



*Castle House
Great North Road
Newark
NG24 1BY*

Tel: 01636 650000
www.newark-sherwooddc.gov.uk

Monday, 5 February 2018

Chairman: Councillor Mrs L Tift
Vice-Chairman: Councillor K Walker

To all Members of the Council:

MEETING: Full Council

DATE: Tuesday, 13 February 2018 at 6.00 pm

**VENUE: Civic Suite, Castle House, Great North Road,
Newark, Nottinghamshire, 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 Tel: 01636 655243 Email: Nigel.hill@newark-sherwooddc.gov.uk on .

AGENDA

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6. Communications which the Leader of the Council and Committee Chairmen may wish to lay before the Council	
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NOTES:

- (1) The Conservative Group will meet at 5.00pm in Rooms F1 - F3 prior to the Council Meeting.
- (2) The Labour Group will meet at 5.00pm in Room G1 prior to the Council Meeting.
- (3) The Independent Group will meet at 5.00pm prior to the Council Meeting.
- (4) Tea and coffee will be available in the Civic Suite.

Agenda Item 2

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of **NEWARK & SHERWOOD DISTRICT COUNCIL** held in the Civic Suite, Castle House Newark on Tuesday, 12 December 2017 at 6.00pm.

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

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

APOLOGIES FOR Councillors: Mrs K. Arnold, M. Buttery, P.C. Duncan, G.P. Handley, Mrs S. Soar, D. Thompson and Mrs Y. Woodhead.

ABSENCE:

43. MINUTES

AGREED that the minutes of the meeting held on 10 October 2017 be approved as a correct record and signed by the Chairman.

44. DECLARATIONS OF INTERESTS BY MEMBERS AND OFFICERS

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

<u>Officers</u>	<u>Agenda Item No.</u>
Mrs K.H. Cole and Mrs K. White	Agenda Item No. 10 – Recruitment to the Post of Chief Executive and Transitional Arrangements

45. DECLARATION OF ANY INTENTIONS TO RECORD THE MEETING

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

46. COMMUNICATIONS FROM THE CHAIRMAN AND CHIEF EXECUTIVE

The Chief Executive advised Members to inform Democratic Services in what format they required their newly published version of the Electoral Register for their Ward.

The Chief Executive also invited the Council to congratulate the four members of staff, Andy Carolan, Deb Johnson, Leanne Monger and Julie Reader-Sullivan who had now graduated from the University of Birmingham with a Masters Degree in Public Administration.

47. COMMUNICATIONS FROM THE LEADER AND COMMITTEE CHAIRMAN

Councillor R.V. Blaney advised the Council that this would be Andrew Muter's last meeting of Council given he is to leave the authority to become the Chief Executive of the State of Alderney in February 2018.

The Group Leaders thanked Andrew Muter for his contribution to the Council during his time as Chief Executive.

Councillor D.J. Lloyd advised the Council that following an assessment by the Arts Council in November the National Civil War Centre had been awarded Museum status. He congratulated the officer team for this achievement.

48. SCHEDULE OF MEETINGS 2018/19

The Council considered the report of the Chief Executive which set out a proposed schedule of meetings for the period May 2018 to May 2019.

AGREED (unanimously) that the proposed Schedule of Meetings for 2017/18 (as attached as appendix A to these minutes) be approved.

49. RECRUITMENT TO THE POST OF CHIEF EXECUTIVE AND TRANSITIONAL ARRANGEMENTS

The Council considered the report of the Chief Executive concerning arrangements to appoint a permanent replacement for the post of Chief Executive and transitional arrangements until such an appointment was made.

The current Chief Executive had given notice to leave the authority with effect from 4 February 2018. As such transitional arrangements were required to be in place from 5 February 2018. It was recommended that Mrs K.H. Cole took on the role of Acting Chief Executive and fulfils the role of Head of Paid Service. As a consequence Mrs K.H. Cole would need to relinquish her role as the Council's Monitoring Officer. It was proposed that this role be performed by Mrs K. White the current Deputy Monitoring Officer. It was also necessary to increase the capacity supporting the Corporate Management Team during this transitional period which it was considered could be achieved by allocating additional responsibilities to other senior managers in the organisation.

The Council were also informed that Andrew Statham the Director – Community was to retire from his post with effect from 31 December 2017 so the interim arrangements would also need to take account of this. The report also proposed replacement directors for the Board of Active4Today.

In respect of the appointment of a new Chief Executive it was proposed that, if the Council determined they wished to replace the post, in accordance with the Constitution that a Chief Officer Appointments Panel be constituted to manage the recruitment process. Proposals for the Panel and an indicative timetable for the recruitment process were set out in the report.

AGREED (with 31 votes for and 1 abstention) that:

- (a) Mrs K.H. Cole be appointed to the role of Acting Chief Executive, including the statutory role of Head of Paid Service and the roles of Returning Officer and Electoral Registration Officer, from 5 February 2018 for the transitional period;
- (b) Mrs K. White be appointed to the role of Monitoring Officer from 5 February 2018 for the transitional period;
- (c) Mrs K.H. Cole and Mr S. Kohli are nominated as directors of the Board of Active4Today;
- (d) budget provision be made for the cost of the transitional arrangements set out in this report and any costs relating to filling the Chief Executive post by using savings arising from the vacant Chief Executive post;
- (e) the Council confirms it wishes to appoint a permanent replacement to the post of Chief Executive;
- (f) a Chief Officers Appointments Panel be constituted comprising five members to be drawn from the whole of the Council with three being nominated from the controlling group and two from the major opposition group with the delegated remit set out in paragraph 5.4 of the report; and
- (g) the Council approves the indicative timetable for the appointment to the permanent post of Chief Executive, and agrees to the arrangement of a special meeting of the Council, if necessary, to consider the recommendations of the Chief Officers Appointments Panel.

(Having declared interests in this item Mrs K.H. Cole and Mrs K. White withdrew from the meeting during its consideration.)

50. NEWARK COMMUNITY GOVERNANCE REVIEW

The Council considered the report of the Chief Executive concerning a proposed Community Governance Review of the Newark Town Council boundaries.

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

A draft Terms of Reference for the review, which included a proposed timetable, was attached as Appendix A to the report. It was proposed to establish a Working Party to oversee the review process which would make recommendations to the Council.

AGREED (unanimously) that:

- (a) the Council conduct a Community Governance Review of the Newark Town Council boundaries in accordance with the draft terms of reference and indicative timetable as set out in Appendix A to the report;
- (b) the draft terms of reference be approved for the first stage of public consultation; and
- (c) a working group of Members be established (in accordance with paragraph 3.3 above) to oversee the review process and put forward recommendations to the Full Council in terms of the review.

51. COMMUNITY INFRASTRUCTURE LEVY REVIEW - ADOPTION

The Council considered the report of the Deputy Chief Executive which presented the overall conclusions of the review of the Community Infrastructure Levy (CIL) and recommended adoption of the Draft Charging Schedule as the Council's CIL Charging Schedule to replace the 1 December 2011 CIL Charging Schedule.

Following the positive result of the Examination held in August 2017, it was proposed that the Council adopt the CIL Draft Charging Schedule as the final Charging Schedule. The finalised Charging Schedule was attached as Appendix 1 to the report. As part of the review process an updated Regulation 123 List of Projects which set out elements of infrastructure which would be funded by CIL had been prepared.

AGREED (unanimously) that:

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

52. TREASURY MANAGEMENT 2017/18 MID YEAR REPORT

The Council considered the report of the Director Resources which provided an update on the Council's treasury activity and prudential indicators for the first half of 2017/18. It also sought to approve a change to the Minimum Revenue Provision (MRP) policy. It was reported that none of the Prudential Indicators had been breached and a prudent approach had been taken in relation to the investment activity, with priority being given to security and liquidity over yield. The report had been considered by the Audit and Accounts Committee at their meeting held on 29 November 2017 who had recommended approval of the MRP policy to the Council.

AGREED (unanimously) that:

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

53. LOCALISED COUNCIL TAX SUPPORT SCHEME

The Council considered the report of the Director – Resources which sought to confirm the continuation of the Council’s Localised Council Tax Support Scheme, which had been implemented on 1 April 2013, for the 2018/19 financial year with minor changes. The changes sought were to uprate the income and disregard criteria in accordance with the annual uprating amounts applied by the Department for Works and Pensions.

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

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

54. NOTICES OF MOTION

In accordance with Council Procedure Rule No 13.1, Councillor R.V. Blaney moved and Councillor D. Staples seconded a motion to the following effect:

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

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

55. MINUTES FOR NOTING

- (a) Policy & Finance Committee – 30 November 2017

In presenting the minutes Councillor R.V. Blaney advised that amendments would be made to certain minutes to better reflect discussion at the meeting.

- (b) Economic Development Committee – 22 November 2017

- (c) Homes & Communities Committee – 6 November 2017

In presenting the minutes Councillor R.B. Laughton thanked all those involved in making the Syrian families welcome at the event held at Castle House on 29 November 2017.

- (d) Leisure & Environment Committee – 14 November 2017

- (e) General Purposes Committee – 23 November 2017

- (f) Licensing Committee – 23 November 2017

In presenting the minutes Councillor Mrs R. Crowe advised that licensing managers from Nottingham were to meet with officers from Wolverhampton to discuss ongoing issues with their licensed taxi drivers operating in our District.

In addition she provided an update in respect of the government review of the regulations within the 2003 Licensing Act.

- (g) Audit & Accounts Committee – 29 November 2017

- (h) Planning Committee Meetings – 19 October, 7 November and 5 December 2017

Meeting closed at 7.17pm.

Chairman

MAY 2018 – MAY 2019

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

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

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

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

2019	Monday	Tuesday	Wednesday	Thursday	Friday
	6 BANK HOLIDAY	7 PLANNING	8	9	10
	13	14 ANNUAL COUNCIL	15	16	17
	20	21	22	23	24
	27 BANK HOLIDAY	28	29	30	31

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

Planning Committee – 4.00pm

Audit & Accounts Committees – 10.00am

REVISIONS TO THE SCHEDULE OF MEETINGS FOR 2018/19

1.0 Purpose of Report

1.1 To approve minor revisions to the Schedule of Meetings for 2018/19.

2.0 Background Information

2.1 As Members will recall a schedule of meetings for 2018/19 was agreed at the last meeting. This schedule is attached as an Appendix to the last minutes.

2.2 Two changes are now proposed to this schedule. Firstly to move the Planning Committee from 8 January 2019 to 15 January 2019 in order to enable publication of the agenda after the Christmas holiday period.

2.3 The second change is to remove the Planning Committee proposed for 7 May 2019 from the schedule. This meeting would not be able to proceed as no Committee would exist following the elections. A schedule of meetings for 2019/20 will need to be agreed by the Council at their Annual Meeting scheduled for 14 May 2019.

2.4 Members will also recall that officers were asked at the last meeting if the Budget Meeting of the Policy & Finance Committee scheduled for Thursday 21 February 2019 could be moved so it is not held within the school half term break.

2.5 Officers in Financial Services have considered this but given the budget timetable, this meeting needs to remain as scheduled.

3.0 RECOMMENDATION

That the following changes to the Schedule of Meetings for 2018/19 be approved:

Planning Committee – move from 8 January to 15 January 2019.

Planning Committee – 7 May 2019 to be removed from the Schedule.

Background Papers

Nil

For further information please contact Nigel Hill on extension 5243.

Kirstin H. Cole
Acting Chief Executive

HOUSING REVENUE ACCOUNT BUDGET AND RENT SETTING FOR 2018/19

1.0 Introduction

- 1.1 Under the Council's Constitution the Housing Revenue Account (HRA) Self Financing Business Plan will be formulated and reviewed by the Policy & Finance Committee and recommended to Council for approval. A major element of the Business Plan comprises of the annual Housing Revenue Account budget.
- 1.2 The annual HRA Budget for 2018/19 and financial plan to 2021/22 including proposals for rent levels for 2018/19 was considered by the Policy & Finance Committee at its meeting on 25 January 2018.
- 1.3 At this meeting it was reported that September CPI plus 1% was 3.7%, the actual CPI for September was 2.8% so this makes the increase charge 3.8%. This report and recommendations have been amended to reflect this.

2.0 Rent Setting

- 2.1 Policy & Finance Committee also considered the recommendations to adjust rent levels and service charges with effect from April 2018. These have been calculated in accordance with the announcement made by Government on 8 July 2015 that local authorities must reduce social rents by 1% each year for four years from 2016-17.
- 2.2 It is therefore recommended that rents for HRA properties are reduced in line with the Welfare Reform and Work Act 2016. The deadline for notifying tenants of the rent levels effective from 2 April 2018 is 5 March 2018.
- 2.3 There are a number of exemptions from the 1% reduction policy prescribed by the Act. The one that impacts on the Council is that temporary homeless accommodation at Seven Hills and Wellow Green (general fund units) be exempt from the 1% rent reduction. It is suggested that these rents will increase by September 2017 CPI +1%, i.e. 3.8%.

3.0 Housing Support Service Charges

- 3.1 Housing based support services are a core function provided by Newark and Sherwood Homes in accordance with the terms of its management agreement with the Council. Policy & Finance Committee on 25 January 2018 considered the Service Charges. The list of charges are shown in full in Appendix 2, this shows the current charge and the proposed charges incorporating an increase of CPI plus 1% (3.8%).

4.0 Other Service Charges

- 4.1 A number of tenants have water and sewerage provided at their property, these charges are listed below, shown with the current charge and the proposed charges incorporating the increase of CPI plus 1% (3.8%).

- 4.2 New properties built since 2010/11 are currently subject to a weekly service charge of between £2.63 and £6.34 covering the costs (where appropriate) of landscaping, lighting and drainage. It is proposed that these weekly charges are increased in line with September 2017 CPI +1%, i.e. 3.8%.

Charge Type	No of Properties	Average Charge per week	Proposed Average Charge per week
Water/sewerage	32	3.48	3.61
Service Charge	52	5.49	5.69

- 4.3 General Fund temporary homeless accommodation (Seven Hills and Wellow Green) is subject to a service charge fee of £32.30 per week, £28.41 of this charge is eligible for housing benefit. The eligible charge is for administration, replacement of all NSDC provided furniture and equipment, including white goods, communal furnishings, servicing and maintenance of firefighting and detection equipment, communal gardening including trees works and caretaker costs if applicable. The ineligible charge covers a contribution from the licensee to their water bill and a small contribution to training. It is proposed that these weekly charges are increased in line with September 2017 CPI + 1%, i.e. 3.8%.

5.0 Garage Rents, Plots and Garage Ports

- 5.1 The 1% reduction in rent does not extend to garage rents, plots and garage ports. The table below shows the current rent levels and proposed new charges incorporating the increase of CPI plus 1% (3.8%).

Type	Current charge	Proposed Charge
Garage	£8.05 per week	£8.36 per week
Garage plot	£41.20 per annum	£42.77 per annum
Garage port	£3.60 per week	£3.74 per week

- 5.2 The Council's Rent Setting Policy was revised by the Policy & Finance Committee on 28 January 2016 as part of the budget setting process.
- 5.3 The Policy and Finance Committee Report for Housing Revenue Account and Rent Setting for 2018-19 is attached as Appendix 1.

6.0 RECOMMENDATIONS that:

- (i) the Housing Revenue Account budget for 2018/2019 as set out in Appendix 1 to the attached Policy & Finance report be approved;
- (ii) included within the HRA budget for 2018/19, the management and maintenance fee of £8,265,360 be noted;
- (iii) the rent of all properties in the Housing Revenue Account, as at 31 March 2018, be decreased by 1% in accordance with Welfare Reform and Works Act 2016 with effect from April 2018;

- (iv) the rent on temporary accommodation be increased by CPI plus 1% (3.8%) from April 2018;**
- (v) that all services charges and support charges should be increased by September CPI plus 1% (3.8%) with effect from April 2018;**
- (vi) garage, garage plot and garage port rents are increased by 3.8% in line with CPI plus 1%, with effect from April 2018.**

Background Papers

None.

For further information please contact Robin Clay on Extension 5332 or Rob Main on Extension 5930.

Sanjiv Kohli
Director of Resources and Section 151 Officer

Karen White
Director – Safety

HOUSING REVENUE ACCOUNT BUDGET AND RENT SETTING 2018/19

1.0 Purpose of Report

1.1 The annual report being presented to the Committee on the Housing Revenue Account (HRA) will:

- a) Provide the actual outturn of the HRA for the year 2016/17 (column 2 of **Appendix A1**).
- b) Examine the proposed income and expenditure on the HRA for 2018/19 (column 4 of **Appendix A1**) in accordance with Section 76 of the Local Government and Housing Act 1989, to avoid a deficit on the HRA.
- c) Provide the indicative figures of income and expenditure for the financial years 2019/20 to 2021/22 (columns 5 to 7 of **Appendix A1**).
- d) Set rent levels and service charges with effect from April 2018.
- e) Set charges for garage rents, plots and garage ports with effect from 1 April 2018.
- f) Set housing support service charges and all other service charges with effect from 1st April 2018.
- g) Detail the annual management fee payable to Newark and Sherwood Homes (NSH), in accordance with the management agreement.

1.2 The following paragraphs will provide the necessary detail to the above matters.

2.0 Introduction

2.1 The setting of the HRA budget and the approval of rent levels, which will be presented to full Council at its meeting in February 2018, will allow the required time to notify tenants of proposed changes to rents in accordance with legislation.

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

Council determination of HRA budget and rent setting	13 February 2018
Newark and Sherwood Homes update of rent systems	By end of February 2018
Generation of rent cards and letters to notify tenants of variation of their rent levels (tenants are required to be given one month's notice by law of rent changes).	By end of February 2018

2.3 Any slippage from these key dates would jeopardize the implementation of the proposed rent decrease from 1 April 2018.

3.0 Background Information

- 3.1 Since April 2012, following the housing finance reforms, the HRA has been operating within a 30 year self-financing HRA Business Plan. Council officers have been working with colleagues from Newark and Sherwood Homes to monitor and review the Business Plan, which informs the 2018/19 budget process and medium term financial plan 2019/20 to 2021/22.
- 3.2 In accordance with the management agreement with NSH, the Council's Housing Management Company, the required process has been followed to determine the fee for 2018/19.
- 3.3 The HRA budget proposed in this report is based on the Government announcement made on 8th July 2015, stating that local authorities must secure that the amount of rent in the relevant year by a tenant of social housing is 1% less than the amount that was payable by the tenant in the previous 12 months. This 1% per year rent reduction commenced in 2016/17 and will continue for the financial years 2018-19 and 2019-20.

