Trent Valley Livery Ltd Trent Valley Equestrian Centre Occupation Lane Fiskerton Southwell NG25 0TR.

This application has been referred to the Planning Committee for determination, in accordance with the Council’s Constitution, because the proposal is a departure from the Development Plan.

George Machin agent for the applicant, spoke in support of the application.

Members considered the presentation from the Acting Business Manager Planning Development, which included photographs and plans of the proposed development.

AGREED (unanimously) that Planning Permission be granted subject to the conditions outlined at the end of this report.

65 HENDRE COTTAGE, MAIN STREET, EPPERSTONE, NG14 6AD - 24/00814/HOUSE

The Committee considered the report of the Acting Business Manager – Planning Development for the erection of raised platform with screen fencing and ramp at Hendre Cottage, Main Street, Epperstone, NG14 6AD.

A site visit had taken place prior to the commencement of the Planning Committee, for members to benefit from seeing the site and understanding the context.

Councillor Tom Smith left the meeting

This application is being referred to the Planning Committee for determination by the Development Manager due to personal circumstances that have been put forward by the applicant to be considered as part of the application. Due to reasons of privacy and compliance with the General Data Protection Regulations, full details are not included within the report, however, should members wish to obtain further details then they should contact officers individually.

Councillor Paul Bracegirdle from Epperstone PC along with Councillor Roger Jackson who spoke as Local Ward Member and Colin Wells the applicant spoke in support of the application.

Members considered the presentation from the Acting Business Manager Planning Development, which included photographs and plans of the proposed development.

AGREED it was voted unanimously that contrary to the Officer recommendation the application be approved subject to a condition requiring painting of the structure and legal agreement requiring the removal of the structure once no longer needed.

66 MURPHY PIPELINES LTD, NEWARK ROAD, OLLERTON - 24/00317/FULM (MAJOR)

The Committee considered the report of the Director – Planning & Growth for the extension to and re-development of site to provide new plant and vehicle workshop, welding services workshop, office and training academy, pylon training facility and other associated works at Murphy Pipelines Ltd, Newark Road, Ollerton.

A site visit had taken place prior to the commencement of the Planning Committee, for members to benefit from seeing the site and understanding the context.

This application is being referred to the Planning Committee for determination as it represents a material departure from policy within the Development Plan.

Councillor Lee Brazier spoke as Local Ward Member and the applicant spoke in support of the application.

The Chair indicated that the meeting duration had expired therefore a motion was moved by the Chair and seconded by the Vice Chair to continue the meeting. A motion to continue the meeting was voted on without discussion to continue for a further hour.

Members considered the presentation from the Director – Planning & Growth, which included photographs and plans of the proposed development.

AGREED (unanimously) that Planning Permission be granted, subject to the recommended conditions within Section 10.0 of this report.

67 ROBIN HOOD RETREAT CARAVAN PARK, BELLE EAU PARK, BILSTHORPE, NEWARK ON TRENT NG22 8TY - 24/01146/S73

The Committee considered the report of the Acting Business Manager – Planning Development for the application for removal of condition 04 for the time period for which a person can occupy the pitches for holiday use attached to planning permission 17/00147/FUL; Works to facilitate the siting of up to 15 additional caravans for holiday use (retrospective), at the Robin Hood Retreat Caravan Park, Belle Eau Park, Bilsthorpe, Newark on Trent NG22 8TY.

This application is being referred to the Planning Committee for determination by the local ward member, Councillor Rainbow, on the grounds that:

- The removal of the condition (4) would enable the site to become a permanent residential site which would have an impact on local tourism trade. Tourism is important to us all, it generates, revenue, jobs and in some cases

supports communities. Visitor 'turn-over' is vital for the surrounding area and its attractions.

- Environmental concerns regarding the effect a further 15 pitches would have on the current sewage system.

Members considered the presentation from the Acting Business Manager Planning Development, which included photographs and plans of the proposed development.

AGREED that Planning Permission be granted subject to the conditions detailed at Section 10.0.

68 LAND AT BOWBRIDGE ROAD, NEWARK ON TRENT - 24/00618/FUL

The Committee considered the report of the Acting Business Manager – Planning Development for the proposal of 5 bungalows on land at Bowbridge Road, Newark On Trent.

This application is being referred to the Planning Committee for determination in line with the Scheme of Delegation, as the applicant is Newark and Sherwood District Council.

Members considered the presentation from the Acting Business Manager Planning Development, which included photographs and plans of the proposed development.

AGREED (unanimously) that Planning Permission be granted subject to the Conditions set out at Section 10.0 of this report.

69 APPEALS LODGED

AGREED that the report be noted.

70 APPEALS DETERMINED

AGREED that the report be noted.

Meeting closed at 7.44 pm.

Chair

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of **Planning Committee** held in the Civic Suite, Castle House, Great North Road, Newark, NG24 1BY on Monday, 14 October 2024 at 6.00 pm.

PRESENT: Councillor A Freeman (Chair)
Councillor D Moore (Vice-Chair)

Councillor A Amer, Councillor C Brooks, Councillor L Dales, Councillor K Melton, Councillor E Oldham, Councillor P Rainbow, Councillor S Saddington, Councillor M Shakeshaft, Councillor T Smith, Councillor L Tift and Councillor T Wildgust

ALSO IN

ATTENDANCE: Councillor S Forde, Councillor J Lee

70 NOTIFICATION TO THOSE PRESENT THAT THE MEETING WILL BE RECORDED AND STREAMED ONLINE

The Chair informed the Committee that the Council was undertaking an audio recording of the meeting and that it was being lived streamed.

71 DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

Councillors L. Dales, A Freeman and K Melton declared an other registerable interests for any relevant items, as they were appointed representatives on the Trent Valley Internal Drainage Board.

72 LOCAL IMPACT REPORT A46 NEWARK BYPASS

The Committee considered the report of the Acting Business Manager – Planning Development, which considered the local impact report A46 Newark Bypass and sought Member approval for the submission of the report to the Examining Authority.

Given the scale and complexity of this project, there was a lengthy process involved. To date, there had been non-statutory public consultation (December 2020), statutory consultation (October 2022), and various technical consultations and negotiations with this Council and other Councils, alongside affected landowners and communities along the route of the proposed Bypass. National Highways submitted a Development Consent Order (DCO) earlier this year with the formal acceptance having been made by the Planning Inspectorate on the 23 May 2024.

The developer/applicant had to apply to the Planning Inspectorate for a different permission called a Development Consent Order (DCO), instead of applying to the local authority for Planning Permission in the normal way. A DCO followed a strict timetable and procedure as set out by the Planning Inspectorate and removed the need to obtain several separate consents and was intended to be a quicker process. The final decision would be taken by the Secretary of State, the elected minister with responsibility for the area of policy.

The Local Impact Report had to be submitted to the ExA by Deadline 1 as outlined in the Rule 6 letter which was 22 October 2024. A Hearing would take place 2 December 2024 and 14 February 2025.

Councillor J Lee (Local Ward Member Balderton North & Coddington) spoke in support of the application.

A schedule of communication was circulated prior to the meeting which detailed correspondence received following publication of the agenda from TownLegal and AECOM (via Nottinghamshire County Council).

The Planning Chair thanked the Planning Team for their work on this informative report.

The Director Planning & Growth informed the Committee that the Council's role was to help the Secretary of State to decide whether this scheme was acceptable. Members had a role of adding value, which can be achieved through representations. It was perfectly legitimate for the Council not to have all the answers, but to be involved and have a role in the process.

Members considered the Local Impact Report and the following suggestions were raised:

- Impact on Winthorpe School
- Choice of road surface for noise mitigation
- Additional traffic from other developments including commercial projects on the A17/showground
- Construction and phasing for the purposes of flooding, lighting details, columns, and exploration of low energy solution
- Additional cross sections between Brownhills and Cattlemarket roundabouts to show impact on St. Marys church
- Emergency services and traffic management detailing people and green corridors and movements across the site
- How many new footpaths
- Pedestrians access from Winthorpe Village across the A46 to Newark showground

It was also confirmed that the construction time would be 2025 if started on time and completed 2029. The scheme would cost circa half a billion (tier 1 scheme).

AGREED (unanimously) that Members approve the submission of the Local Impact Report to the Examination Authority, with the delegation to the Planning Committee Chair and or Vice Chair and the Director for Planning and Growth to approve any amendments to the report before

submission in line with the comments raised and other outstanding amendments.

Meeting closed at 7.26pm

Chair

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of **Planning Committee** held in the Civic Suite, Castle House, Great North Road, Newark, NG24 1BY on Monday, 11 November 2024 at 4.00 pm.