4.0 National Policy and Impact

- 4.1 In terms of national policy the Housing White Paper – 'Fixing Our Broken Housing Market', published in February 2017, sets out how Government want to help encourage more investment in social housing, to create a stable financial environment by setting a long term rent deal for councils and housing associations in England.
- 4.2 Under proposals published on 4th October 2017, increases to social housing rents will be limited to the preceding September Consumer Price Index (CPI) plus 1% for 5 years from April 2020 and therefore moving away from the current policy of an annual rent reduction of 1%. Government states that this will give social tenants, councils and housing associations the security and certainty they need.
- 4.3 The Housing and Planning Act 2016 proposed that it would phase out lifetime secure tenancies, introduce fixed term tenancies and charge a levy to local authorities to sell any of their higher value housing. It was the intention that these policies would be implemented in April 2017. To date, however, no further guidance has been issued by Government on these matters.
- 4.4 Due to this and lack of specific detail around implementation frameworks, officers have been unable to assess the impact of these policies against the HRA Business Plan.
- 4.5 At the end of October 2017 the Department for Communities and Local Government (DCLG) now called Ministry of Housing, Communities & Local Government and Department for Works and Pensions (DWP) published a consultation document looking at the future funding of supported housing, (*"Funding Supported Housing"* <https://goo.gl/on1RZT>).
- 4.6 In this consultation document the Government recognise that any new funding model for supported housing cannot be a one size fits all and must meet the needs of a diverse sector. For the purposes of funding supported housing the Government consider there to be three broad groups:

- a) Sheltered housing and extra care supported housing
- b) Short term and transitional support
- c) Long term support

- 4.7 The group that directly relates to the Council's housing stock is sheltered housing and extra care supported housing. It is proposed that a 'sheltered rent' will be introduced, a type of social rent which keeps funding for sheltered housing and extra care funding in the welfare system.
- 4.8 The Council is in the process of drawing up a response to this consultation document.
- 4.9 Officers of the Council and Newark and Sherwood Homes will continue to monitor the impact of national policy implementation on the HRA Business Plan.

5.0 Newark and Sherwood Homes Management Fee

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

Fee Elements

The annual management fee comprises:

- i. Service Fees – Core Housing Management Services - Tenancy sustainment and income recovery
- ii. Service fees – Core Housing Management Services – Repairs and maintenance
- iii. Service Fees – Core Housing Management Services – Core service support
- iv. Service Fees – Core Housing Management Services – Company

- 5.2 The payments are set for a 3 year rolling period. In the first year of the agreement (2014/15) a 'base line' management fee was set. This was set for 3 years (subject to taking into account external factors including inflation and other aspects which are out of the control of the Company). The next rebase year for the management fee was 2017-18. This determined the management fee for the next 3 year period, again using the framework which sets out the fee element along with the efficiency targets for the fifth and sixth years.
- 5.3 The process to formulate the management fee for 2018/19 has been discussed and negotiated between senior officers of both the Council and Company at the regular Strategic Housing Liaison meetings. This has enabled the Council to recommend that the management fee for 2018/19, after adjustments, inflation and the 3% efficiency figure have been applied, should be £8,265,360. A breakdown of the fee is detailed at **Appendix B**.
- 5.4 For the Committee's reference the total management fee payable for 2015/16 was £7,705,041 for 2016/17 £7,796,900 and 2017/18 £8,083,310.

Additional income to NSH

- 5.5 Members will be aware that the Gladstone House extra care scheme will be operational in 2018/19. There are 60 units in total. All tenants will pay rent of £92.31 or £101.54 (one or two bed units) and a service charge of £128.87 per week. This service charge will be paid over to NSH as this covers the cost of providing food, TV Licence, lifelines and general services of communal areas. This is in addition to the adjustments shown in the management fee. These are the rent and service charges for 2018/19.
- 5.6 Payments will also be made where NSH provide general fund Services to the Council, i.e. other NSH work – Non HRA Core Services (Right to buy/Hostel management). The income of approximately £0.5m from photovoltaic cells where solar panels are fitted to council properties is received in the HRA annually and pass ported to NSH.

Reserves

- 5.7 For the Committee's information, the Company's reserves are listed below and accord with the management agreement:

Reserves	Outturn 2016/17 (£000's)	Estimate 2017/18 (£000's)
Minimum Reserve	431	456
Core Service Reserve	100	100
Bad Debt Reserve	50	50
Development and IT reserve	29	142
Staffing and Pay Reserve	100	100
Growth	2,531	1,241

- 5.8 The Company, subject to specific clauses in the management agreement, must use any available surpluses or reserves, following discussion with the Council, in furtherance of the Council's strategic housing objectives/aims.
- 5.10 In considering the detail contained within the above paragraphs and **Appendix B**. The following proposals are put forward for the Committee's consideration and approval:
- a) The **base fee** of £7,966,580 plus IT reserve adjustment of £139,000, and all other adjustments detailed in the **Appendix B**, which equates to a total **service fee** of £8,265,360 be agreed to be paid to NSH for the management fee for 2018/19.

6.0 Rent Levels

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

- 6.2 Further to this, the Government then actioned a consultation on the future rent setting policy for social housing. It proposed to end convergence with effect from 1 April 2015, and to increase rents in future by CPI + 1% rather than RPI +1%. There was an element of flexibility as the proposals allowed for vacant properties to be relet at target (formula) rent. The Council's Rent Setting Policy was amended to reflect this change.
- 6.3 Members will be aware that on 8 July 2015 Government made an announcement that local authorities must reduce social rents by 1% each year for four years from 2016-17. The Committee will note that in 2016/17 Government allowed supported housing rents to be increased by CPI + 1% for one year only, whilst it considered the future funding for supported housing.
- 6.4 In line with the Government announcement and Welfare Reform & Work Act 2016, the rent levels on the majority of Council held stock have been calculated by applying a decrease of 1%. Any new lets during the year 2018/19 will be set at target rent as at 8 July 2017 less 1%.
- 6.5 There are a number of exemptions from the 1% reduction policy prescribed by the Welfare Reform and Work Act 2016. The one that impacts on the Council is the temporary homeless accommodation at Seven Hills and Wellow Green, (general fund units). It is proposed that these rents will increase by September 2017 CPI +1%, i.e. 3.7%. It should be noted by Committee that, as a comparison for affordability, this increase will take Wellow Green properties above the weekly local housing allowance for a two bed property, this is currently £92.98. The proposed rent of £103.24 will remain fully eligible for Housing Benefit.
- 6.6 The Committee should note that the total rent rebate case load is 3,125 (58%) of the total housing stock as at 31 March 2017). The position related to benefits is now complicated by the under occupation charge which is applied after benefit is calculated – 2,484 (46%) tenants are currently on 100% benefit, with 641 (12%) claimants receiving partial benefit. Of the total number of claimants 656 (12%) have their benefit reduced due to an under occupation charge – these could be full or partial benefit cases.
- 6.7 Officers from Revenues and Benefits work closely with Newark and Sherwood Homes to ensure that Discretionary Housing Payment funds are committed to households in real need and to date this funding has benefited District Council tenants as follows:
- Funds already paid out £62,320
 - Committed payments £17,450
 - 119 households have been helped all due to under occupation
 - Of these 119 properties, 63 have been substantially adapted for the claimants needs; these are automatically renewed each year.
- 6.8 This financial support helps households to progress solutions aimed at enabling the long term sustainability of their tenancy and alleviates hardship.

7.0 Housing Support Service Charge

- 7.1 Housing based support services are a core function provided by NSH under the terms of its management agreement with the Council.

- 7.2 The main support service provided is to tenants in the Council's supported accommodation, representing approximately 50% of the Council's housing stock.
- 7.3 All tenants living in designated supported housing are responsible for paying a mandatory lifeline service of £1.60 per week in line with the conditions of the tenancy agreement.
- 7.4 An increase of CPI plus 1% would increase the charge to £1.66 per week in 2018/19. This charge is not covered by Housing Benefit.
- 7.5 The Company also offers the following support services, which are discretionary:
- a) An intensive housing management service to aid those tenants who need higher levels of involvement to sustain their tenancy, and
 - b) A range of additional services available to tenants and private customers, each attracting a varying charge.
- 7.6 It is proposed that all discretionary services provided to tenant and private customers should be increased by September 2017 CPI plus 1%, i.e. 3.7%.

8.0 Other Service Charges

- 8.1 A number of tenants have heating and water/sewerage provided at their property with the costs of these being recharged through a weekly service charge. It is proposed that these weekly charges are increased in line with September 2017 CPI + 1%, i.e. 3.7%.
- 8.2 New properties built since 2010/11 are currently subject to a weekly service charge of between £2.63 and £6.34 covering the costs (where appropriate) of landscaping, lighting and drainage. It is proposed that these weekly charges are increased in line with September 2017 CPI +1%, i.e. 3.7%.
- 8.3 Temporary homeless accommodation at Seven Hills and Wellow Green, are subject to a service charge fee of £32.30 per week. It is proposed that these weekly charges are increased in line with September 2017 CPI + 1%, i.e. 3.7%.

9.0 Garage Rents, Plots and Garage Ports

- 9.1 The level of garage rents was raised in 2017/18, in line with the rent increase, to £8.05 per week, (plus VAT if they are let to non-Council tenants).
- 9.2 The level of garage plot rents was raised in 2017/18, in line with the rent increase, to £41.20 per annum with VAT payable for non-Council tenants.
- 9.3 The level of garage port rents was raised in 2017/18, in line with the rent increase, to £3.60 per week with VAT payable for non-Council tenants. .
- 9.4 Whilst it may be possible to increase rents by more than CPI + 1% (3.7%) for the more desirable garages, officers are aware that a large increase in rent will increase the expectations of tenants around improvements to the condition and security of the garages. Therefore it is not proposed to introduce differential rent levels at the current time.

9.5 As part of the 5 year HRA Development Programme officers from both the Council and NSH continue to identify existing and redundant garage sites which could be suitable for inclusion in the programme.

9.6 The 1% reduction in rent does not extend to garage rents.

10.0 Financial Considerations

10.1 The HRA balances at 31 March 2017 were £2,000,000. Under self-financing, the risks previously met by the Government through housing subsidy have now been transferred to local authority HRAs, therefore the self-financing HRA business plan assumes a minimum prudent general reserve of £2,000,000.

10.2 Once again it has been a very difficult year, with a significant amount of resources being used in the preparation of the HRA annual budget and business plan.

10.3 The budget includes costs that continue to fall to the HRA, for example property insurance, depreciation, and costs of financing the borrowing to fund the capital programme. The budget also includes costs of back funded superannuation (in respect of the service prior to 1 November 2004 of those staff who transferred to NSH), external audit fees, and costs of central services which continue to fall to the HRA, for example a recharge from Financial Services for work done in respect of rent setting, servicing the Strategic Housing Liaison Panel, final accounts and budget processes etc.

Right to Buy

10.4 The number of properties sold under 'Right to Buy' sales in 2017/18 to December 2017 amount to 12. The District Council has signed up to the national 1-for-1 replacement policy whereby additional receipts can be retained in order to part fund the construction of new social housing.

10.5 Under the 1-for-1 replacement policy the Government states that every additional council home sold under Right to Buy will be replaced at a national level by an affordable rent home. The baseline is the number of Right to Buy property sales assumed in the self-financing settlement made prior to the recent policy invigoration (40,000 nationally in the first 10 years of self-financing).

10.6 The conditions for retaining 1-for-1 receipts are that they must constitute no more than 30% of the total amount spent on the provision of new affordable housing and that the full amount of spending on the scheme must be spent (work completed) within 3 years of the retained receipts. The remaining 70% of the scheme cannot be funded from public sector grant (e.g. HCA funding) or non RTB housing receipts.

10.7 1-for-1 receipts can be used for development costs of replacement homes at affordable rent which may be acquired or constructed and can be provided by a registered provider so long as the local authority has nomination rights. Development costs may include the cost of acquiring new land but not the value of land already owned by the authority.

10.8 Through the 5 year HRA Development Programme, and ongoing monitoring of the 1-for-1 receipts received, officers of both the Council and NSH are ensuring that these monies are allocated and spent within the programme to meet the necessary Government conditions.

Depreciation

- 10.9 The Council stock is to be depreciated on a componential basis from April 2017. The depreciation remains as a charge to the HRA transferring funds to the Major Repairs Reserve (MRR). There is an additional transfer from the HRA to the Major Repairs Reserve to ensure that there is sufficient funding for the capital programme during the life of the 30 year HRA Business Plan. Officers from the Council and NSH continue to scrutinise the capital programme on an ongoing basis to ensure that sufficient funding is available.

Balances

- 10.10 At the end of the financial year 2016/2017, the HRA added £6,481,055 to the MRR from the HRA General Reserve to allow a prudent £2,000,000 in the general reserve and to allow for continuing repair and growth within the HRA.
- 10.11 Under current Council Policy, the HRA debt level is not reducing. This is to enable the Council to focus on a programme of housing growth. Although as loans become due for repayment they are refinanced. The HRA rent income budget for 2018/19 takes account of additional income from the first phase of the Council's 5 year housing development programme.

11.0 Proposals

- 11.1 The proposed HRA budget for 2018/19 is attached at **Appendix A1**.
- 11.2 The proposed combined management and maintenance fee of £8,265,360, set within the HRA budget for 2018/19 and in line with the Management Agreement as stated in paragraph 5.3 should be noted.
- 11.3 The proposed rent, in line with Welfare Reform & Work Act 2016, on the majority of Council held stock has been calculated by applying a decrease of 1%. Any new lets during the year 2018/19 will be set at target rent as at 8 July 2017 less 1%. The rent on temporary homeless accommodation is exempt from the rent reduction, as detailed in paragraph 6.5.
- 11.4 Following a fundamental review of the support service provision, the Council implemented charges on a tiered service approach. It is recommended that these charges should be increased by 3.7% in line with September CPI + 1% from 1 April 2018.
- 11.5 As stated in paragraphs 8.1, 8.2, and 8.3 it is proposed that all other services charges are increased by 3.7% in line with September CPI + 1% from 1 April 2018.
- 11.6 That charges for garages, garage plots and garage ports are increased in line with the rent policy relating to garages with effect from 1 April 2018, September CPI plus 1% (3.7%).

12.0 RECOMMENDATION

That the following recommendations be made to Council at its meeting on 13 February 2018:

- i. the HRA budget for 2018/2019 as set out in Appendix A1 to this report be recommended to Council on 13 February 2018;
- ii. included within the HRA budget for 2018/19, the management and maintenance fee of £8,265,360 be noted;
- iii. the rent of all properties in the Housing Revenue Account, as at 31 March 2018, be decreased by 1% in accordance with Welfare Reform and Works Act;
- iv. the rent on temporary accommodation be increased by CPI plus 1% (3.7%) from 1 April 2018;
- v. that all services charges and support charges should be increased by September CPI plus 1% (3.7%) with effect from April 2018;
- vi. that garage, garage plot and garage port rents are increased by 3.7% in line with September CPI + 1% with effect from 1 April 2018.

Reason for Recommendations

To enable the HRA budget for 2018/2019, the rent levels, garage rent, garage plots, garage ports and Housing Support Service Charge levels to be recommended to Council.

Background Papers

None

For further information please contact Dean Rothwell on extension 5587, Robin Clay on Extension 5332 or Rob Main on Extension 5930.

Sanjiv Kohli
Director – Resources

Karen White
Director - Safety

HOUSING REVENUE ACCOUNT - OUTFURN 2016/17 and BUDGET 2018/19 to 2021/22

Rent decrease of 1% for 18/19 and 19/20 - rent increase of CPI plus 1% for 20/21 and 21/22

LINE NO.	Col 1 SUMMARY	Col 2 2016/17 OUTTURN £	Col 3 2017-18 BASE BUDGET £	Col 4 2018-19 BASE BUDGET £	Col 5 2019-20 BASE BUDGET £	-1%	
						Col 6 2020-21 BASE BUDGET £	Col 7 2021-22 BASE BUDGET £
	INCOME					cpiplus 1%	cpiplus 1%
1	Dwelling rents	21,376,598.82	20,459,470	20,743,210	21,219,990	-1% (est 2%)	-1% (est 2%)
2	Non dwelling rents	267,238.41	267,780	222,070	225,770		
3	Charges for services	334,270.44	353,770	772,390	795,730		
4	Contributions to expenditure	76,881.65	64,940	83,000	84,660		
5	Other income	155,035.12	144,130	109,320	109,770		
6	Sub Total - Income	22,210,024.44	21,290,090	21,929,990	22,435,920		
	EXPENDITURE						
	Management & maintenance						
	Supervision & Management General:						
7	Management	669,778.12	669,470	1,190,680	1,214,950		
8	Management Fee NaSH	3,825,729.96	4,144,440	4,302,910	4,302,910		
9	Maintenance Fee NaSH	3,910,469.92	3,938,870	3,962,450	3,962,450		
	Maintenance			75,000	75,000		
10	Rents, rates, taxes & other						
11	Government subsidies payable						
12	Depreciation - dwellings	2,393,259.41	2,408,580	3,727,930	3,727,930		
13	Depreciation - others	409,953.42	400,950	418,850	419,550		
14	Impairments of assets - dwellings	(45,769,059.85)					
15	Impairments of assets - others	1,279,470.33					
16	Debt Management Expenses	32,569.70	37,850	35,820	36,820		
17	Sub Total - Expenditure	(33,247,828.99)	11,600,160	13,713,640	13,739,610		
18	NET COST OF SERVICES	(55,457,853.43)	(9,689,930)	(8,216,350)	(8,696,310)		
19	Profit/Loss on sale of HRA fixed assets	3,097,146.65					
20	Interest Paid	4,134,761.01	4,058,600	4,081,720	4,010,150		
21	Interest Receivable	(10,139.61)	(8,400)	(8,400)	(8,400)		
22	Income from Feed In Tariffs	(499,713.54)	(525,000)	(525,000)	(525,000)		
23	Feed in Tariff to NSH	499,713.54	525,000	525,000	525,000		
24	Provision for Bad Debt	102,587.42	0	0	0		
25	Contribution to NSH Reserves	0.00	0	0	0		
26	NET OPERATING EXPENDITURE	(48,133,497.96)	(5,639,730)	(4,143,030)	(4,694,560)		
	APPROPRIATIONS						
27	Premiums on repaid debt						
28	Profit/Loss on sale of HRA fixed assets	(3,097,146.65)					
29	Employers Contribution NCC	260,000.00	260,000	260,000	260,000		
30	Major Repairs Reserve Movement	6,481,055.09	5,379,730	3,883,030	4,434,560		
32	Contribution to capital	0.00					
33	Impairments of assets - dwellings	45,769,059.85					
34	Depreciation						
35	Impairments of assets - others	(1,279,470.33)					
36	Repaid debt/De-Minimis Transfers						
37	HRA (SURPLUS)/DEFICIT FOR YEAR	(0)	0	0	0		
38	WORKING BALANCE B/F (excluding NSH efficiency gain)	(2,000,000.00)	(2,000,000)	(2,000,000)	(2,000,000)		
39	WORKING BALANCE C/F (excluding NSH efficiency gain)	(2,000,000.00)	(2,000,000)	(2,000,000)	(2,000,000)		

SUBJECTIVE SUMMARY

HOUSING REVENUE ACCOUNT

APPENDIX A2

CODE	SERVICE	2017/18 BASE BUDGET	2018/19 BASE BUDGET	MORE (LESS)	2019/20 BASE BUDGET	2020/21 BASE BUDGET	2021/22 BASE BUDGET
		£	£	£	£	£	£
114	EMPLOYEES SUPERANNUATION	260,000	260,000	0	260,000	260,000	260,000
	EMPLOYEES SUB-TOTAL	260,000	260,000	0	260,000	260,000	260,000
	PREMISES RELATED EXPENDITURE						
211	REPAIRS & MAINTENANCE	3,938,870	4,037,450	98,580	4,037,450	4,037,450	4,037,450
214	RATES	0	0	0	0	0	0
	SUPPLIES & SERVICES						
451	CONTRACTUAL	4,144,440	4,704,970	560,530	4,720,900	4,721,220	4,729,590
452	PROFESSIONAL SERVICES	19,000	19,520	520	19,910	20,510	21,130
471	STAFF EXPENSES & FEES	1,500	1,500	0	1,500	1,500	1,500
482	SUBSCRIPTIONS	2,200	2,200	0	2,200	2,200	2,200
491	INSURANCES	196,010	197,710	1,700	204,900	209,950	213,870
492	TRANSFER TO MAJOR REPAIRS/GROWTH RESERVE	5,379,730	3,883,030	(1,496,700)	4,434,560	4,557,520	4,957,900
	TRANSFER PAYMENTS						
612	FEED IN TARIFF PAYABLE TO NSH	525,000	525,000	0	525,000	525,000	525,000
	CENTRAL DEPARTMENTAL EXPENSES						
712	CENTRAL DEPARTMENTAL SUPPORT	361,050	414,800	53,750	413,360	416,090	418,320
715	DEPARTMENTAL ADMINISTRATION	89,710	152,890	63,180	155,090	157,360	158,920
	RUNNING EXPENSES SUB-TOTAL	14,657,510	13,939,070	(718,440)	14,514,870	14,648,800	15,065,880
	CAPITAL FINANCING						
811	LOANS POOL	4,058,600	4,081,720	23,120	4,010,150	3,871,640	3,899,610
817	DEBT MANAGEMENT EXPENSES	37,850	35,820	(2,030)	36,820	37,860	38,980
821	CAPITAL CHARGES	2,809,530	4,146,780	1,337,250	4,147,480	4,147,480	4,147,480
	CAPITAL FINANCING SUB-TOTAL	6,905,980	8,264,320	1,358,340	8,194,450	8,056,980	8,086,070
	INCOME						
911	GOVERNMENT GRANTS	0	0	0	0	0	0
922	OTHER LA CONTRIBUTIONS	0	0	0	0	0	0
928	RECHARGE TO NON GENERAL FUND A/CS	(5,330)	(5,290)	40	(5,400)	(5,510)	(5,620)
932	FEED IN TARIFFS	(525,000)	(525,000)	0	(525,000)	(525,000)	(525,000)
932	FEES & CHARGES	(77,300)	(52,230)	25,070	(52,230)	(52,230)	(52,230)
933	RENTS	(21,142,520)	(21,789,470)	(646,950)	(22,293,630)	(22,288,290)	(22,732,620)
939	OTHER RECEIPTS	(64,940)	(83,000)	(18,060)	(84,660)	(86,350)	(88,080)
941	INTEREST	(8,400)	(8,400)	0	(8,400)	(8,400)	(8,400)
	INCOME SUB-TOTAL	(21,823,490)	(22,463,390)	(639,900)	(22,969,320)	(22,965,780)	(23,411,950)
	COMMITTEE TOTAL (SURPLUS)/DEFICIT	0	0	0	0	0	0
	WORKING BALANCE B/Fwd	(2,000,000)	(2,000,000)		(2,000,000)	(2,000,000)	(2,000,000)
	Excluding NSH EFFICIENCY PAYMENT						
	WORKING BALANCE C/Fwd	(2,000,000)	(2,000,000)		(2,000,000)	(2,000,000)	(2,000,000)

Management Fee – Newark and Sherwood Homes – 2018/19

Elements of the Service Fee	Agreed Base Fee 2017/18
Tenancy Sustainment and Income Recovery	£1,910,185
Repairs and Maintenance	£3,938,870
Core Service Support	£2,004,189
Company	£91,066
Proposed Base Fee 17/18	£7,944,310
Reserve Adjustment – IT Reserve £100k missed from calculation in 2015/16 and 2016/17 – adjustment needed to recoup lost income by 2023/24	£139,000
Proposed total Service Fee 17/18	£8,083,310
2017/18 Base Management Fee	£7,944,310
Deduct SLA costs	-£858,900
Inflation adjustments: <ul style="list-style-type: none"> • Employment costs – Pay award • Repairs & maintenance costs – Building Costs Indices (BCI) • Other elements – Retail Price Index (RPI) 	£242,100
Sub Total	£7,327,510
Less efficiency of 3%	-£219,830
Add back in the SLA costs	£858,900
Sub Total	£7,966,580
Adjustments Repair materials £44k Insurance £17.5k Gladstone House Management £44k (20% of rent income) Gladstone House Repairs (to be reviewed in year) £36k Temporary 6 month – Universal Credit Officer £17.7k	£159,770
IT Reserve Adjustment	£139,000
Total Management Fee including all adjustments for 2018/19	£8,265,360

Housing Support Service Charges

Service Name	Customer Group	Mandatory/Non Mandatory	Current Charge	Proposed Charge
Lifeline	Supported Housing Tenants	Mandatory	£1.60 per week	£1.66 per week
Lifeline (no telephone line)	Supported Housing Tenants	Mandatory	£6.25 per week	£6.49 per week
Life Line	General Needs Tenants	Non mandatory	£1.60 per week	£1.66 per week
Lifeline (no telephone line)	General Needs Tenants	Non mandatory	£129.20 set up costs £6.25 per week	£134.11 set up costs £6.49 per week
Lifeline (service received on a flexible basis)	General Needs Tenants	Non mandatory	£22.65 set up costs for each period £1.45 per week	£23.51 set up costs for each period £1.51 per week
Lifeline (service received on a flexible basis – no telephone line))	General Needs Tenants	Non mandatory	£129.20 set up costs £22.65 set up costs for each period £6.25 per week	£134.11 set up costs £23.51 set up costs for each period £6.49 per week
Life Line	Private Customers	N/A	£3.75 per week	£3.89 per week
Lifeline (no telephone line)	Private Customers	N/A	£129.20 set up costs £10.95 per week	£134.10 set up costs £11.37 per week
Lifeline (service received on a flexible basis)	Private Customers	N/A	£22.65 set up costs for each period £3.75 per week	£23.51 set up costs for each period £3.89 per week
Lifeline (service	Private Customers	N/A	£129.20 set up costs	£134.10 set up costs

received on a flexible basis – no telephone line)			£22.65 set up costs for each period £10.95 per week	£23.51 set up costs for each period £11.37 per week
Additional Tenancy Assistance	Supported and General Needs	Non Mandatory	£4.65 (eligible for HB)	£4.83 (eligible for HB)
Additional Tenancy Assistance (service received on a flexible basis – no telephone line)	Supported and General Needs	Non Mandatory	£7.45 per week (eligible for HB)	£7.73 per week (eligible for HB)
Welfare Calls	Supported and General Needs	Non Mandatory	£10.40 per week in addition to lifeline costs	£10.80 per week in addition to lifeline costs
Welfare Calls (service received on a flexible basis)	Supported and General Needs	Non Mandatory	£13.25 per week In addition to lifeline costs	£13.75 per week In addition to lifeline costs

Welfare Calls	Private Customers	N/A	£15.45 per week in addition to lifeline costs	£16.04 per week in addition to lifeline costs
Welfare Calls (service received on a flexible basis)	Private Customers	N/A	£19.60 per week in addition to lifeline costs	£20.34 per week in addition to lifeline costs
Welfare Visits	Supported and General Needs	Non Mandatory	£56.65 per week	£58.80 per week
Welfare Visits (service received on a flexible basis)	Supported and General Needs	Non Mandatory	£59.45 per week	£61.71 per week

Welfare Visits	Private Customers	N/A	£83.40 per week	£86.57 per week
Welfare Visits (service received on a flexible basis)	Private Customers	N/A	£87.55 per week	£90.88 per week
Sensor Monitoring	Supported and General Needs	Non Mandatory	£1.40 per week in addition to lifeline costs	£1.45 per week in addition to lifeline costs
Sensor Monitoring (service received on a flexible basis)	Supported and General Needs	Non Mandatory	upfront costs of £22.65 for the provision of the lifeline plus £1.45 per sensor per week	upfront costs of £23.51 for the provision of the lifeline plus £1.51 per sensor per week
Sensor Monitoring	Private Customers	N/A	£2.10 per week	£2.18 per week
Sensor Monitoring (service received on a flexible basis)	Private Customers	N/A	upfront costs of £22.65 for the provision of the lifeline plus £2.10 per sensor per week	upfront costs of £23.51 for the provision of the lifeline plus £2.18 per sensor per week
Intensive Housing Management	Supported Housing Tenants, Vale View, Newark	Mandatory	£71.25 per week	£73.96 per week
Intensive Housing Management	Armstrong Gardens, Bilsthorpe	Mandatory	£91.80 per week	£95.29 per week

DEVELOPMENT COMPANY - ESTABLISHMENT OF SHAREHOLDER COMMITTEE

1.0 Purpose of Report

1.1 To establish a Shareholder Committee for the Council's Development Company and appoint members to it. Also to approve any consequential changes to the Council's Constitution to reflect the governance structure proposed for the Company.

2.0 Introduction

2.1 At its meeting on 25th January 2018, the Policy and Finance Committee approved the establishment of a Development Company, together with the management and governance arrangements for the Company.

3.0 Proposals

3.1 The purpose of the Company, which will be limited by shares and wholly owned by the Council, will be to undertake residential and commercial developments to generate revenue returns back to the Council and thereby contribute towards meeting the anticipated funding gap by the year 2020/21.

3.2 It was recommended by Policy and Finance Committee at its meeting on 25th January, that a Shareholder Committee be established to oversee the strategic relationship between the Council and the Company. It also proposed that the governance arrangements/functions in relation to the Development Company should be split between Council, the Shareholder Committee and Policy & Finance Committee as follows:

3.2.1 The Council

- To establish and appoint members to the Shareholder Committee;
- To agree all consequential changes to the constitution of the Council;
- To approve the Company's Articles of Association;
- To approve the Management/Shareholder's Agreement between the Council and the Board of Directors; setting out the objectives including the economic, social and ethical considerations which the Council expects the Company to address;
- To approve funding for the Company as part of the annual budget setting process; and
- To approve any additional in-year funding exceeding the approved budget.

3.2.2 Policy & Finance Committee

- To receive and review reports from the Shareholder Committee;
- To review the outcomes of the Company in the context of the Council's strategy; and
- To consider and approve requests for funding within the approved budget.

3.2.3 Shareholder Committee

The Shareholder Committee will have full delegated authority within its remit. It is proposed that the Committee should comprise of 5 elected Members and in order to reflect political balance this would consist of 3 conservative and 2 labour members. The Committee will be advised by the Council's Monitoring Officer. The Chair of the Board of Directors of the Company will report to the Shareholder Committee at each meeting, unless specifically asked not to attend.

The role of the Shareholder Committee will be strategic. The Shareholder Committee will not, therefore, have powers to make operational decisions on behalf of the Council or the Company. Its remit will be to:

- Recommend to Council the Company's Articles of Association for consideration and approval;
- Recommend to Council the Management/Shareholder's Agreement between the Council and the Board of Directors for consideration and approval;
- Agree the constitution of the Board of Directors and to approve the appointment of directors to the Board and to have the power to remove directors of the Board and approve best practice policies in relation to such appointments;
- Receive, review and approve the Company's annual report and the annual business plan;
- Review the performance of the Company; and
- Determine, on behalf of the Council, how it should exercise the functions flowing from its ownership of shares, including decisions on payment of dividends from the company's profit after taxation.

The Shareholder Committee shall meet at least quarterly to consider and review the matters identified above and, where necessary, call extraordinary meetings to accommodate the business identified above.

4.0 Next Steps

- 4.1 Once the Shareholder Committee has been established, it is proposed that one of its first tasks will be to consider and submit to Council the Company's Articles of Association and Shareholder's Agreement for review and approval.

5.0 Financial Implications

- 5.1 The financial implications of establishing the Development Company were considered in detail and addressed by the Policy and Finance Committee at its meeting on 25th January 2018.

6.0 RECOMMENDATIONS that:

- a) A Shareholder Committee consisting of 5 Members be established with the remit as set out in paragraph 3.2.3 above;**
- b) Five Members be appointed to the Shareholder Committee to reflect the political balance of the Council, i.e. 3 Conservative and 2 Labour; and**
- c) The Acting Chief Executive, be authorised to make all necessary changes to the Council's constitution to reflect the establishment of the Shareholder's Committee and its remit, and the remit of Full Council and the Policy and Finance Committee in respect of the proposed governance structure for the Development Company.**

Background Papers

None

For further information please contact Karen White on extension 5240.

Karen White
Director – Safety, Monitoring Officer

PROPOSED CHANGES TO THE CONSTITUTION

1.0 Purpose of Report

- 1.1 To consider amendments to the Council’s Constitution as recommended by the Councillors’ Commission at their meeting held on 25 January 2018.

2.0 Background Information

- 2.1 At their meeting held on 25 January 2018 the Councillors’ Commission considered the following issues which required changes to the constitution. A summary of these issues and the specific recommendations are set out below.

1. PLANNING PROTOCOL

- 2.2 The Commission are recommending an additional provision in the planning protocol requiring the Members of committee who seek additional information to approach the relevant Business Manager or Case Officer where they would otherwise be minded to seek deferral.
- 2.3 It is suggested that the additional provision in the protocol could be added as item 15 with the consequential numbering thereafter being amended accordingly.
- 2.4 The suggested wording of the relevant provision would be as follows:-

“Heading 15 – Deferral

- 15.1 *Members should not seek to defer consideration of any item put before the Planning Committee unless there are clear and demonstrable reasons for doing so such as a relevant planning issue arising for the first time not having been previously considered and needing further investigation.*
- 15.2 *Where a member might otherwise be minded to seek deferral of an item by reason that they wish to seek clarification on a particular issue, consider that further material information is required on a particular matter or for any other substantial reason, they should seek to obtain such clarification or additional information from the relevant Business Manager or the relevant Case Officer at least two hours prior to the commencement of the Planning Committee meeting.”*

RECOMMENDATION

That the Council amend the Planning Protocol for Members on dealing with planning matters as set out above.

2. UPDATES TO FINANCIAL REGULATIONS AND ANTI-FRAUD AND CORRUPTION STRATEGY

- 2.5 The Commission are recommending updates to the Councils' Financial Regulations and Anti-Fraud and Corruption Strategy.
- 2.6 Both the Councils' Financial Regulations and Anti-Fraud and Corruption Strategy were due for review in July 2017. Due to the change in Business Manager, this did not happen at that time, but has now been completed.
- 2.7 There are minor changes in both documents which clarify definitions and roles and responsibilities. Copies of the updated Financial Regulations and Anti-Fraud and Corruption Strategy are shown at Appendix A and B.

RECOMMENDATION

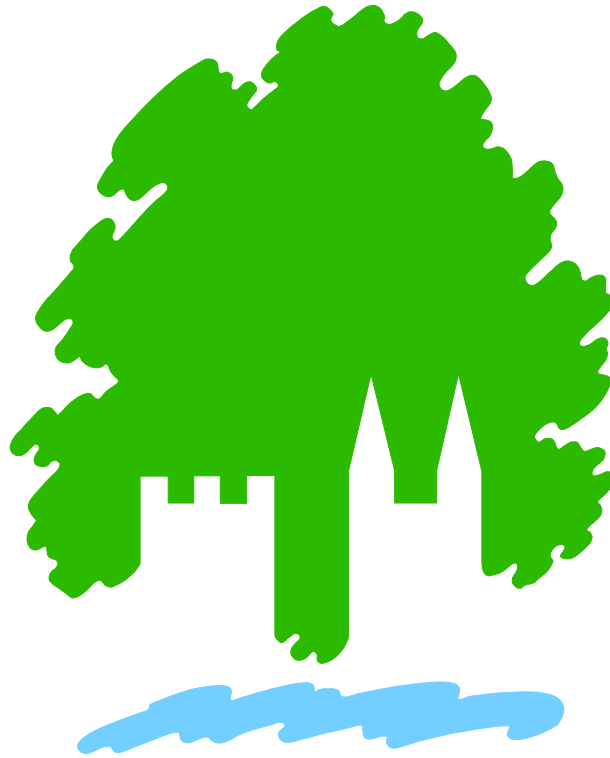
That the updated Financial Regulations and Anti-Fraud and Corruption Strategy, as attached as Appendices A and B to the report be approved.

Background Papers

Agenda from the Councillors' Commission meeting held on 25 January 2018.

For further information please contact Nigel Hill on Ext 5243.

Kirstin H Cole
Acting Chief Executive



**NEWARK &
SHERWOOD**
DISTRICT COUNCIL

FINANCIAL REGULATIONS

Revised: February 2018

Next revision due: February 2020

FINANCIAL REGULATIONS

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1. GENERAL

1.1 Notice to All Employees

- (i) These Financial Regulations provide the framework of controls and standards necessary to achieve the proper administration of the Council's financial affairs. Financial Regulations are designed to safeguard the interests of the Council, its Members and its employees. They apply to all Members, employees, and temporary and agency staff and to all transactions of the Council including those relating to Southwell Leisure Centre.
- (ii) All Members and officers have a responsibility for taking reasonable action to provide for the security of the assets under their control and for ensuring that the use of these resources is legal, properly authorised, provides value for money and achieves best value.
- (iii) The Council expects the highest standards of financial probity from its officers and Members. The Section 151 Officer may report any breach of Financial Regulations to the Policy & Finance Committee or if sufficiently serious, direct to full Council. Any failure to comply with these Regulations may result in action being taken in accordance with the Council's disciplinary procedures or in the case of Members referred to the Standards Committee. If you have any doubt on their meaning or interpretation, it is advised that you contact the Section 151 Officer.
- (iv) It is the responsibility of officers to ensure that they have the necessary knowledge of the Council's Financial Regulations to enable their duties to be undertaken to meet the requirements of these regulations.
- (v) These Financial Regulations supersede all previous versions.
- (vi) If after reading these regulations you require further guidance or clarification, or if you are not sure how best to comply with the regulations then please contact your Line Manager, Financial Services or the Head of Internal Audit.

2. INTRODUCTION

2.1 Complementary Factors

2.1.1 These Financial Regulations form part of the Constitution and are complementary to:

- (i) Any current or future legislation, and shall not be considered to over-ride any such legislation affecting the functions of the Council;
- (ii) The Council's Standing Orders;
- (iii) The Council's Contract Procedure Rules;
- (iv) Any EU Public Procurement Directives;
- (v) The Codes of Conduct for Members and Officers;
- (vi) The Information Technology Regulations (for all matters relating to Information Technology).