PRESENT: Councillor A Freeman (Chair)
Councillor D Moore (Vice-Chair)

Councillor A Amer, Councillor L Dales, Councillor S Forde, Councillor P Harris, Councillor K Melton, Councillor E Oldham, Councillor P Rainbow, Councillor S Saddington, Councillor M Shakeshaft, Councillor L Tift and Councillor T Wildgust

ALSO IN ATTENDANCE: Councillor N Allen, Councillor S Crosby, Councillor J Hall, Councillor R Holloway, Councillor R Jackson, Councillor J Lee

APOLOGIES FOR ABSENCE: Councillor C Brooks and Councillor T Smith

73 NOTIFICATION TO THOSE PRESENT THAT THE MEETING WILL BE RECORDED AND STREAMED ONLINE

The Chair informed the Committee that the Council was undertaking an audio recording of the meeting and that it was being live streamed.

74 DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

Councillors A Freeman, L Dales and K Melton declared an other registrable interest for any relevant items, as they were appointed representatives on the Trent Valley Internal Drainage Board.

Councillor K Melton informed the Planning Committee that he was not predetermined on Items 6 - Land Adjacent Hayfield Cottage, Lowfield Lane, Balderton (22/02375/FULM), 7- Land West of Staythorpe Electricity Substation, Staythorpe Road, Staythorpe (24/01261/FULM) and 10 – Land at Greenaway, Rolleston (24/00402/FUL), as he represented Trent Ward.

Councillor D Moore informed the Planning Committee that he had expressed a view in the past regarding Item 6 – Land Adjacent Hayfield Cottage, Lowfield Lane, Balderton (22/02375/FULM), but did not reach the bar of predetermination as coming to the meeting with an open mind willing to listen to the representations and debate before forming a view.

Councillor S Forde commented that he was not predetermined regarding Item 6 - Land Adjacent Hayfield Cottage, Lowfield Lane, Balderton (22/02375/FULM), as he represented Balderton South Ward.

Councillor S Saddington informed the Planning Committee that she represented both villages Balderton and Rolleston, as a Nottinghamshire County Councillor, but was not predetermined on either application: Items 6 - Land Adjacent Hayfield Cottage, Lowfield Lane, Balderton (22/02375/FULM), and 10 - Land at Greenaway, Rolleston

(24/00402/FUL).

Councillor M Shakeshaft declared an other registrable interest in relation to Item 6 – Land Adjacent Hayfield Cottage, Lowfield Lane, Balderton (22/02375/FULM), as he was a Director of Arkwood Development Ltd. He would address the committee as allowed under the constitution but would leave the meeting after he had addressed Committee and would not take part in the debate or vote.

Councillor A Amer informed the Planning Committee that he had wrote a poem regarding Lowfield Lane over a year ago, which had been brought to the attention of Council Officers and confirmed that he was not prejudice or predetermined.

Councillor E Oldham confirmed that she had signed a petition in the past regarding Item 6 - Land Adjacent Hayfield Cottage, Lowfield Lane, Balderton (22/02375/FULM), but was not predetermined.

75 MINUTES OF THE MEETING HELD ON 3 OCTOBER 2024

Minute No. 67 – Robin Hood Retreat Caravan Park, Belle Eau Park, Bilsthorpe, Newark On Trent, NG22 8TY – 24/01146/S73 - Cllr Rainbow noted that the Robin Hood Caravan scheme did not include mention of enforcement action, notably in respect of checking the Register.

AGREED that subject to the inclusion of the above, the minutes of the meeting held on 3 October 2024 were approved as a correct record and signed by the Chair.

76 MINUTES OF THE MEETING HELD ON 14 OCTOBER 2024

Councillor P Harris, informed the Committee that he had submitted his apology to this Planning Committee.

AGREED that subject to the amendment regarding Councillor P Harris apology, the minutes of the meeting held on 14 October 2024 were approved as a correct record and signed by the Chair.

77 LAND ADJACENT HAYSIDE COTTAGE, LOWFIELD LANE, BALDERTON - 22/02375/FULM

The Committee considered the report of the Business Manager – Planning Development, which sought the demolition of the existing cottage and the residential development of 142 new dwellings and creation of new accesses.

A site visit had taken place prior to the commencement of the Planning Committee, on the grounds that there were particular site factors.

Members considered the presentation from the Director of Planning Growth, which included photographs and plans of the proposed development. The Committee would benefit from seeing.

A Schedule of Communication was circulated prior to the meeting which detailed correspondence received following publication of the agenda from the following:

Local Residents; Nottinghamshire County Council Policy; Newark & Sherwood District Council Conservation; Applicant; Planning Case Officer; and Nottinghamshire Wildlife Trust.