- (vii) The Council's Anti-Fraud Strategy.
- (viii) The Council's Guidance for Dealing with Irregularities.
- (ix) The Council's Whistleblowing Policy.
- (x) Appropriate Guidance Notes issued by the Section 151 Officer

2.1.2. The above documents shall be considered to have the force of financial regulations for all their related matters. This shall also include any related subsidiary regulations.

2.2 Financial Implications of Proposals and Reports to Members

2.2.1 No item having financial consequences shall be placed on a Council or Committee agenda without obtaining the Section 151 Officer's financial assessment and comments. Any report containing new proposals shall include an independent financial assessment by the Section 151 Officer.

2.2.2 In general, reports requiring comments of the Section 151 Officer shall be presented to the Financial Services Business Unit a minimum of 3 working days prior to the comments being required.

2.2.3 Where there are significant financial implications it is a requirement that the Financial Services Business Unit will be involved in the development of the proposals.

2.3 Availability

2.3.1 A copy of these Financial Regulations shall be made available to Members, Officers and the public at all reasonable times.

2.4 Compliance

2.4.1 Corporate Management Team and Business Managers shall be responsible for ensuring that these Financial Regulations are complied with and are available to all employees within their areas of responsibility.

3. DEFINITIONS

3.1 Terms

- (i) The term Council shall be deemed to include reference to Committees, Sub Committees or Officers acting in accordance with delegated authority on behalf of the Council.
- (ii) Where legislation and regulations are referred to in these Financial Regulations, they are deemed to refer to the latest statutory and regulatory requirements.
- (iii) The term Chief Executive relates to the Head of the Council's paid service.
- (iv) The term Section 151 Officer relates to the Director - Resources (the Responsible Financial Officer). This is a statutory officer appointed by Full Council to have responsibility for the financial affairs of the Council as required by Section 151 of the Local Government Act 1972.
- (v) The term Deputy Section 151 Officer relates to the officer nominated by the Section 151 Officer to undertake the Section 151 responsibilities in the absence of the Section 151 Officer.

- (vi) The term Director relates to Corporate Directors.
- (vii) The term Monitoring Officer relates to the officer appointed by the Council as required by the Local Government Housing Act 1989.
- (viii) The term Duly Authorised Officer relates to an officer with delegated authority from the relevant Business Manager.
- (ix) The term Head of Internal Audit relates to the officer appointed by the contractor in consultation with the Section 151 Officer.

4. LEGAL RESPONSIBILITIES

4.1 Local Government Act 1972 Section 115 - Legal Responsibilities of Officers

- 4.1.1 Officers employed by the Council have a legal responsibility under Section 115 of the Local Government Act, which states that:

“Every Officer employed by a Local Authority, whether under this Act or any other enactment, shall at all times during the continuance of his office, or within three months after ceasing to hold it, and in such manner as the Local Authority directs, make out and deliver to the Authority, or in accordance with their directions, a true account in writing of all money and property committed to his charge, and of his receipts and payments, with vouchers and other documents and records supporting the entries therein, and a list of persons from whom or to whom money is due in connection with his office, showing the amount due from or to each”.

- 4.1.2 Every such officer shall pay all money due from him to an officer designated by the Section 151 Officer or in accordance with their directions.

4.2 Local Government Act 1972 Section 117(1) & (2) - Disclosure by Officers of Pecuniary Interest in Contracts.

- 4.2.1 Staff involved in contract and purchasing procedures shall be aware of the provisions of section 117(1) of the Local Government Act 1972 concerning the disclosure by officers of pecuniary interests in contracts. This provides that “if it comes to the knowledge of an officer employed whether under this Act or any other enactment by a Local Authority that a contract in which he has a pecuniary interest, whether direct or indirect, (not being a contract to which he is himself a party), has been or is proposed to be entered into by the Authority or any Committee thereof, he shall as soon as practicable, give notice in writing to the Authority of the fact that he is interested therein”. An indirect pecuniary interest for these purposes is as follows:

- (a) If the officer or any nominee of the officer is a member of a company or other body with which the contract was or is proposed to be made.
- (b) If the officer is a partner or is in the employment of a person with whom the contract is, or is proposed to be made.
- (c) In the case of married persons or partners, the interests of one partner, if known to the other, is deemed to be the interest of the other spouse.

Appropriate officers will be required to complete a declaration form covering any
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related third party transactions on an annual basis.

The clause above shall also refer to contracts relating to Active4Today Ltd.

- 4.2.2 Section 117(2) states that “an officer of a Local Authority shall not under colour of his office or employment, accept any fee or reward whatsoever, other than his proper remuneration”.
- 4.2.3 Any Officer who has any direct or indirect pecuniary interest in any contract, or is offered any fee or reward, whether or not it is accepted, shall notify the Chief Executive, who shall enter such details into a central register maintained for such purposes. Any person who fails to comply with Section 117(1) and (2) may render themselves liable to a fine.
- 4.2.4 Section 117(4) states that “References to a local authority shall include references to a joint committee appointed under part VI of the Act or any other enactment”.
- 4.3 **Local Government Act 1972 Section 151 - Officer Responsible for Financial Administration.**
- 4.3.1 Under Section 151 “every Local Authority shall make arrangements for the proper administration of their financial affairs, and shall secure that one of their officers (who in accordance with the Local Government and Housing Act 1989 (Section 6 paragraph 3) must be a member of one or more of the Accountancy Bodies specified in the Act), has responsibility for the administration of those affairs”.
- 4.3.2 The Council has appointed the Director – Resources as the Section 151 Officer (the Responsible Finance Officer). Under the Accounts and Audit Regulations 2006, the Section 151 Officer is responsible for determining the accounting systems and the form of accounts and supporting records. This officer shall also ensure that all such determinations are observed, and that the accounts and supporting records are kept up to date.
- 4.4 **Local Government Finance Act 1988 Section 114 - Reporting under Part VIII: Responsibility of the Section 151 Officer.**
- 4.4.1 A requirement is placed upon the Section 151 Officer by Section 114(1) of the Local Government Act 1988 to make a report to the Council in certain circumstances where there is the possibility of an illegal payment, or of spending exceeding resources available.
- 4.4.2 Making a report falls under two Sections. Section 114(2) states that the Section 151 Officer is required to decide that an act or omission is or could be unlawful.
- 4.4.3 Under Section 114(2) the duty to send the report starts a “21 day clock” whereby the Council is required to hold a meeting within this time and until this is done, must refrain from the course of action reported.
- 4.4.4 Section 114(3) requires the Section 151 Officer to issue a report in cases of an unbalanced budget - real or potential. This report is also subject to the procedure described in 4.4.3 above.

4.4.5 In the absence of the Section 151 Officer the duties referred to at 4.4.1 to 4.4.4 shall be performed by the officer acting as the Deputy Section 151 Officer.

5. RESPONSIBILITIES/REGULATORY ROLES

5.1 Policy & Finance Committee

The Policy & Finance Committee is responsible for controlling the finances of the Council.

5.2 Section 151 Officer

- (i) Under Section 151 “every Local Authority shall make arrangements for the proper administration of their financial affairs, and shall secure that one of their officers (who in accordance with the Local Government and Housing Act 1989 (Section 6 paragraph 3) must be a member of one or more of the Accountancy Bodies specified in the Act), has responsibility for the administration of those affairs”.
- (ii) Under the Accounts and Audit Regulations 2006, the Section 151 Officer is responsible (under the control and general direction of the Policy & Finance Committee and in accordance with the Accounts and Audit Regulations 2006) for the accounts and finances of the Council, including determining the accounting systems and the form of accounts and supporting records. This officer shall also ensure that all such determinations are observed, and that the accounts and supporting records are kept up to date.
- (iii) The Section 151 Officer shall have regard to any statutory guidance issued by the appropriate Secretary of State and professional guidance issued by the Chartered Institute of Public Finance and Accountancy (CIPFA).
- (iv) The Section 151 Officer shall advise the Council on all financial matters.
- (v) The Section 151 Officer shall present annually to the Council detailed estimates of the Council's income and expenditure for the following financial year and shall provide a risk assessment of the Council's proposed budget.
- (vi) The Section 151 Officer shall also present to the Audit and Accounts Committee, after the close of each financial year, a Statement of Accounts in accordance with the latest Accounts and Audit Regulations. The Accounts of the Council shall be submitted to the Council's External Auditor.
- (vii) Under the Accounts and Audit Regulations 2006, the Council is responsible for maintaining an adequate and effective system of Internal Audit covering financial and all other operations of the Council and also require any Officer or Member of the Council to make available such documents as appear necessary for the purpose of the audit together with such information and explanation considered necessary for that purpose. This function is discharged through the Section 151 Officer together with Corporate Management Team (CMT).

- (viii) The Section 151 Officer shall periodically present to the Policy & Finance Committee, budgetary control statements showing performance against the approved estimates of revenue expenditure and income. The appropriate Business Manager will report on any major variances from planned budget performance.
- (ix) Notwithstanding the information available on the on-line Financial Information System, the Section 151 Officer shall supply to Business Managers, by arrangement, such cost and other financial statements as may reasonably be required in the interests of financial control and general management. The production of additional financial and statistical information shall also be maintained, as considered necessary by the Section 151 Officer, to provide efficient overall management control.
- (x) The Section 151 Officer, in consultation with CMT, shall review the Financial Regulations periodically and shall have regard to their relevance and practical application in changing circumstances. A motion to add to, vary or revoke these Financial Regulations shall, unless the addition, variation or revocation has previously been considered by the Policy & Finance Committee, stand adjourned to the next meeting of the Council when the motion shall proceed whether or not it has been considered.

5.3 Internal Audit

- 5.3.1 The Council will comply with the current Accounts and Audit Regulations, the Public Sector Internal Audit Standards and the CIPFA Code of Practice for Internal Audit in Local Government and shall maintain an adequate and effective system of Internal Audit of the accounts and other operations of the Council.
- 5.3.2 The Head of Internal Audit shall be responsible for the operation of the internal audit function, agreed with the Section 151 Officer covering financial and all other operations of the Council and value for money studies as required, considering the efficient, effective and economic use of resources. The Head of Internal Audit shall periodically report to Corporate Management Team and the Section 151 Officer and will provide reports to the Audit and Accounts Committee on progress made concerning on-going investigations and reviews and audits completed.
- 5.3.3 The Section 151 Officer or his authorised representative shall have authority for the purpose of the Internal Audit function to:
 - (i) Enter any Council premises or land at all reasonable times.
 - (ii) Have access to all records, documents, files (including information held electronically) and correspondence relating to any financial and other business of the Council which the Section 151 Officer considers necessary to fulfil his duties under S151 of the Local Government Finance Act 1972. No record shall be removed by audit staff without notification to the appropriate Business Manager, or relevant senior officer. This authority also shall apply to all records, documents and files maintained by any partner of the Council and by Southwell Leisure Centre Trust.

- (iii) Require and receive such explanations as are necessary concerning any matter under examination, and
- (iv) Require any employee of the Council to produce cash, stores or any other Council property under his control.

5.3.4 Each Director or Business Manager is responsible for ensuring that action is implemented in response to Internal Audit's agreed recommendations in accordance with the agreed timescale. Where an Internal Audit recommendation is not accepted a written explanation and acceptance of the consequent risk must be provided by the Business Manager and reported to the Section 151 Officer. Such an explanation may be reported to the Audit and Accounts Committee.

5.3.5 The Section 151 Officer, or his nominated officer shall:

- (i) Approve any new systems for the maintenance of financial records, or records of assets or any changes to such systems.
- (ii) Be notified by Business Managers of any plans for transferring staff duties in order to allow for the examination of the implications as regards internal control (e.g. authorisation, separation of duties etc.)

5.4 **Business Managers**

5.4.1 In addition to the general responsibilities described elsewhere in this document, Business Managers will be responsible for certifying on an annual basis the necessary requirements to enable the Section 151 Officer to complete the Council's Annual Governance Statement and Letter of Representation to the Council's External Auditor.

6. **FINANCIAL MANAGEMENT**

6.1 **Financial Consultation**

There will be consultation between Business Managers and the Section 151 Officer on any matters concerning the following:

- (i) Preparation and submission of estimates of Council expenditure and income.
- (ii) Preparation of estimates for any external body or partnership e.g. County Council, Government Departments etc., the purpose being the adequacy and accuracy of the estimates.
- (iii) It will be the responsibility of the relevant Business Manager to ensure that any report presented to a Committee or to the Council which has financial implications shall include the Section 151 Officer's observations (See Section 2.2).
- (iv) Proposals for and methods of financing specific expenditure not included in the approved estimates, together with means of approval for such expenditure where this is not otherwise stipulated.

- (v) Proposals to reduce or cancel income included in approved estimates.
- (vi) Applications, bids or submissions by the Council for grant aid or any external funding or spending power from outside bodies. Consultation must take place before submitting any such proposal to an outside body.
- (vii) Proposals to enter into any joint working arrangement with another local authority or other partner.

No financial matter under headings 6.1 (i) to (vii) above shall be concluded **without consultation with the Section 151 Officer**.

6.2 Financial Planning and Control

A major project, as defined by the Council's Corporate Management Team, cannot proceed until a project plan is submitted to CMT and approval is received, followed by political approval where appropriate.

6.2.1 Process for Developing the Budget

The process for developing the budget is set out as part of the Budget Strategy reported to Policy & Finance Committee in September of each year.

6.2.2 Budgetary Control

6.2.2.1 Business Managers shall be responsible for monitoring and regulating the financial performance of their appropriate service throughout the financial year using the Council's online financial management system and performance information provided by the Section 151 Officer. Where budgets are delegated to Budget Holders they are charged with the same responsibility.

6.2.2.2 The Section 151 Officer shall provide performance monitoring information on a monthly basis.

6.2.2.3 Budget performance monitoring information shall be provided to the appropriate Committee on a regular quarterly basis.

6.2.2.4 Where it appears that the amount included under any head of the approved budget is likely to be exceeded or the budgeted amount of income under any head is unlikely to be reached then budget officers are required to find savings elsewhere in their budget. Variations over £10,000, where savings cannot be identified, to the Business Manager must consult with the Section 151 Officer and ultimately take a report to the Policy & Finance Committee.

6.2.2.5 The Section 151 Officer shall be entitled to receive from each Business Manager such information as he requires in relation to the annual amount of income achieved and expenditure incurred for inclusion in the Council's annual Statement of Accounts.

6.2.2.5 The Section 151 Officer shall report to the Audit and Accounts Committee on the accounts of each financial year as soon as is practicable, and in accordance with the Accounts and Audit Regulations applicable at the time.

6.2.3 Capital Estimates

- (i) New schemes must be accompanied by the appropriate Appraisal forms, and will normally be added to the uncommitted scheme list before proceeding to the committed Capital Programme.
- (ii) Each Committee may recommend capital schemes to Policy & Finance Committee for inclusion within the Council's Capital Programme.
- (iii) Prior to February of each year the Policy & Finance Committee shall consider the comprehensive capital estimates together with capital financing proposals and shall consult as appropriate with other Committees in accordance with the Council's Constitution.
- (iv) The Policy & Finance Committee shall consider any recommendations arising from consultation with Members and will submit recommendations to the Council for the approved Capital Programme for the following five years, or such other period as the Section 151 Officer advises.
- (v) The Council shall in March of each year, by simple majority, determine the Council's Capital Programme, having considered the proposals of the Policy & Finance Committee.
- (vi) Following approval of the Council's committed Capital Programme the appropriate Business Managers are authorised to incur expenditure in respect of all schemes included in the committed Capital Programme unless otherwise directed by the Policy & Finance Committee or Section 151 Officer.
- (vii) The Section 151 Officer is authorised to arrange the financing of the Capital Programme so as to maximise the resources available to the Council, having regard to the provisions of the Local Government and Housing Act 1989 or subsequent relevant legislation.
- (viii) The Section 151 Officer is authorised to make any necessary adjustments to the Capital Programme that arise at year-end due to slippage and report these retrospectively to the Policy & Finance Committee.
- (ix) Any under-spends identified within the approved committed Capital Programme revert to the centre and must be reported to the Policy & Finance Committee for consideration.
- (x) Any scheme involving matched funding that does not proceed will have any funding which has already been released returned to the central pot and must be reported to the Policy & Finance Committee for consideration.
- (xi) The Section 151 Officer will report periodically to the Policy & Finance Committee on any variations to the Capital Programme which have been identified.

- (xii) The Section 151 Officer is required to take all necessary steps to implement the committed Capital Programme and is authorised, in the event of slippage, to bring forward schemes from the following year provided that this does not increase the total commitment and that such changes are reported to the Policy & Finance Committee.
- (xiii) In the event of the Section 151 Officer or the Deputy Section 151 Officer not being available, the Chief Executive will determine how the delegated authority to bring schemes forward will be exercised.
- (xiv) No third party funding or grant aid may be accepted where matched funding is required until the source of the matched funding has been identified and approved by the Policy & Finance Committee.

6.2.4 Capital Programme Monitoring

- 6.2.4.1 The monitoring of the overall Capital Programme, with regard to the monitoring of funding, progress, variations, amendments etc. is the responsibility of the Section 151 Officer who can delegate to an appropriate working group.
- 6.2.4.2 Regular reports will be made to the Policy & Finance Committee on the overall progress of the Capital Programme.
- 6.2.4.3 It is the individual Business Manager's responsibility to exercise control over any capital schemes within their remit and to report any possible significant variations which may arise to the Section 151 Officer.

6.3 Variation of Estimates

6.3.1 Virement - Revenue Expenditure

The object should be to avoid the transfer of estimates and this is best achieved by sound and detailed estimating together with the accurate coding of expenditure during the year in accordance with the provisions made.

Where it is desired to transfer funds between cost headings, the following procedure shall be adopted and the Section 151 Officer informed in every case, to effect the necessary amendments in the Council's Financial Management System:

- (i) Between sub or detail codes within a particular main head Authorised by the relevant Business Manager. Undertaken by Financial Services.
- (ii) Between business units within a particular service area up to a cumulative limit of £25,000 within each financial year. Over this, prior Committee approval is required for amounts up to £50,000 and for amounts above this limit the approval of Policy & Finance Committee is required. Authorised by the relevant Business Manager. Undertaken by Financial Services.

- (iii) Between Committees Areas Subject to the appropriate authorisation of the Section 151 Officer, Chief Executive and the approval of the Policy & Finance Committee.

6.3.2 No virement shall be undertaken with the purpose of utilising additional income for expenditure purposes without the express consent of the Section 151 Officer. No virement shall be undertaken out of savings on payroll codes without the express consent of the Section 151 Officer.

6.3.3 There shall be no carry forward of any under-spending on budgets into the following financial year without the express authorisation of the Section 151 Officer. This includes budgets held on job codes. When considering any applications for carry forwards, the Section 151 Officer shall consider the overall budget position of the Council.

6.3.4 The Section 151 Officer is authorised to introduce additional restrictions on virements.

6.4 Treasury Management

6.4.1 The Council has adopted CIPFA's Treasury Management in the Public Services Code of Practice 2011 as updated from time to time.

6.4.2 All matters relating to Treasury Management shall be subject to the supervision and control of the Section 151 Officer.

6.4.3 External Borrowing, and all other Treasury Management transactions, shall be undertaken in accordance with the CIPFA Treasury Management Code of Practice, Prudential Code and the rules and procedures laid down in the Council's Treasury Management Policy. The Treasury Management Manual shall be considered to be the Council's Financial Regulations for Treasury Management transactions and procedures.

6.5 Bank Accounts and Cheques

6.5.1 The Section 151 Officer shall arrange for such bank accounts to be kept as may be deemed necessary. The Section 151 Officer shall be responsible for the operation, supervision and control of those accounts. No member of staff shall arrange for a bank account to be opened without the express authorisation of the Section 151 Officer.

6.5.2 No direct debits from the Council's bank account must be set up without the prior approval of the Section 151 Officer.

6.5.3 Bank overdraft facilities and the amounts and conditions of bank charges shall be negotiated and agreed by the Section 151 Officer

6.5.4 The Officers authorised to sign cheques or transfer money on behalf of the Council, shall be limited to the Section 151 Officer, Deputy Section 151 Officer or such officers as authorised by the Section 151 Officer.

6.5.5 Any cheques exceeding £50,000 must bear two authorised signatures, at least one of

which must be a manual signature.6.5.6 Where use is made of the on-line banking system for payments to be made out of any of the Council's bank accounts electronically, the requirements for authorisation of payments shall be of the same, or higher, standard as if a cheque payment is being made. The ability of individual post-holders to raise or authorise such payments is contained within the Council's Treasury Management Manual.

- 6.5.7 All unused cheques shall be held as "Controlled Stationery" and shall be held in a secure location.
- 6.5.8 No cheques are to be cancelled except by persons authorised by the Section 151 Officer.
- 6.5.9 Instructions for stopping cheques shall be notified to the Bank in writing and all preliminary telephone instructions in this connection shall be confirmed in writing immediately afterwards by the Section 151 Officer or Duly Authorised Officer.
- 6.5.10 No replacement cheques shall be issued until the Bank confirm that a stop has been placed on the original cheque. Confirmation received from the Bank regarding stopped cheques must be retained for a period approved by the Section 151 Officer.
- 6.5.11 All Giro credit balances shall be transferred by automatic transfer at regular intervals by officers authorised by the Section 151 Officer.
- 6.5.12 Bank accounts shall be reconciled with financial records and cashbooks at least once in each month and any discrepancies identified and appropriate action undertaken.

6.6 Procurement Cards

- 6.6.1 The Section 151 Officer shall have the authority to approve requests for applications for procurement cards, including merchant category code blocks, monthly card limits and single transaction limits.
- 6.6.2 The Business Manager (Administrative Services) shall administer all applications for procurement cards. No officer shall apply for procurement cards other than through the Council's Business Manager (Procurement).
- 6.6.3 All procurement cards must be held securely. Card details and PIN numbers must not be disclosed other than for the purposes of using the card for payments. Cardholders may be held personally liable for any expenditure that they cannot account for.
- 6.6.4 On a monthly basis, a record of card purchases shall be maintained by individual cardholders and reconciled to the card statement provided by the card issuer. Business Managers shall approve the monthly record of card purchases and provide a copy to the Financial Services Business Unit for processing.
- 6.6.5 Any discrepancies between the card issuer statement and the cardholder's record of purchases must be promptly reported to the Business Manager Procurement.
- 6.6.6 Procurement cards shall only be used for authorised purchases relating to council

business. Under no circumstances shall they be used for personal expenditure.

6.6.7 In all circumstances, every purchase with VAT will require a VAT receipt in order for the card statement to be accounted for correctly. Any items that do not include a VAT receipt will be charged fully to the revenue code.

6.7 Controlled Stationery

6.7.1 The term Controlled Financial Stationery refers to stationery which is sequentially pre-numbered to provide a sound audit trail, usually to record and process items of a financial nature, the use of which has to be regulated in order to ensure it is restricted to authorised Officers only.

6.7.2 Within the Council the primarily relates to cheques, income collection sheets, income receipts, petty cash books and car park tickets.

6.7.3 The Section 151 Officer may designate any item he considers appropriate to be controlled stationery.

6.7.4 Such stationery must be retained securely at all times and any issues from stock signed for.

6.8 Retention of Financial Records

6.8.1 All financial records, whether in written or printed form or stored electronically and all records supporting financial transactions in whatever form shall be retained in accordance with instructions issued by the Section 151 Officer, who shall determine the Council's retention requirements in accordance with relevant legislation and shall be responsible for the Council's Retention and Disposal Policy with respect to financial records.

6.9 Authorised Signatory List

6.9.1 CMT and Business Managers, in consultation with the Section 151 Officer will nominate authorised signatories for their service for the authorisation of orders, invoices, timesheets, overtime claims and contracts. The Section 151 Officer may authorise additional officers to undertake these duties.

6.10 Taxation

6.10.1 The Section 151 Officer is responsible for ensuring that adequate procedures are in place and adequate advice available for Business Units so as to ensure that the Council is at all times compliant with the specific requirements of the various tax regimes which affect its operations and delivery of services.

6.10.2 The Section 151 Officer is responsible for maintaining the Council's tax records, making all tax payments, receiving tax credits and submitting tax returns by their due date as appropriate.

6.10.3 All Business Managers will at all times conduct the financial arrangements of their Business Units, with regard to taxation issues, in accordance with advice or instructions issued by the Section 151 Officer, and shall provide any related information or documents upon request.

7. EXPENDITURE RELATED REGULATIONS

7.1 Employers Records and Payments of Salaries and Wages

7.1.1 Business Managers shall be responsible for promptly notifying the Business Manager Human Resources & Legal of all information required to maintain correct records for all employees of the Council in respect of service, including appointments, terminations, promotions (including 'acting up' allowances and honorariums), qualifying examination awards, sickness and absenteeism.

7.1.2 Memoranda to the Business Manager Human Resources & Legal in respect of 7.1.1 above shall be signed by the Business Manager or Duly Authorised Officer. The Human Resources Business Unit shall immediately forward such details to the Financial Services Business Unit to ensure that the correct payment of wages and salaries and other related items (including deductions) can be made.

7.1.3 Business Managers shall be responsible for arranging the submission of wages time sheets, staff salary data, overtime claims and claims for standby payments to arrive in the Financial Services Business Unit in accordance with the prescribed timescale.

7.1.4 Payment of wages/salaries shall only be made to:

- (i) Personnel included in the approved establishment for the service areas of the Council, or
- (ii) Approved temporary or casual personnel who have been properly notified to the Financial Services Business Unit.
- (iii) Appointments as authorised in sub-paragraph 7.1.6 below.

7.1.5 Business managers will be required to provide positive confirmation of current post holders prior to the payment of wages and salaries

7.1.6 Appointments other than those included in the approved establishment as amended from time to time shall be made in accordance with Human Resources Policies.

7.2 Consultants

7.2.1 Where a consultant is to be engaged, it is the responsibility of the person arranging the contract to determine whether or not payments are to be made to the consultant directly or to a personal service company (PSC). This is a limited company owned by the consultant and is commonly used to reduce tax and National Insurance liability. If payment is to be through a personal service company, advice must be sought from the S151 Officer and the Business Manager HR and Legal before any appointment is made.

7.3 Travelling and Subsistence Claims

7.3.1 All claims by Officers for payment of subsistence allowances, travelling and incidental expenses shall be submitted, duly certified by or on behalf of the Business Manager, on the Council's Envoy electronic expense system in accordance with a timetable specified by the Section 151 Officer.

- 7.3.2 The names of Officers authorised to certify claims shall be sent to the Section 151 Officer by each Business Manager. The Section 151 Officer will determine the controls, to be put in place for electronic systems.
- 7.3.3 The certification by or on behalf of the Business Manager shall be taken to mean that the certifying officer is satisfied that the journeys were authorised, the expenses properly and necessarily incurred, and that the allowances are properly payable by the Council.
- 7.3.4 Un-receipted expenditure will only be considered for reimbursement at the discretion of the Section 151 Officer or his nominated officer where they are satisfied that the authorising officer has established that a receipt was not available.
- 7.3.5 Officers claims shall normally be submitted monthly, and any submitted more than six months after the expenses were incurred shall be paid only with the express approval of the Section 151 Officer. Business Managers shall ensure that all Officers using their own vehicles on Council business:
- (i) Hold a current full driving licence authorising them to drive the vehicle in question.
 - (ii) Have a current insurance policy, which indemnifies the Council against all third party claims (including those of passengers) arising out of the use of the vehicle in question on the Council's business.
 - (iii) Hold a current MOT certificate, where applicable, for the vehicle in question.
 - (iv) Have paid the appropriate road tax, where applicable, for the vehicle.

7.4 Members Allowances

- 7.4.1 Claims shall be undertaken in accordance with the Members' Allowance scheme approved by the Council on a form approved by the Section 151 Officer on the following basis:
- (i) Claims may be submitted at the end of each month.
 - (ii) Claims for all expenses and travelling in any financial year up to the end of January must be submitted to the Financial Services Business Unit by the 5th working day of March.
 - (iii) Claims for expenses and travelling during February and March must be submitted to the Financial Services Business Unit by the end of April.
- 7.4.2 The Member is wholly responsible for certifying the validity of the claim.
- 7.4.3 Further guidance concerning Members Allowances is given in the Members handbook and the latest scheme of Members Allowances approved by Council.

7.5 Orders for Goods, Works and Services

- 7.5.1 Each member of CMT and Business Manager shall be responsible for all official orders issued from their remit ensuring that:
- (i) The estimated costs are covered by an approved budget or other prior sanction.

- (ii) There is compliance with Standing Orders and Contract Procedure Rules, and procurement law and regulations concerning tenders and contracts.
 - (iii) It can be demonstrated that the purchase represents value for money.
 - (iv) Order values are not split to avoid having to comply with procurement rules.
- 7.5.2 All orders must be made through the Council's Financial Management system and must be in the name of Newark & Sherwood District Council and in a form approved by the Section 151 Officer. Wherever possible electronic orders should be raised in advance of the purchase, and the supplier advised of the relevant purchase order number.
- 7.5.3 Official orders must clearly show the nature and quantity of the materials, works or services required, and details of the agreed price (or estimated price), discounts and terms in relation to packing and delivery.
- 7.5.4 Official orders shall indicate that invoices/accounts are to be submitted to the Financial Services Business Unit quoting the relevant purchase order number unless expressly authorised by the Section 151 Officer.
- 7.5.5 Official orders and variations to orders shall be authorised only by:
- (i) Business Managers.
 - (ii) Duly Authorised Officers, nominated by appropriate Business Managers detailed in a schedule supplied to the Section 151 Officer showing the financial limits to an Officer's authority and a specimen signature.
- 7.5.6 Official orders must be generated for all work, goods, and services to be supplied to the Council except:
- (i) No order shall be issued if the estimated value of the work or services exceeds the value where a tender process is required in accordance with Contract Procedure Rules (This value is £75,001). In this instance a formal tender process must be initiated in consultation with the Business Manager (Procurement).
 - (ii) For periodic payments such as rents or rates, for petty cash purchases or such other exception as the Section 151 Officer may approve.
 - (iii) Goods and services ordered by use of a Council Procurement Card.
- 7.5.7 Council orders shall not be used for personal or private purchases.
- 7.5.8 Business Managers or Duly Authorised Officers must review electronic purchase orders on a regular basis and cancel those that are no longer required.
- 7.6 **Goods Received**
- 7.6.1 The system of checking goods received, or works done, against official orders shall be in accordance with instructions laid down by the Section 151 Officer and must be adhered to by all officers.

7.6.2 Where an electronic order has been raised, a Goods Receipt Note should be input to the Financial Management system as soon as the goods have been checked.

7.7 Invoices

7.7.1 Where an invoice is not subject to an electronic order raised on the Council's Financial Management system, due to any of the circumstances outlined at 7.5.6, the invoice should be authorised for payment by one of the following:

- (i) CMT
- (ii) Business Managers
- (iii) Duly Authorised Officers, nominated by appropriate Business Managers detailed in a schedule supplied to the Section 151 Officer showing the financial limits to an Officer's authority and a specimen signature. Business Managers shall be responsible for promptly notifying the Financial Services Business Unit of amendments to Duly Authorised Officers.

7.7.2 Before certifying an invoice, the authorising officer shall be satisfied that:

- (i) The work, goods or services to which the invoice relates have been received, carried out, examined and approved.
- (ii) The prices, extensions, calculations, trade discounts, other allowances, credits and tax are correct.
- (iii) The relevant expenditure has been properly incurred, and is within the relevant estimate provision.
- (iv) Appropriate entries have been made in registers, inventories, stores records or stock books, as required, and
- (v) the invoice has not been previously passed for payment and is a proper liability of the Council.

7.7.3 Where any amendment is required to an invoice the supplier must be asked for an amended invoice or, alternatively, a credit note.

7.7.4 Business Units shall promptly forward any invoices received directly to the Financial Services Business Unit after ensuring that the appropriate purchase order has been goods receipted. The same Officer must not both authorise an order and certify that goods have been received or work done.

7.7.5 Invoices shall only be paid within the computer-based system timetable. Any invoices for which there is no purchase order and/or Goods Receipt Note on the Financial Management system cannot be paid (with the exception of those under circumstances detailed in 6.4.6) and the relevant Business Unit will be notified to correct the omission.

7.7.6 Business Managers are responsible for ensuring that all necessary data and authorisations are input to the Financial Management system to guarantee payment of commercial invoices within 30 days of receipt.

7.7.7 Copy invoices and orders substituted for the original document shall be clearly marked "copy" and initialled.

- 7.7.8 No payments made by the Section 151 Officer will be other than by use of official stationery or by approved electronic means.
- 7.7.9 The Section 151 Officer will be responsible for the deduction of any tax from payments to contractors under the provision of the Construction Industry Tax Deduction Scheme.
- 7.7.10 Any queries on invoices that cause delay in payment must be raised formally with the supplier. When the invoice is passed to the Financial Services Business Unit for payment the reason for delay must be provided.

7.8 **Petty Cash and Post**

7.8.1 **General**

- (i) Petty cash is only available under special circumstances. Procurement cards should be used.
- (ii) Procedures for Petty Cash Imprest Accounts and Post shall be in accordance with instructions laid down by the Section 151 Officer. New or temporary accounts/floats shall not be raised out of income.
- (iii) New or temporary accounts/floats can only be raised by Financial Services

7.8.2 **Petty Cash Imprest Accounts**

- (i) A Petty Cash Imprest Account is defined as a fund of cash from which incidental expenses are paid, which is topped up periodically from central funds. These transactions should be minor, routine transactions, where raising an official order and processing an invoice through the Creditor system would be neither realistic nor cost effective. This differs from a change float which is a sum of money used to provide change at the start of the day, which is deducted from the total at the end of the day when calculating the day's takings. A Petty Cash Imprest Account should be kept and accounted for separately to a change float.
- (ii) Holdings of Petty Cash shall be limited to amounts prescribed by the Section 151 Officer.
- (iii) Signatures of Petty Cash holders confirming the amounts held shall be obtained annually under year-end procedures and periodic management checks shall be made to verify petty cash holdings.
- (iv) Business Managers shall be responsible for ensuring the comprehensive recording of all petty cash disbursements, the custody of supporting documents and vouchers and the safe custody of all unused balances of petty cash.
- (v) Reimbursement of petty cash shall be obtained by the production of the appropriate voucher together with receipts to the Section 151 Officer for inclusion in the invoice payment system.
- (vi) Un-receipted expenditure will only be considered for reimbursement at the discretion of the Section 151 Officer or his nominated officer where they are satisfied that the authorising officer has established that a receipt was not available.
- (vii) Two people shall be involved in the preparation/authorisation of an imprest claim.
- (viii) The Petty Cash system must not be utilised for payments that should be processed through other systems (e.g. Members/Officers expenses) unless expressly authorised by the Section 151 Officer.
- (ix) On leaving the employment of the Council or otherwise ceasing to be entitled to

hold a petty cash or other float an Officer shall account to the Section 151 Officer for the amount advanced to him, and a hand over certificate shall be completed.

7.8.3 **Post**

- (i) All post should be processed through the Business Mail process.
- (ii) The Business Mail process is not to be used for personal items of mail.

7.9 **Right to Set Off**

7.9.1 The Right to Set Off concerns the situation whereby the Council owes a person money, but where that person also owes money to the Council, and the Council sets off what is owed before paying the balance (if any) to the person.

7.9.2 Business Managers shall be responsible for ensuring that suitable arrangements are in place to consider the setting off of monies owed to the Council where applicable.

7.9.3 Set Offs shall be undertaken where:

- (i) The opportunity arises, subject to any statutory obligation upon the Council.
- (ii) The circumstances of the particular case justify such a course of action.

Each case must be considered on its own merits.

7.9.4 Officers undertaking set offs shall ensure that the course of action proposed has been evaluated by the Legal Section and the VAT Officer within Financial Services prior to it being undertaken.

7.9.5 No grant shall be offered to a third party where that person/entity is in debt to the Council, and such debt has become outstanding and in arrears, without the express consent of the Section 151 Officer.

7.10 **Contracts**

7.10.1 All contracts shall be made and administered in accordance with the Contract Procedure Rules.

7.10.2 Directors are responsible for notifying the names of Officers authorised to sign contracts and their authorisation limits to the Section 151 Officer. Any changes should be notified to the Financial Services, Procurement and HR and Legal Business Units.

8. INCOME RELATED REGULATIONS

8.1 **Responsibilities**

8.1.1 Business Managers shall be responsible for the collection, custody and banking of income received as due to the Council in accordance with the instructions issued by the Section 151 Officer.

8.1.2 The Accounts and Audit Regulations 2006 require that "Every Officer of the Council who pays money into a bank account of the Council, shall enter on a paying in slip, and on the counterfoil or duplicate thereof, particulars of such payment, including, in the case of each cheque paid in:

- (i) The amount of the cheque, and
- (ii) A reference (such as the number of the receipt given or the name of the debtor) which will connect the cheque with the debt or debts in discharge or partial discharge of which it was received.

Where any cheque paid in was not received in discharge or partial discharge of a debt due to the Council, the Officer shall note the fact on the counterfoil or duplicate of the paying in slip.

8.2 **General**

8.2.1 The rules for the collection of all income due to the Council shall be under the general control of the Section 151 Officer.

8.2.2 The records kept by each budget holder with regard to items of income shall be in such a form as may be agreed by the Section 151 Officer from time to time.

8.2.3 All payments received in cash on behalf of the Council shall be acknowledged by the issue of an official receipt. Such receipts shall only be valid if in the form of an official machine printed receipt, except where official manual receipt books are issued for prescribed purposes.