Mr D Kay, local resident, spoke against the application.

Councillor J Buxton representing Balderton Parish Council spoke against the application.

Mr M Stevenson, applicant, spoke in support of the application.

Councillor M Shakeshaft, spoke in support of the application.

Having declared an other Registrable Interest, Councillor M Shakeshaft left the meeting after speaking to the Committee at this point.

Councillor J Hall Local Ward Member spoke against the application.

Councillor J Lee adjoining Ward Member was neutral when speaking on the application.

Members considered the application and concern was raised that the site if developed may exacerbate the problem of flooding for the surrounding area as this area currently acts as a flood plain. There may be a traffic management issue on the proposed narrow roads with parking issues. Concerns were raised regarding Biodiversity and also bats that were in situ. Bat boxes would be put on the side of houses, however it was reported they were not necessarily affective, and the bats may not stay in that location. Hedgehogs would also be disturbed. Another Member commented on the work that the applicant had achieved to date working with Ward Members, campaigners and officers and the report before the Committee was a consequence of that input. It was felt that hearing all the concerns the applicant perhaps hadn't gone far enough in terms of protecting wildlife/species. Balderton already lacked services, by increasing the housing would have a greater impact on the village. It was commented that the design of the houses on the proposed site was not in keeping with adjoining neighbouring properties.

The Chair commented that this was an allocated site and thanked officers for their hard work in presenting the proposed final plan, which had been sensitive to many of the concerns raised. There had been no statutory objections. 140 metres of hedgerow would be removed; however, 300 metres would be replaced. The 10% affordable housing was an issue when 30% was a local policy requirement and it was felt that the applicant should have gone the extra mile regarding affordable housing and scattering it across the site, not just in one location. Other Members commented that 10% affordable homes was not good enough and expected an exemplar site.

A Member further commented that this was an allocated site since 2013 and was part of the Newark Urban Area. The Planning Committee did not set policy and could not amend that. Strong material reasons would be required to be submitted or if taken to appeal would be granted on appeal. Housing was needed within the district, with the district shortly being required to find 730 houses as part of the new Governments

planning reforms and housing targets. Nottinghamshire County Council had raised no objection to this application. A Member commented on the electricity substation that was 800 metres downstream which served the whole of Newark and commented that if that flooded there would be a major power problem.

A Member commented on the £108,000 to be allocated to a demand responsive bus service. There was a bus service already operational 300 metres from the site. If a demand responsive service was put in place it would be likely that the bus services currently operational would collapse. It was suggested that the £108,000 should be used for community benefit should that be the Committee resolution.

The Director of Planning Growth confirmed that the £108,000 allocated to the bus service could be changed and contributed to community benefit.

A Member commented that the proposal was better than it was previously but that the delivery of affordable housing was poor and that there was no pepper potting.

It was moved and seconded that a recorded vote be taken.

AGREED (with 6 votes For, 4 votes Against and 2 Abstentions) that Planning Permission be approved subject to the following:

- (i) conditions contained within the report with an amendment to condition 4 – Require the offsite ecological provision to be identified and secured (via the S106) prior to the commencement of development; and
- (ii) any Section 106 to reallocate £108,000 from bus services, £108,000 to community facilities.

A Member requested that a recorded vote was taken.

Councillor	Vote
A Amer	Against
L Dales	For
S Forde	Abstention
A Freeman	For
P Harris	Against
K Melton	Against
D Moore	For
E Oldham	Against
P Rainbow	For
S Saddington	Abstention
L Tift	For
T Wildgust	For

The Chair indicated that the meeting duration of three hours had expired therefore a motion was moved by the Chair and seconded by the Vice-Chair to continue the meeting. A motion was voted on without discussion to continue for a further hour.

Councillor M Shakeshaft returned to the meeting at this point.

78 LAND WEST OF STAYTHORPE ELECTRICITY SUBSTATION, STAYTHORPE ROAD, STAYTHORPE - 24/01261/FULM

The Committee considered the report of the Business Manager – Planning Development, which sought the infrastructure associated with the connection of battery energy storage system to National Grid Staythorpe electricity substation and associated works.

A site visit had taken place prior to the commencement of the Planning Committee, on the grounds that there were particular site factors which were significant in terms of the weight attached to them relative to other factors if they would be difficult to assess in the absence of a site inspection; and the proposal was particularly contentious, and the aspects being raised could only be viewed on site.

Members considered the presentation from the Business Manager Planning Development, which included photographs and plans of the proposed development.

A Schedule of Communication was circulated prior to the meeting which detailed correspondence received following publication of the agenda from the following: Planning Case Officer; NCC Highway Authority; Applicant; Averham, Kelham and Staythorpe Parish Council; The Environment Agency; Local Residents; Newark & Sherwood District Council Tree & Landscape Officer.

Ms P Hall, local resident, spoke against the application.

Councillor J Allan representing Averham, Kelham and Staythorpe Parish Council spoke against the application.

Mr M Noone, agent for the applicant, spoke in support of the application.

The Chair informed the Committee that the end of the consultation period was one day after this Planning Committee, the applicant had asked for the application to be considered at the November Planning Committee. If any new material planning consideration were raised before the deadline on the 12 November 2024, the application would be forwarded back to the 5 December 2024 Planning Committee. Officers explained how highway concerns had been addressed in late items and that there was precedence for determining planning applications prior to the completion of consultation when trying to fit into a committee cycle.

Members considered the application and concern was raised regarding making a decision before the consultation period had ended. Members commented that the application should not be determined without all relevant highway information. Concern was also raised regarding the closure of the bus stop and the access onto the site which may damage the pavements from construction vehicles. Concern was raised about perceived pressure being put on officers in the highway department furthermore. It was therefore suggested that the application be deferred to the 5 December 2024 Planning Committee.

The Business Manager – Planning Development informed the Committee that this was not a statutory consultation but was undertaken due to the lay-by being closed. It was felt that a full re-consultation was not required. The key summary points were read out.

AGREED (unanimously) the application be deferred to the 5 December 2024 Planning Committee, in order for the consultation period to end.

79 THE OLD STABLE YARD, WINTHORPE ROAD, NEWARK ON TRENT, NG24 2AA - 24/00548/FUL

The Committee considered the report of the Business Manager – Planning Development, which sought the change of use of land to residential Gypsy/Traveller caravan site comprising six pitches each providing one static and one touring caravan and dayroom.

A site visit had taken place prior to the commencement of the Planning Committee, on the grounds that there were particular site factors which were significant in terms of the weight attached to them relative to other factors if they would be difficult to assess in the absence of a site inspection.

Members considered the presentation from the Director of Planning Growth, which included photographs and plans of the proposed development.

Ms W Mounsey, resident, spoke in support of the application.

Members considered the application, and it was commented that this site had not flooded during the last two major recent storms, which was contrary to the advice of the Environment Agency. The site was well kept, the residents had lived on site with the existing noise environment for six years. Members considered this a settled community and raised concern regarding where they would go if planning permission was not granted. It was suggested that if the Committee was minded to approve planning permission, conditions could be applied to include residents (now and in the future) signing up for the Environment Agency early warning scheme and an evacuation plan be established. There should be no expansion of the site further than the six plots and a red line be drawn on the plan around the site to prevent any further expansion. It was commented that the site was noisy, however the residents had chosen to live on that site as do others in similar situations. The children were in local schools and had flourished in a stable environment.

The Director of Planning Growth commented that if the Planning Committee were minded to approve the application, that conditions be reported to a future meeting for awareness. The Council also had a duty to notify the Environment Agency if they went against Officer recommendations*.

*Following the Committee it has been clarified that the Council as the LPA only need notify the Environment Agency for major planning application where there was a resolution to grant consent contrary to their advice. There was therefore no requirement to notify the EA.

A vote was taken to refuse Planning Permission which was unanimously lost.

AGREED (unanimously) that contrary to Officer recommendation Planning Permission be approved to allow permanent residency for a maximum of six plots, conditions regarding this be reported to a future Planning Committee for approval.

In accordance with paragraph 13.5 of the Planning Protocol, as the motion was against Officer recommendation, a recorded vote was taken.

Councillor	Vote
A Amer	For
L Dales	For
S Forde	For
A Freeman	For
P Harris	For
K Melton	For
D Moore	For
E Oldham	For
P Rainbow	For
S Saddington	For
M Shakeshaft	For
L Tift	For
T Wildgust	For

During the debate of this item, the Chair indicated that the meeting duration had expired therefore a motion was moved by the Chair and seconded by the Vice-Chair to continue the meeting. A motion was voted on with one objection, to continue for a further hour.

80 LAND AT HIGHFIELDS, GONALSTON LANE, EPPERSTONE - 23/02141/FUL

The Committee considered the report of the Business Manager – Planning Development, which sought the change of use of agricultural field to dog exercise area, construction of hardstanding, fence and gates.