8.2.4 All income shall be collected and deposited intact without delay into the Council's bank account, as directed by the Section 151 Officer, on the same day as received wherever possible. Where appropriate, income shall be deposited under night-safe arrangements, including suitably secure safes on the Council's own premises, or held securely by another appropriate method approved by the Section 151 Officer. Where cash is held in secure safes on Council premises the Business Manager responsible for the service depositing the money shall ensure that sufficient insurance arrangements are in place.

8.2.5 No personal cheques are to be cashed out of Council funds.

8.2.6 All cheques, postal orders, money orders and postal drafts etc, received on behalf of and due to the Council shall be crossed "A/C Newark and Sherwood District Council" immediately on receipt unless they are already clearly marked with equivalent wording.

8.2.7 Post-dated cheques will only be accepted at the discretion of the Section 151 Officer.

8.2.8 The Section 151 Officer on receipt of details from Business Manager shall ensure that a record is maintained of all items of income due to the Council classified as "periodic income" for which fixed or varying charges apply. For this purpose the term "periodic income" shall mean any fee or charge receivable by the Council on a recurring basis one or more times in any one year.

8.2.9 Business Managers shall be responsible for notifying the Section 151 Officer of all items

of miscellaneous income due to be paid to the Council.

8.2.10 Cash receipts over a value of £1,500 shall be reported to the Council's Anti Money Laundering Reporting Officer (the Section 151 Officer) who shall be responsible for taking the appropriate action. The Section 151 Officer may issue further arrangements in respect of anti-money laundering.

8.2.11 Instances where currency is identified as being forged shall be reported to the Section 151 Officer.

8.2.12 No online payment system must be set up without the prior approval of the Section 151 Officer.

8.2.13 All online payments must be in accordance with instructions issued by the Section 151 Officer.

8.3 Cash Receipting

8.3.1 Receipt books are controlled stationery and shall be retained securely.

8.3.2 Where Council income other than cheque payments, whether cash or otherwise, is passed from one employee to another, the receiving employee shall sign an appropriate form of receipt, which shall be retained by the Officer who passed the income.

8.3.3 Adequate details of receipts and specific records of cheques shall be kept which refer to the original debt.

8.3.4 Postal income shall be held securely, opened wherever possible in a secure environment, by a minimum of two officers, recorded on appropriate documentation, and promptly investigated in the event of discrepancies.

8.3.5 Change must not be given in the event of a cheque being received for a greater value than the debt outstanding.

8.3.6 Coin operated machines shall be emptied on a regular basis, with the income counted in a secure environment by a minimum of two officers, with a note of machine readings being taken (where applicable), with discrepancies being promptly investigated.

8.3.7 Change floats shall be issued and approved by the Section 151 Officer, be kept secure when not in use, checked prior to use, and deducted from the total at the end of the day when calculating the days takings. Unofficial floats must not be maintained.

8.3.8 Cashing up duties shall be undertaken by a minimum of two officers, in a secure environment away from public view, with the details being recorded on an appropriate daily return, with discrepancies being promptly investigated.

8.3.9 Further details concerning cash handling procedures are outlined in the Cash Handling Guidance notes which can be found in the Safety section on the Council's intranet.

8.4 Debtor Accounts - Recovery, Amendment and Write-Off

- 8.4.1 The Council shall submit invoices for rechargeable work within one month of the work being completed and appropriate documentation being received.
- 8.4.2 All arrangements for recovery of outstanding debts to the Council shall be made in accordance with instructions from the Section 151 Officer (this may include the debtor details being submitted to the Council's Legal Section or an outside collection agency suitably appointed by the Council).
- 8.4.3 Cancellation of Sundry Debtor accounts, whether in part or full, shall be authorised in writing by the relevant Business Manager or Duly Authorised Officer, on the basis of appropriate documentation prepared by the originator of the debt, which justifies the said cancellation.
- 8.4.4 The Section 151 Officer shall be authorised to write off debts owed to the Council in accordance with delegated authority contained in the Council's Constitution. Items in excess of the amount specified in delegated authority may only be written off by the Policy & Finance Committee.

8.5 Gifts and Hospitality

- 8.5.1 The procedures to be adopted concerning gifts and hospitality being offered to an employee of the Council, shall be in accordance with guidance notes within the Employees Code of Conduct, Member Code of Conduct, or issued by the Councils Monitoring Officer or Section 151 Officer.

9. PROTECTION OF ASSETS

9.1 Security

- 9.1.1 The Section 151 Officer shall maintain an up-to-date asset register. The Section 151 Officer should be notified in any case where security is through to be defective or where it is considered that special arrangements may be needed.
- 9.1.2 Officers arranging legal contracts shall ensure that the legal documents are lodged with the Legal Section.
- 9.1.3 The Council's Legal Section shall be responsible for the safe custody of all legal agreements, leases etc, showing due dates for termination and for the review of "break clauses" as applicable and shall keep a register of all such legal agreements.
- 9.1.4 The Contract Officer is responsible for ensuring appropriate action is taken to meet the requirements of the relevant operative dates.
- 9.1.5 Each Business Manager shall be responsible for maintaining proper security at all times for all buildings, stocks, stores, furniture, equipment, cash etc, under his control. He shall consult the Section 151 Officer (and, where necessary, the Business Manager Community Safety) in any case where it is considered that special security arrangements may be needed.

- 9.1.6 Maximum limits for cash holdings shall be agreed with the Section 151 Officer in accordance with insurance limits, and shall not be exceeded without his express permission.
- 9.1.7 Keys to safes, similar receptacles, cash offices, stock rooms and office keys must be held securely. The loss of any such keys must be reported to the Section 151 Officer immediately.
- 9.1.8 Each Business Manager shall be responsible for maintaining a secure record of key holders together with details of keys held in other locations. All keys held personally by individual officers must be signed out and signed back in again when they are no longer required to be held.
- 9.1.9 Any losses of either ID badges or building access cards must be reported immediately to the Business Manager Community Safety.
- 9.1.10 Any breaches in security shall be reported immediately to the Business Manager Community Safety.

9.2 Inventories

- 9.2.1 Business Managers shall ensure that an inventory is maintained of all items, as approved, in a form approved by the Section 151 Officer.
- 9.2.2 The inventory shall give an adequate description of all movable plant and machinery, vehicles, and valuable, desirable and portable equipment belonging to Newark and Sherwood District Council. The inventory will be a permanent record and under no circumstances shall an item be deleted. Entries relating to items disposed of or transferred shall be annotated to that effect. The inventory should detail such identification marks as to enable the item to be easily identified i.e. model number, serial number, unique identification number etc.
- 9.2.3 All new inventory items purchased must be entered onto the inventory immediately and where relevant, the Insurance Officer notified.
- 9.2.4 Business Managers shall be responsible for maintaining an annual check of all items on the inventory. As part of the Annual Governance Statement process, Business Managers are asked in May each year to certify the accuracy and completeness of inventories. As such, there must be an inventory check undertaken of all items in time to complete this certification. This is a minimum requirement; in some instances a more frequent review may be appropriate.
- 9.2.5 All surpluses or deficiencies shall be properly documented and recorded as an amendment to the inventory and reported to the appropriate Director and Insurance Officer, subject to 9.2.6 below.
- 9.2.6 Surpluses or deficiencies in excess of £50 for any one item and £500 in total must be reported to the Section 151 Officer who may, at his discretion, order an investigation.
- 9.2.7 In connection with surplus inventory items with a value over £50:

- (i) Prior to disposal, the surplus item must be offered for internal use elsewhere in the Council. In this case both inventories should record the transfer.
- (ii) All disposals must be authorised by the appropriate Business Manager.
- (iii) The method of disposal shall be approved by the Section 151 Officer.
- (iv) All disposals must be properly documented.
- (v) The Insurance Officer shall be informed of all relevant disposals.

9.2.8 Any inventory item identified as being obsolete must only be disposed of on the authority of the appropriate Business Manager, after consultation with the Section 151 Officer.

9.2.9 No inventory item shall be subject to personal use by an employee without authorisation by the appropriate Business Manager. Any item removed for home working should be shown as such on the inventory or through an appropriate booking out mechanism.

9.2.10 Employees are responsible for inventory items allocated to them. Employees are also responsible for keeping a record if they loan inventory items to other officers.

9.3 Stores

9.3.1 Each Business Manager shall be responsible for the custody, control, ordering, issuing and recording of stocks and stores in his Department. The system in operation shall be subject to the express approval of the Section 151 Officer.

9.3.2 Business Managers shall arrange for a continuous and independent stocktaking of stores.

9.3.3 Stocktaking procedures shall be sufficiently regular and robust so as to ensure that stock is accurately recorded. This must include a stocktake at 31st March.

9.3.4 Following the stocktaking of stores, the following procedures shall apply:

- (i) Investigations shall be made into discrepancies to isolate and correct accounting errors. The results of any investigations including any reports must be sent to the Section 151 Officer at an early stage.
- (ii) Discrepancies still outstanding shall be presented to the appropriate responsible Director for comment and explanation.
- (iii) The Section 151 Officer shall have authority after receipt and consideration of the comments and explanations to make the necessary adjustments to the stores ledger, and may require an investigation and/or report to the Audit and Accounts Committee.

9.3.5 The Section 151 Officer shall be entitled to receive from each Business Manager such information as he requires in relation to stores for the accounting, costing and financial records, including a certificate of the value of stores held at the 31st March each year for submission at audit.

9.3.6 Prior to disposal, the Business Manager shall ensure that the Council has ownership of the asset. Surplus or obsolete materials, stores or equipment with an estimated value

over £500 shall be disposed of by competitive tender or public auction, unless appropriate written approval is obtained from the Section 151 Officer who decides otherwise in a particular case. The proceeds of the sale of any asset should be paid directly to the Council without any deductions.

9.3.7 No stores item shall be subject to personal use by an employee.

9.4 **Insurance**

9.4.1 The Section 151 Officer shall be responsible for effecting adequate insurance cover, through an insurance company (or companies) or such other means approved by the Policy & Finance Committee for all assets, commitments and contingent liabilities in the performance and discharge of statutory or other authorised duties by the Council, its Members and Officers.

9.4.2 No officer shall arrange insurance other than through the Council's Insurance Officer.

9.4.3 Insurance requirements shall be actioned in accordance with the Council's Insurance Guide, which can be found in the Financial Services section of the intranet.

9.4.4 The Section 151 Officer shall carry out periodic reviews to ensure the maintenance of adequate insurance cover as above, and shall maintain a record of "risks" covered, the amount of cover and premiums due.

9.4.5 Business Managers shall be responsible for promptly notifying the Section 151 Officer of the extent and nature of new risks or of any variations concerning insurance cover required in respect of their own service area.

9.4.6 Business Managers shall be responsible for promptly notifying the Section 151 Officer of full details of all accidents or occurrences likely to lead to a proper claim on the Council.

9.4.7 Where any claim is received from a third party by any officer, this must be immediately forwarded to the Council's Insurance Officer.

9.4.8 The Section 151 Officer shall maintain a record of all insurance claims made against the Council.

9.4.9 No correspondence should be entered into in respect of any claim or other insurance matter except by the Council's Insurance Officer, without the express approval of the Section 151 Officer.

9.4.10 At no time should any officer or Member or any other person acting on behalf of the Council make an admission of liability on behalf of the Council without the express authority of the Section 151 Officer.

9.4.11 Any expenditure in relation to dealing with the settling or resisting of claims must be authorised by the Section 151 Officer or any other duly authorised officer prior to any expenditure being committed.

9.5 Asset Management

- 9.5.1 All matters relating to Asset Management shall be administered in accordance with the Council's Asset Management Plan.
- 9.5.2 The Section 151 Officer shall ensure that an Asset Register is maintained by the Council in accordance with the latest advice issued by the Chartered Institute of Public Finance and Accountancy.
- 9.5.3 It is the responsibility of the appropriate Director to ensure that Asset Management expertise is available to the Council.
- 9.5.4 The Asset Register shall include all assets of the Council valued in excess of £15,000.

9.6 Management of Information

- 9.6.1 Business Managers shall be responsible for maintaining the proper security and privacy of all information under their control including computerised files and for ensuring the Council acts in accordance with the Data Protection/Freedom of Information legislation.
- 9.6.2 Intellectual property (i.e. the generic term that includes inventions, creative writings, software and drawings) arising from the course of employment will belong to the Council.

9.7 Motor Vehicles

- 9.7.1 Council vehicles must not be used for private purposes, or hired or lent out, without the express approval of the appropriate Director who shall check with the Council's Insurance Officer that such use is covered by the Council's insurance policy. Records of any such use should be kept to ensure the driver of any such vehicle shall be known at all times. If there is any doubt that adequate insurance cover is in place, no such use of the vehicle shall be permitted.
- 9.7.2 Business Managers shall ensure that all Officers using Council owned vehicles hold a current full driving licence authorising them to drive the vehicle in question.
- 9.7.3 All Officers using Council owned vehicles are responsible for the security of the vehicle, whilst it is in their care.
- 9.7.4 Where a Council vehicle is to be taken home overnight to facilitate call-out, stand-by or other appropriate duties, Financial Services must be informed to ensure that taxation issues are managed appropriately.

9.8 Reporting of Irregularities

- 9.8.1 The reporting of irregularities shall be in accordance with the Council's Guidance for Dealing with Irregularities which is available in the Financial Services section of the Intranet.

9.9 **Whistleblowing Policy**

9.9.1 Each Business Manager shall be responsible for ensuring that their staff are aware of, understand and comply with the Council's Whistleblowing Policy which is available within the Council's Constitution.

9.10 **I.C.T. Systems**

9.10.1 All proposals for the acquisition, development, maintenance and use of computing facilities and systems shall conform with the Council's I.C.T. policies and strategies and the Employee Code of Conduct.

10. **EXTERNAL ARRANGEMENTS**

10.1 **Partnerships, Shared Services and Collaboration Arrangements**

10.1.1 No partnership or shared service arrangement shall be set up without taking into consideration the factors covered in 10.1 of these regulations.

10.1.2 Business Managers shall ensure that the appropriate approval is obtained prior to any negotiations being concluded in relation to work with external bodies.

10.1.3 The Section 151 Officer must be consulted on the financial implications of new partnerships or shared services arrangements and must approve that:

- (i) A scheme appraisal for financial viability in both current and future years has been undertaken.
- (ii) Costs and income are provided for in the Council's budget.
- (iii) Arrangements are in place for accurate accounting for cost and income.
- (iv) Sufficient controls are in place for the successful operation of the partnership/shared service, including arrangements for sufficient access to financial and other records.
- (v) Carry forward arrangements have been determined.
- (vi) A formal risk appraisal has taken place and a management strategy devised.
- (vii) An auditing, security and control regime has been established.
- (viii) Appropriate arrangements are in place for the recovery of VAT.

10.1.4 Financial performance of partnerships and shared services must be monitored and reported back to the Council as agreed.

10.1.5 These Financial Regulations also apply to all partnerships and shared services unless similar arrangements have been approved by the Section 151 Officer.

10.1.6 Where collaboration is agreed with an external partner, the relevant Business Manager is responsible for ensuring that all income due is invoiced and recorded promptly within the Financial Management system and that invoices for expenditure incurred in relation to the collaboration are received and recorded promptly.

10.1.7 Where an Officer is working for a Collaboration partner, the Financial Regulations of the partner body will apply.

10.2 External Funding

10.2.1 No applications for external funding shall be made without prior consultation with the Section 151 Officer. Directors or Business Managers shall be responsible for providing the Section 151 Officer with the following information:

- (i) How the bid is compatible with the Councils aims and priorities.
- (ii) Whether the bid is for capital or revenue funding.
- (iii) Whether matched funding contributions are required from the Council and how these will be identified.
- (iv) Whether matched funding contributions are required from other organisations and how these amounts will be secured.
- (v) An exit strategy setting out how budgets will be adjusted after the external funding expires.
- (vi) Where the bid is for revenue funding, whether it is to support existing levels of activity or enhanced/new activities.
- (vii) Where the bid is for capital funding, whether an asset will be created and how this fits in with the Councils Asset Management Plan, how the ongoing maintenance of the asset will be funded and whether the asset can/will be disposed of at a later date.
- (viii) Details of ownership and insurance of the asset.

10.2.2 Business Managers shall be responsible for ensuring that:

- (i) The key conditions of funding and any statutory requirements are complied with and that the responsibilities of the accountable body are clearly understood.
- (ii) Any funding received is used for the intended purpose and is notified to the Section 151 Officer.

10.2.3 The Section 151 Officer shall be responsible for:

- (i) Approving all external funding bids prior to application.
- (ii) Approving all interim and final claims for external funding once the bid has been accepted and is live.
- (iii) Ensuring that any funding received is properly recorded in the Council's accounts.

10.3 Work for Third Parties

10.3.1 No Officer should set up their own trading company to provide services to the Council without the prior approval of the Section 151 Officer and the Monitoring Officer.

10.3.2 The Section 151 Officer shall be consulted on the contractual arrangements for any work for third parties prior to any contract being signed.

10.3.3 Business Managers shall be responsible for ensuring that:

- (i) A register is maintained of all contracts entered into with third parties.
- (ii) Any risks are minimised and such work is intra vires.
- (iii) Appropriate insurance arrangements are made.
- (iv) The Council is not put at risk from any bad debts.
- (v) No contract is subsidised by the Council.
- (vi) Wherever possible, payment is received in advance of the delivery of the service.
- (vii) The Business Unit has the appropriate expertise to undertake the Contract.
- (viii) All contracts are properly documented.
- (ix) Appropriate information is provided to the Section 151 Officer for final accounts purposes.

11. DIRECTOR/OFFICER DELEGATIONS

- 11.1 Director/Officer delegations will be in accordance with the latest Scheme of Delegation as approved by Council.

12. CONTRACT AND WINDFALL SAVINGS

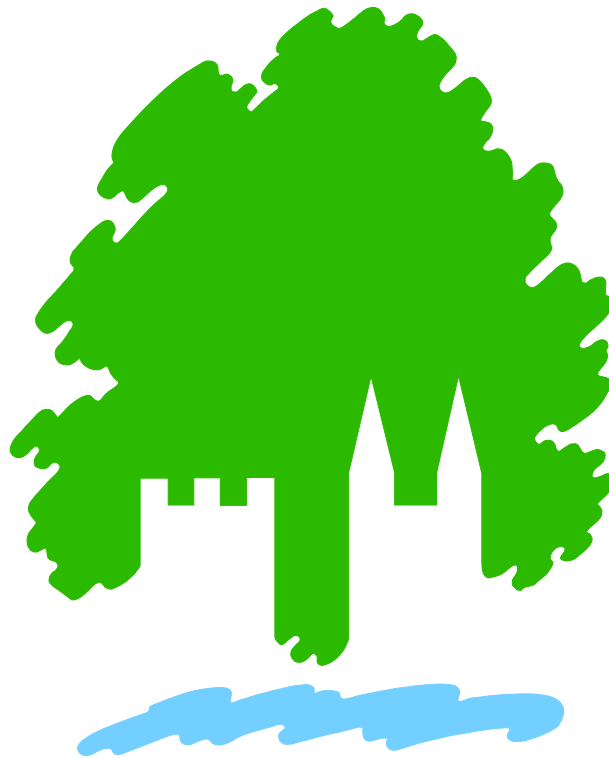
- 12.1 Unless specific agreement with the Section 151 Officer is obtained, contract savings and windfall savings (i.e. unanticipated income or unanticipated savings on expenditure including any figure relating to previous years) will revert to General Balances.

13. FAILURE TO COMPLY WITH FINANCIAL PROCEDURE RULES

- 13.1 Failure to comply with the Financial Procedure Rules:
- Is a breach of the Code of Conduct for Officers that is covered by the Council's Disciplinary and Dismissal Policy.
- 13.2 Councillors must report any apparent breach of the Financial Procedure Rules to the Chief Executive. Officers must report apparent breaches to an appropriate Chief Officer or the S151 Officer. The Chief Officer (where this isn't the S151 Officer) should report breaches of these Rules to the S151 Officer and the Monitoring Officer.

Revised: February 2018

Next revision due: February 2020



**NEWARK &
SHERWOOD**
DISTRICT COUNCIL

ANTI-FRAUD & CORRUPTION STRATEGY

Revised: February 2018

Next revision due: February 2020

1. INTRODUCTION

- 1.1 The Council recognises that the extent and nature of its services and activities means there is a risk of loss due to fraud, corruption (including bribery), theft, and the falsification, unauthorised destruction or suppression of records.
- 1.2 This Strategy applies to Members, Officers and Employees, and all Associated Persons including but not limited to: temporary workers, consultants, contractors, suppliers, agents, advisers, subsidiaries, any person or body acting for or on behalf of the Council, and individuals or bodies seeking to gain influence with the Council.
- 1.3 Any proven breach of this strategy is likely to constitute a serious disciplinary, contractual and criminal matter for the individual(s) or body implicated, and in addition to physical loss may cause serious damage to the reputation and standing of the Council.

2. POLICY STATEMENT

“Newark and Sherwood District Council is committed to the highest standards of public service, business conduct, openness, probity, accountability and honesty. As part of this commitment we will not tolerate fraud, corruption, theft, or the falsification, unauthorised destruction or suppression of records. We will vigorously and objectively investigate all allegations of such action, and pursue legal, financial, other appropriate redress, and prosecution, where merited.

A further part of this commitment will be to implement a proportionate, comprehensive, fair and balanced strategy in order to:

- develop and maintain a culture of openness, probity, accountability and honesty;
- acknowledge and understand fraud risks
- maintain appropriate levels of internal control;
- deter, prevent, detect and investigate fraud, corruption, theft and the falsification, unauthorised destruction or suppression of records ;
- seek appropriate sanctions, where justified, against individuals or bodies;
- take legal action and prosecute where considered appropriate;
- seek redress in respect of any resources involved;
- preserve assets and resources for use in the best interests of the community’.

3. AIMS AND SCOPE OF THE STRATEGY

- 3.1 The overall aim of this Strategy is to create and maintain an Anti-Fraud and Corruption culture within Newark and Sherwood District Council, and to ensure irregularities are

detected, reported and dealt with appropriately.

3.2 The specific objectives of the Anti-Fraud Strategy are to operate proportionate and appropriate measures aimed at:

- Acknowledging and understanding the areas at risk of fraud;
- Prevention;
- Detection and Cessation;
- Loss recovery;
- Admonishment and Disciplinary action;
- Prosecution and legal action.

3.3 The objectives will be achieved by:

- the Council's commitment to the creation of a workable partnership with its citizens whereby fraud, corruption (including bribery), theft and the falsification, destruction or suppression of records will not be tolerated;
- the introduction and regular review of appropriate practices within Council Policies and Codes of Practice which govern the actions of Employees, Members and "Associated persons"; and
- the Council's ongoing commitment for the provision of appropriate and adequate resources proportionate to the risk.

4. **DEFINITIONS**

4.1 The Fraud Act 2006 is legislation that has been introduced in order to provide for absolute clarity on the subject of fraud. It replaces certain parts of other legislation (e.g. parts of the Theft Act 1968 and 1978) which were generally untidy, had become difficult to operate and were open to arguments on technicalities.

4.2 Section 1 of the Fraud Act 2006 introduces a new general offence of fraud and three ways of committing it:

- Fraud by false representation;
- Fraud by failing to disclose information; and
- Fraud by abuse of position.

4.3 Fraud by false representation requires:

- Dishonesty;
- An intent to make gain or cause loss; and
- The person makes the representation knowing that it is or might be false or misleading.

4.4 Fraud by failing to disclose information requires:

- Dishonesty;
- An intent to make gain or cause loss; and

Appendix B

- Failure to disclose information where there is a legal duty to disclose.

4.5 Fraud by abuse of position requires:

- Dishonesty;
- An intent to make gain or cause loss; and
- Abuse of position where one is expected to safeguard another person's financial interests.

4.6 Corruption is the 'offering, giving, soliciting, or acceptance of an inducement or reward, or showing any favour or disfavour which may influence any person to act improperly.' It is an offence under the Prevention of Corruption Acts 1889-1916 as amended and section 117(3) of the Local Government Act 1972.

4.7 Bribery can be described as giving someone a financial inducement or other form of advantage to encourage that person to perform their functions or activities improperly or to reward that person for having already done so, in order to gain a personal, commercial, regulatory or contractual advantage.

5. **POLICIES**

5.1 There are a number of essential documents, policies, procedures, guidance notes and rules associated with the Anti-Fraud Strategy. It is therefore important that all Members, Employees, and where appropriate Associated Persons are made aware of them, their role in complying with them as well as the implications of non-compliance.

5.2 Core policies are incorporated into the Council's Constitution and include:

- Financial Regulations
- Council Procedure Rules
- Contract Procedure Rules
- Code of Conduct for Officers / Members
- The Anti-Money Laundering Policy
- The Whistleblowing Policy

5.3 Specific Policies, including Staff policies:

- Guidance notes for staff regarding Gifts and Hospitality
- Guidance for Dealing with Irregularities
- The Housing Benefit Anti-Fraud Strategy
- Prosecution Policy
- Data Matching Code of Practice
- Customer Care Policy
- Information, Communication and Technology:
 - Information Technology Security Protocol
 - Mobile and Landline Communication Protocol
 - Email Protocol
 - ICT Password Protocol

- ICT Remote Access Policy
- Recruitment, Training and Discipline:
 - ⊖ Recruitment and Selection Policy and Procedures
 - Staff Vetting procedure (for staff in high-risk posts).
 - Induction Pack and Training.
 - Dismissal and Disciplinary Procedure.
 - Managing Disciplinary and Grievance Toolkit
 - Grievance Procedure – Standard and Modified.
 - Dignity at Work Policy
 - Equal Opportunities Policy.

6. **RESPONSIBILITIES**

6.1 The Council is resolute that the culture and tone of the Authority is one of honesty and opposition to fraud and corruption.

6.2 There is an expectation and requirement that all individuals, businesses and organisations dealing in any way with the Council will act with high standards of probity, openness and integrity and that Council employees or its agent(s) at all levels will lead by example in these matters.

6.3 Directors

6.3.1 Are responsible for ensuring that all Members, Employees and relevant Associated Persons are aware of the documents applicable to them, have access to them, and have knowledge of their contents and implications.

6.3.2 Must act promptly in respect of any alleged breach of this Strategy, and should act in accordance with all associated Council Policies, including the Guidance for Dealing with Irregularities.

6.4 Business Managers

6.4.1 Are responsible for ensuring that Staff and Associated Persons within their service areas have access to those documents which relate specifically to their service or role.

6.4.2 The Annual Governance Statement Checklist which is circulated to all Business Managers requires them to confirm annually that *'staff have access to, are familiar with, and work in accordance with the following documents and take action where non-compliance is identified and report thereon as required.'* The list of documents includes this Anti-Fraud and Corruption Strategy and other related Policies.

6.4.3 Ensure that all internal control systems that they are responsible for are designed in a way to prevent and detect instances of fraud and ensure that they are working adequately.

6.5 Members

6.5.1 Are responsible for ensuring they read and understand the rules and regulations which apply to them and abide by them. Any queries in relation to the interpretation of the document

should in the first place be raised with the relevant Director.

6.5.2 Are required to declare annually any “Related third party transactions” where they could be in a position to influence both sides of a transaction involving the Council.

6.6 Employees and Associated Persons

6.6.1 Are responsible for ensuring they read and understand the rules and regulations which apply to them and abide by them. Any queries in relation to the interpretation of the document should in the first place be raised with their Business Manager or the relevant Director.

6.6.2 Specific officers are required to declare annually any “Related third party transactions” where they could be in a position to influence both sides of a transaction involving the Council.

6.7 ALL Members, Employees and Associated Persons

6.7.1 Must provide all information relevant to an alleged breach of this strategy in full and without delay.

6.7.2 Full and timely assistance and information must be provided to any appropriate authority should prosecution result from an investigation..

6.8 Director of Resources

6.8.1 The Director of Resources is the Responsible Officer for this strategy and associated policies and must be informed promptly of every alleged/suspected breach thereof.

6.8.2 He will ensure that all reports of alleged irregularity will be properly investigated relative to the scale and nature of the allegation, and in a timely manner.

6.8.3 He will maintain detailed records of all instances reported under this Strategy and under the Employee Guidance for Dealing with Irregularities.

6.8.4 He will ensure that an annual fraud risk assessment will be undertaken, identifying the level of risk, controls already in place and any further actions required to mitigate the risk. This will be reported to those charged with governance.

6.8.5 He will ensure that regular reports of counter-fraud activity are reported to those charged with governance.

7. ACTION

7.1 Formal action may be taken against anyone who fails to abide by the Strategy and related Policies, including Employees, Members, Associated Persons or any other party. This could ultimately include: the disciplining or dismissal of an Employee; sanctioning or referral to the Standards Committee in respect of Members; Police involvement and prosecution; involvement of any Authorised Body or Agency; legal action to recover losses, seek redress

or other reason. The Council may terminate the contracts of any Associated Persons who are found to have breached the relevant Policy.

7.2 Where action is taken, due regard will be taken of any relevant Policies of the Council.

7.3 **Concerns raised by Employees:-**

These will be handled in conjunction with the Employee Guidance for Dealing with Irregularities.

7.4 **Concerns raised by members of the Public or other third parties:-**

- When the Council is informed of a concern, it will be referred to the Responsible Officer.
- It will be investigated to assess what action should be taken, which may be an internal enquiry or a more formal investigation.
- A formal written response will be issued summarising the concern and setting out how the Council proposes to handle the matter. The informant will be notified who is handling the matter, how to contact them, whether further assistance may be needed, and anticipated timescale. The Council will give as much feedback as possible, and will notify the informant if the concern more properly falls within another Council Policy (such as the Grievance Procedure or Harassment Policy).

7.5 The Council's Benefit Investigators will investigate potential fraud and abuse concerning Housing and Council Tax Benefits, and Council Tax Support in accordance with the Housing Benefit Anti-Fraud Strategy and this strategy.

7.6 Where necessary, the Council will work in co-operation with other authorities and organisations (such as the Police, the Department for Work and Pensions, the Council's External Auditors, Her Majesty's Revenue, Customs and Excise etc.) in order to combat fraud, corruption (including bribery) and theft.

7.7 The Council will participate in data matching exercises from time to time, in accordance with the Data Matching Code of Practice developed by the Audit Commission.

7.8 The Council operates a Customer Comments procedure to enable residents of the District to raise any concerns relating to Council services.

7.9 Disclosures concerning unlawful conduct, financial malpractice or dangers to the public or environment may be made under the Council's Whistleblowing Policy. This is primarily for major concerns where the interests of others or of the organisation itself are at risk, and which fall outside the scope of other Council procedures, such as:-

- The unauthorised use of public funds
- Possible fraud or corruption (including bribery)
- Sexual or physical abuse of both employees and clients
- Health and Safety risks
- Conduct which is a breach of the law

- Disclosures related to miscarriages of justice
- Damage to the Environment
- Other unethical conduct.

8. THE COUNCIL'S ASSURANCES

- The Council is committed to this Strategy as indicated in the above Policy Statement.
- All abuse and especially persistent or planned abuse will result in consideration of legal action being taken against the individual(s) concerned.
- The Council will pursue the repayment of any financial gain from any person or body found defrauding it.
- Due importance will be given to investigating all concerns raised under this Strategy.
- Each case will be examined on its own merits, and any action taken will only occur after it has been fully and properly considered.
- Investigation and action will be timely.
- The Council and its Officers will treat everyone with fairness.
- Formal action may be taken against anyone who fails to abide by the Strategy and related Policies, including Employees, Members, Associated Persons or any other Party. This could ultimately include: the disciplining or dismissal of an Employee; sanctioning or referral to the Standards Committee in respect of Members; Police involvement and prosecution; involvement of any Authorised Body or Agency; legal action to recover losses, seek redress or other reason.
- The Council may terminate the contracts of any "Associated Persons" who are found to have breached the relevant Policy.

9. AFFIRMATION

- 9.1 The Council Members positively support the introduction of this Anti-Fraud and Corruption Strategy, and it has been re-affirmed by:-
- The Policy & Finance Committee on 10th September 2015
- 9.2 The Strategy is an evolving document which will be formally reviewed every two years, or as appropriate per 9.3 below. Such review to be initiated by the Director of Resources.
- 9.3 The Director of Resources will draw ongoing anomalies to the attention of the Corporate Management Team, for onward information to the Audit and Accounts Committee and Policy & Finance Committee.
- 9.4 For any queries concerning any aspect of this strategy, please contact the Responsible Officer.

Sanjiv Kohli
Director of Resources and Responsible Officer

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of the **POLICY & FINANCE COMMITTEE** held in the Civic Suite, Castle House, on Thursday, 25 January 2018 at 6.00pm.

PRESENT: Councillor R.V. Blaney (Chairman)

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

SUBSTITUTE Councillor: T. Wendels for R.J. Jackson.

ALSO IN ATTENDANCE: Councillors: P.C. Duncan, K. Girling, N. Mison, Mrs P. Rainbow and Mrs L.M.J. Tift.

54. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor R.J. Jackson.

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

Councillor D.J. Lloyd declared a personal interest in respect of Agenda Item No. 17 – The Atrium, Lombard Street, Newark – Restrictive Covenant.

56. DECLARATIONS OF INTENTIONS TO RECORD THE MEETING

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

57. MINUTES FROM THE MEETING HELD ON 30 NOVEMBER 2017

The minutes from the meeting held on 30 November 2017 were agreed as a correct record and signed by the Chairman, subject to an amendment to Minute No. 53 – Former Municipal Buildings to reflect that Councillor D.J. Lloyd left the meeting prior to the consideration of this item.

The Chairman also advised that Minute No. 50 – Elm Avenue, Newark had been revised from the version that had been presented to the Full Council meeting held on 12 December 2017 in order to better reflect the discussion at the last meeting in respect of the number of dwellings which could be accommodated on the site. In addition the Chairman advised that as Nottinghamshire County Council had now made public their intention to dispose of this land, this minute, subject to any redaction required, could be released into the public domain.

58. FORWARD PLAN OF POLICY AND FINANCE ITEMS

The Committee noted the content of a first draft of Forward Plan items to be considered by the Committee over the next 12 months.

59. ESTABLISHMENT OF A DEVELOPMENT COMPANY

The Director - Resources presented a report which set out the business case for

establishing a Council wholly owned development company and sought approval for incorporating the company with Companies House. The business case, which was attached as Appendix 1 to the confidential report, had been informed by market research and financial appraisal carried out on the existing Council owned site on Bowbridge Road. The study established the viability of the Bowbridge Road site for residential development and also the density, character and overall strategy appropriate for the site and location.

The financial appraisal based on the market research demonstrated that developing the site on Bowbridge Road through the limited company would generate positive net commercial returns to the Council which were detailed in the report. The business case set out in detail the benefits of operating through a limited company, the estimated costs of setting up the company, the estimated operational costs of the company for the first 3 years, the funding structure of the company and the financial appraisal for the development on Bowbridge Road, together with a SWOT analysis and risk appraisal. The business case also set out the proposed governance arrangements and these were detailed in full in the report.

It was considered that the business case made a compelling case for establishing and operating a Council owned development company. The report proposed the establishment of such a company and to commence preparation for developing the first site on Bowbridge Road. The intention would be to replicate, if suitable, the development and funding model, for the initial development on Bowbridge Road, to all future sites.

AGREED (unanimously) that:

- (a) the establishment of the development company be approved;
- (b) the management and governance arrangements, as set out in section 2.5 of the report (2.11 of the exempt report) and section 5 of the business case (in the exempt report) be approved, save that the Council (rather than the Shareholder Committee) will consider the recommendations of the Shareholder Committee and agree:
 - (i) the Company's Articles of Association; and
 - (ii) the Management / Shareholder's Agreement between the Council and the Board of Directors, setting out the objectives including the economic, social and ethical considerations which the Council expects the company to address;
- (c) the Committee approves, in principle, as a one-off, the funding mix for the Bowbridge Road development of 25% equity and 75% debt. The funding mix of future sites will be determined on a case by case basis; and
- (d) the Committee notes the estimated costs of developing Bowbridge Road and notes that a further detailed development report will be considered by the Shareholder Committee.

Reason for Decision

The establishment of a wholly owned development company supports the Council's Commercial and Investment Plans which in turn support the Council's Corporate Plan and Medium Term Financial Plan.

60. PROPOSED CAR PARK EXTENSION TO THE SPORTS AND FITNESS CENTRE, NEWARK

The Deputy Chief Executive presented a report which sought approval for a proposed extension to the car park at Newark Sports and Fitness Centre. It was reported that demand at the Newark Sports & Fitness Centre had been higher than anticipated and as a result, at peak times, the car park was full to capacity with cars parking along the access road to the centre.

In order to meet existing and future demand it was considered necessary for the existing car park provision to be extended. This meant that additional land would need to be allocated for car parking, reducing the amount of land which would be available for residential development.

The plan attached to the report showed the proposed additional car parking provision. This effectively provided two additional car parking bays providing around 62 additional spaces. The estimated cost of provision of the additional car parking was £205,500 and provision would need to be made in the 2018/2019 Capital programme for this expenditure.

The Committee requested officers give consideration to the connection between the new cycle path and the Sports & Fitness Centre and possible enhancements to the landscaping between the Centre and the cemetery.

AGREED (unanimously) that:

- (a) additional land be allocated at Bowbridge Road, Newark for an extension to the existing Sports & Fitness Centre car park as indicated on the plan attached to the report;
- (b) the District Council meet the capital costs of undertaking the works estimated at £205,500 and that appropriate provision be made in the 2018/2019 Capital Programme;
- (c) the Director – Customers be given delegated authority to renegotiate the agreement with Active4Today in order to reflect the additional capital commitment being undertaken by the District Council and the potential to Active4Today for increased revenue generation; and
- (d) the Director – Customers be given delegated authority to seek planning approval for the car park extension and to undertake the necessary works to construct the car park.