A site visit had taken place prior to the commencement of the Planning Committee, on the grounds that there were particular site factors which were significant in terms of the weight attached to them relative to other factors if they would be difficult to assess in the absence of a site inspection; and the proposal was particularly contentious, and the aspects being raised could only be viewed on site.

Members considered the presentation from the Business Manager Planning Development, which included photographs and plans of the proposed development.

A Schedule of Communication was circulated prior to the meeting which detailed correspondence received following publication of the agenda from a local resident.

Mr N Iliffe, local resident, spoke against the application.

Councillor P Bracegirdle representing Epperstone Parish Council spoke against the

application.

Mr A Worrall, applicant spoke in support of the application.

Members considered the application, and it was commented that there was scope for ten sessions per day for exercising dogs. This was considered a long time to live with barking dog noise for the adjoining neighbour who had reported experiencing harm from this business.

A Member commented that this site was in open countryside and farm animals could be grazing in that field making noise. Another Member commented that farm animal noise was different from persistent dog barking and raised concern regarding the noise and amenity for the neighbouring property. Members also raised concern regarding the narrow lane that would be used to access the site. Members considered whether the use could be controlled through conditions.

A vote was taken to approve Planning Permission and lost with 12 votes Against and 1 Abstention.

AGREED (with 11 votes For and 2 Abstentions) that contrary to Officer recommendation Planning Permission be refused on the grounds of impact on residential amenity and the noise from barking dogs.

In accordance with paragraph 13.5 of the Planning Protocol, as the motion was against Officer recommendation, a recorded vote was taken.

Councillor	Vote
A Amer	For
L Dales	For
S Forde	Abstention
A Freeman	For
P Harris	For
K Melton	For
D Moore	For
E Oldham	For
P Rainbow	For
S Saddington	Abstention
M Shakeshaft	For
L Tift	For
T Wildgust	For

During the debate of this item, the Chair indicated that the meeting duration had expired therefore a motion was moved by the Chair and seconded by the Vice-Chair to continue the meeting. A motion was voted on with two objections to continue for a further hour.

81 LAND AT GREENAWAY, ROLLESTON - 24/00402/FUL

The Committee considered the report of the Business Manager – Planning Development, which sought the demolition of two bungalows and erection of five

dwellings including parking provision and amenity spaces.

Members considered the presentation from the Business Manager Planning Development, which included photographs and plans of the proposed development.

Mr C Baillon-Saunders, local resident, spoke against the application.

Councillor R Steele representing Rolleston Parish Council spoke against the application.

Members considered the application, and it was commented that the Council was seeking to put housing on land which was used by the village hall. There was also an issue with foul waste and tankers were used to clear the sewers to prevent flooding problems. The village hall was considered a huge asset to the village and the removal of this land for houses would create an issue for car parking at the village hall and a traffic issue as visitors would park on the roadside, which may affect the viability of the village hall. It was further commented that the ownership of the land had not been sorted out and a bat survey had not been undertaken.

The Business Manager – Planning Development advised that the lead ecologist had confirmed that the existing bungalows to be demolished were not likely to be suitable for bats.

A vote was taken and lost to approve planning permission with 2 votes For and 11 votes against.

AGREED (with 11 votes For and 2 votes Against) that contrary to Officer recommendation Planning Permission be refused on the grounds of loss of community facility and highway issues including the loss of parking facility.

In accordance with paragraph 13.5 of the Planning Protocol, as the motion was against Officer recommendation, a recorded vote was taken.

Councillor	Vote
A Amer	For
L Dales	For
S Forde	For
A Freeman	For
P Harris	For
K Melton	For
D Moore	For
E Oldham	For
P Rainbow	Against
S Saddington	For
M Shakeshaft	For
L Tift	For
T Wildgust	Against

82 APPEALS LODGED

AGREED that the report be noted.

83 APPEALS DETERMINED

AGREED that the report be noted.

84 QUARTERLY PLANNING ENFORCEMENT ACTIVITY UPDATE REPORT

The Committee considered the report of the Business Manager – Planning Development updating Members as to the activity and performance of the planning enforcement function over the second quarter of the current financial year.

The report provided Members with examples of cases that had been resolved, both through negotiation and via the service of notices and provided detailed and explanations of notices that had been issued during the period covered 1 July 2024 – 30 September 2024.

AGREED that the contents of the report and the ongoing work of the planning enforcement team be noted.

Meeting closed at 9.40 pm.

Chair