Reason for Decision

To extend the existing car park at Newark Sports & Fitness Centre to meet current and future demands and to make appropriate provision in the 2018/2019 Capital Programme for the capital costs of undertaking the works.

61. COMMUNITY AND ACTIVITY VILLAGE - MINUTE AMENDMENT

The Committee considered the report of the Deputy Chief Executive which sought to correct a clerical error which had come to light in the minutes of the Policy & Finance Committee meeting held on 22 September 2016.

It had emerged, following an FOI request, that there was an error in the recording of the decision. The words “if possible” had been omitted in error. The actual decision taken was that “the District Council continue to work with both YMCA and NSA to seek to ensure, if possible, that NSA continues to have a meaningful role in the project’s delivery and in its future operation and management”. A letter had been sent to the chairman of NSA immediately following the meeting advising him of the decision. This had accurately set out the decision taken at the meeting with the inclusion of the words “if possible”.

AGREED (unanimously) that:

- (a) the minutes of the meeting of 22 September 2016 be corrected by the addition of the words “if possible” to read as follows: “the District Council continues to work with both YMCA and NSA to seek to ensure, if possible, that NSA continues to have a meaningful role in the project’s delivery and in its future operation and management”; and
- (b) NSA be advised they no longer have an ongoing role in the project’s delivery or in its future operation and management.

Reason for Decision

To correct a clerical error in the minutes of the meeting of 22 September 2016 and to clarify the future role of NSA in respect of the project.

62. POLICY & FINANCE COMMITTEE REVENUE BUDGET 2018/19

The Assistant Business Manager – Financial Strategy and Performance presented a report which informed Members of the budget and scale of fees and charges for the areas falling under the remit of the Policy & Finance Committee for 2018/19. A summary of the current budget proposals were attached at Appendix A to the report together with a schedule of fees and charges pertaining to the Committee which were attached as Appendix B.

The current draft budget showed a decrease in 2018/19. Direct service expenditure excluding deferred and capital charges, and all central services recharges currently

showed an overall reduction of £126,040 against the 2017/18 budget. When central recharges and capital were included this became a saving of £237,340. This budget figure included an average of 2% inflation on expenditure and income and assumed a 2.5% increase in salary and wages costs overall in 2018/19. The report also showed the major variances between 2017/18 and 2018/19.

AGREED (unanimously) that:

- (a) the final Committee budget as shown at Appendix A to the report be recommended to Policy & Finance Committee at its meeting on 22 February 2018 for inclusion in the overall Council budget; and
- (b) the scales of fees and charges as shown at Appendix B to the report be recommended to Policy & Finance Committee at its meeting on 22 February 2018 and Council on 8 March 2018.

Reason for Decision

To ensure that the final budget proposals and the level of fees and charges for 2018/19 are recommended to Policy & Finance Committee on 22 February 2018.

63. HOUSING REVENUE ACCOUNT BUDGET AND RENT SETTING 2018/19

The Financial Services Accountant presented a report in relation to the Housing Revenue Account Budget and rent setting for 2018/19. The report showed the actual outturn of the Housing Revenue Account for the year 2016/17; examined the proposed income and expenditure on the Housing Revenue Account for 2018/19; and in accordance with Section 76 of the Local Government and Housing Act 1989, made recommendations to avoid a deficit on the Housing Revenue Account. The report also set out indicative figures of income and expenditure for the financial years 2019/20 to 2021/22.

The report also made recommendations to set rent levels and service charges with effect from April 2018 and sought to determine charges for garage rents, plots and garage ports, housing support service charges and the annual management fee payable to Newark and Sherwood Homes in accordance with the Management Agreement.

The setting of the Housing Revenue Account budget and the approval of rent levels would be presented to the Full Council Meeting in February 2018 which would allow the required time to notify tenants of proposed changes to rents in accordance with the legislation.

Since April 2012, following the housing finance reforms, the Housing Revenue Account had been operating within a 30 year self-financing HRA Business Plan. Officers had been working with colleagues from Newark and Sherwood Homes to monitor and review the Business Plan, which informed the 2018/19 budget process and medium term financial plan 2019/20 to 2021/22. The HRA budget proposed in the report was based on the Government announcement made on 8 July 2015, stating that local authorities must secure that the amount of rent in the relevant year by a tenant of social housing is 1% less than the amount that was payable by the

tenant in the previous 12 months. This 1% per year rent reduction commenced in 2016/17 and would continue for the financial years 2018/19 and 2019/20.

AGREED (with 5 votes for and 2 against) that the following recommendations be made to Council at its meeting on 13 February 2018:

- i. the HRA budget for 2018/2019 as set out in Appendix A1 to the report be approved;
- ii. the management and maintenance fee of £8,265,360 be included within the HRA budget for 2018/19;
- iii. the rent of all properties in the Housing Revenue Account, as at 31 March 2018, be decreased by 1% in accordance with Welfare Reform and Works Act;
- iv. the rent on temporary accommodation be increased by CPI plus 1% (3.7%) from 1 April 2018;
- v. that all services charges and support charges should be increased by September CPI plus 1% (3.7%) with effect from April 2018;
- vi. that garage, garage plot and garage port rents are increased by 3.7% in line with September CPI + 1% with effect from 1 April 2018.

Reason for Decision

To enable the HRA budget for 2018/2019, the rent levels, garage rent, garage plots, garage ports and Housing Support Service Charge levels to be recommended to Council.

64. COMPONENTISATION POLICY

The Assistant Business Manager – Financial Systems and Accounting presented a report which sought to approve a new Componentisation Policy which was to be effective from 1 April 2017. The Council was required to present its accounts in accordance with International Financial Reporting Standards (IFRS). The move to an IFRS based Code resulted in a number of significant changes in accounting practice. These included a greater emphasis on component accounting, and derecognising parts of an asset that are replaced. As the Council had not yet implemented component accounting it had now been raised as an audit requirement following the 2016/17 final accounts audit. Due to the extent and complexity of the changes and the limited time available to do the work officers have had to start work on applying the requirements to the Council's fixed assets.

Based on CIPFA guidance the Council would consider assets of property, plant and equipment with a carrying value of £1m or more for componentisation. The asset components were spilt at a high level into land and buildings with the buildings element further subdivided. The Council had adopted this component structure based on an analysis by the Council's valuers of building project costs published by

the Building Cost Information Service of the Royal Institution of Chartered Surveyors and in relation to the Housing Stock, Communities and Local Government guidance. The structure also mirrored emerging approaches taken by surveying firms in the private sector who were experienced in undertaking valuations for public sector capital accounting. The land component value was based on the Council's valuers knowledge of land values applicable to areas within Newark and Sherwood District. The Asset Register was fully compliant with the requirements of componentisation.

AGREED (unanimously) that the proposed accounting Componentisation Policy be approved, subject to the Director – Resources ensuring the Policy was consistent with Newark & Sherwood Homes renewals policy in respect of kitchens and bathrooms.

Reason for Decision

To enable the Council to comply with International Financial Reporting Standards (IFRS).

65. TOUR OF BRITAIN - ADDITIONAL BUDGET REQUEST

The Committee considered the report of the Deputy Chief Executive which sought approval for additional budget provision to cover the costs incurred by the Council hosting the Stage 4 Finish of the 2017 event and to secure an 'in principle' agreement that the Council would be supportive of the Tour of Britain 2018 which was again likely to have a stage in Nottinghamshire. It was noted that a further report would be presented to the Committee when further details of the 2018 Tour were known.

AGREED (unanimously) that:

- (a) the additional budget of £9,970 required to cover the costs associated with hosting the Stage 4 Finish of the Tour of Britain 2017 be approved; and
- (b) the Council gives 'in principle' support to the County Project team to deliver the 2018 stage of the Tour in Nottinghamshire.

Reason for Decision

To ensure suitable budget provision to cover all costs associated with staging the event and indicate 'in principle' support for the 2018 race.

66. URGENCY ITEM - HOMES AND COMMUNITIES AGENCY - GRANT BID SUBMISSION

The Committee noted the decision to make a submission for grant funding to the Homes & Communities Agency. The full details of the grant bid scheme were set out in the urgency item.

AGREED (unanimously) that the urgency item be noted.

Reason for Decision

To deliver new affordable housing and new Council homes through the HRA.

67. URGENCY ITEM - NEWARK & SHERWOOD HOMES - WORK FOR THIRD PARTY

The Committee noted the decision to enable Newark and Sherwood Homes Limited to tender for Handyman and Adaptation Service (HPAS) work in Newark and Sherwood and Bassetlaw.

AGREED (unanimously) that the urgency item be noted.

Reason for Decision

The deadline for tenders to be submitted to Nottinghamshire County Council was 15 January 2018.

68. EXCLUSION OF THE PRESS AND PUBLIC

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

69. ESTABLISHMENT OF A DEVELOPMENT COMPANY

The Committee considered the exempt business case in relation to the Establishment of a Development Company.

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

70. COMMUNITY & ACTIVITY VILLAGE - FUNDING

The Committee considered the exempt report presented by the Deputy Chief Executive in relation to the funding of the Community & Activity Village.

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

71. THE ATRIUM, LOMBARD STREET, NEWARK - RESTRICTIVE COVENANT

The Committee considered the exempt report presented by the Deputy Chief Executive in relation to the Atrium, Lombard Street.

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

On behalf of the Committee the Chairman placed on record his appreciation and gratitude to Andrew Muter for all his service to the Council during his tenure as Chief Executive.

Meeting closed at 7.25pm.

Chairman

NEWARK & SHERWOOD DISTRICT COUNCIL

Minutes of the **ECONOMIC DEVELOPMENT COMMITTEE** held on Wednesday, 17 January 2018 in the Civic Suite, Castle House at 6.00pm

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

Councillors: R.V. Blaney (ex-officio), M.G. Cope, Mrs R. Crowe, P.C. Duncan, N. Mitchell, P. Peacock (Opposition Spokesperson), A.C. Roberts, D.B. Staples (Substitute) and T. Wendels..

Substitutes: Councillors: D.B. Staples for Mrs Y. Woodhead

30. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Mrs G.E. Dawn and Mrs Y. Woodhead.

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

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

32. DECLARATION OF ANY INTENTION TO RECORD THE MEETING

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

33. MINUTES OF THE MEETING HELD ON 22 NOVEMBER 2017

AGREED (unanimously) that the Minutes of the meeting held on 22 November 2017 be approved as a correct record and signed by the Chairman.

34. DESTINATION MANAGEMENT PLAN

The Committee considered the report presented jointly by the Director – Customers and Jennifer Spencer of Trent Bank House Consultants in relation to progress made since the launch of the Tourism Strategy in early 2017 and which sought specific approval to consult on a draft Destination Management Plan (DMP) for Newark.

The report set out the vision and strategic aims of the Tourism Strategy and provided information as to a number of projects that had been developed to better coordinate the district's offer to tourists and travel operators. Paragraph 3 of the report listed the proposals that were included within the Destination Management Plan.

In presenting the report the Director advised Members that work had begun to produce a similar document for the western side of the district, Sherwood. Mrs Spencer advised of the organisations consulted in compiling the DMP, stating that much more could be done to promote tourism in the district. She noted that Southwell had, in recent years, successfully marketed the assets within the town and that learning from their experience could be fed into further developing Newark as a tourism destination.

Members noted that the DMP recommended that further documents be developed and queried whether they were considered to be important to the successful delivery of the Plan. Mrs Spencer advised that organisations to where future bids for funding may be submitted would expect to see proof of strategic thinking and the further documents would provide evidence of that thereby enabling them to see a whole picture including proposed systems and processes to deliver the plan.

A Member of the Committee stated that it was his understanding that the report was suggesting that an arms-length management organisation be established with the board being made up of Members and Officers from NSDC and Newark Town Council and that it would include assets beyond the Newark area. In response, the Chairman sought to clarify the proposal. He advised that funding had been allocated to the Sherwood Forest Trust and early works were underway which would feed into the DMP for Sherwood. Southwell had created a partnership to promote their tourism and the same was required for Newark. It was likely that there would be 3 partnerships in Newark, Southwell and Sherwood. The partnership would not be a separate company or body, it would be a group of people who would look to promote the assets within their area.

A Member stated that the Chairman's comments had provided some reassurance, adding that it was likely that the Sherwood Partnership, when established, would be of greater benefit to the Newark Partnership rather than the other way round. He added that it would be of benefit to consider attractions outside of the district's boundaries, citing Clumber Park which fell within Bassetlaw District Council's area. He also noted that many of the organisations listed in the DMP had overlapping remits and that a partnership may be able to provide a more cohesive approach.

The Leader of the Council, who was in attendance at the meeting, stated that the three proposed DMPs when established must not become independent and that it was important for a coordinated approach to bring them and their ideas together. More information was needed about the roles of other organisations and that the Economic Development Committee must remain responsible for Heritage, Culture and Visitors.

AGREED (unanimously) that:

- (a) the Committee approves the draft Destination Management Plan for consultation with the local and national stakeholders which have been involved in its development;
- (b) the Director – Customers works with partners to establish the Newark Steering Group which would be the body responsible for the delivery of the Destination Management Plan;
- (c) the Committee approves, in principle, the move to a single management structure for tourism assets within the responsibility of the District Council, the creation of a new marketing post to promote the visitor offer across the District and the commissioning of research to establish better information on visitor numbers and experiences; and

- (d) subject to the approval of recommendation c), the budgetary implications of the proposals are fully costed and brought back to the Committee for decision at its meeting in March.

35. MINER TO MAJOR LANDSCAPE PARTNERSHIP SCHEME

The Committee considered the report presented by the Business Manager – Parks & Amenities which sought Committee approval for the District Council to become a Supporting Partner in the delivery phase of the Minor to Major Landscape Partnership Scheme. The report also sought approval for the allocation of £5,000p.a. from the Promotion of Tourism Budget for a 5-year period as partnership funding for the project.

The report set out the purpose of the Scheme in that it was to deliver a range of environmental and community initiatives in the Sherwood area of Nottinghamshire over a 5-year period and how the Scheme, as a whole, would be funded. The proposals for the Council's role within the Scheme were listed at paragraph 3 of the report together with the impact on the budget and policy framework in paragraph 5.

In considering the report Members noted that NSDC were the only local authority listed within the two Schedules and who were providing funding. They queried whether any other local authorities had been invited to participate but had declined. The Business Manager advised that he did not know as to whether others had been invited, adding that he believed that NSDC's role as a supporting partner would be of benefit. Members agreed that the role would be of benefit but requested that confirmation be sought as to the involvement of other local authorities.

In response to whether, as the sole local authority contributor, NSDC would receive better projects and whether they could have a 'seat at the top table' the Business Manager advised that he would raise the issue. He confirmed that the organisations listed in Schedule 1 would be tasked with delivering projects and those on Schedule 2, which was NSDC, would act in a supporting role. At present, NSDC had not indicated that they would be prepared to deliver a project. It was noted that there would be significant liability and responsibility attached to being a full partner.

In expressing concern that NSDC were the only local authority providing funding, a Member raised the issue of the Council's involvement with Vicar Water, a large proportion of which was within Mansfield District Council's area, adding that he would wish to know why they were not contributing to the partnership.

Members agreed that if the partnership could be linked into the aspirations of the Destination Management Plan it would be beneficial for all parties.

AGREED (unanimously) that:

- (a) the Committee approve the District Council becoming a Supporting Partner in the delivery phase of the Miner to Major Landscape Partnership Scheme; and

- (b) the Committee approve the allocation of £5,000p.a. from the Promotion of Tourism Budget for 2018/29 and commits, in principle, to further annual contributions for the following 4-years, subject to the demonstration of satisfactory progress with the project.

36. ECONOMIC DEVELOPMENT COMMITTEE REVENUE BUDGET 2018/19

The Committee considered the report of the Business Manager – Financial Services in relation to the budget and scale of fees and charges for the areas falling within the remit of the Committee for 2018/19.

Members were advised that the budget would be presented to the Policy & Finance Committee for inclusion in the overall Council budget on 22 February 2018. The scale of fees and charges would also be recommended to the same meeting.

AGREED (unanimously) that:

- (a) the final Committee budget as shown at Appendix A be recommended to Policy & finance Committee at its meeting on 22 February 2018 for inclusion in the overall Council budget; and
- (b) the scale of fees and charges as shown at Appendix B be recommended to Policy & Finance Committee at its meeting on 22 February 2018 and Council on 8 March 2018.

37. NATIONAL CIVIL WAR CENTRE – NEWARK MUSEUM – PROCESS TO MAINTAIN NATIONALLY STYLED ARTS COUNCIL ENGLAND ACCREDITATION

The Committee considered the report presented by the Assistant Business Manager – Heritage, Culture & Visitors in relation to the process and policies required to maintain the official Arts Council England (ACE) nationally styled accreditation for the National Civil War Centre – Newark Museum (NCWC). The report also provided Members with a broad outline of the expected scope of the NCWC by the official accreditation body.

In considering the report a Member raised the issue of the provision of accurate maps within the town to direct visitors to the various attractions. Members were advised that consultations on this matter had been undertaken and that an agreement with Nottinghamshire County Council for maps, billboards and signage to be erected was imminent.

A Member commented that he would wish to see some linking of the Civil War exhibitions at the NCWC through to modern history and that the loans of exhibits to schools would continue. The Assistant Business Manager advised that the loans of exhibits to schools would continue. She added that one of the aims of the centre was to make history relevant in the present day and that going forward there would be information relevant to, for example, democracy and religious tolerance. It was suggested that the ongoing civic war crisis in Syria could be feature given that Syrian families had relocated in the district. It was confirmed that work was ongoing with the Holocaust Centre in Laxton.

AGREED (unanimously) that:

- (a) the following policies be approved:
 - (i) National Civil War Centre – Newark Museum – Forward Plan 2016-2010;
 - (ii) Collections Development Policy;
 - (iii) Access Policy; and
- (b) the Committee agrees to review any future name change of the National Civil War Centre – Newark Museum at an appropriate time in conjunction with the Destination Management Plan and to suitably reflect the purpose and vision of the Centre.

38. SOCIAL MOBILITY INDEX REPORT NOVEMBER 2017

The Committee considered the report presented by the Business Manager – Economic Growth which provided Members with a summary of the State of the Nation 2017 report produced by the Social Mobility Commission published in November 2017. The report also provided recommendations for consideration by the Committee.

It was reported that the State of the Nation report was divided into 4 sections: school; youth; working; and lives. The key findings from the report were included at paragraph 2.2. Paragraph 3 set out the proposals and actions taken in the past to address the youth indicator.

Members agreed that the aforementioned State of the Nation 2017 report had painted the district in a poor light but that it should not be wholly viewed as a criticism of the Council. The present situation was as a result of decades of under-investment in the East Midlands by successive Governments and the methodology as to how the statistics were compiled and interpreted. The Leader of the Council stated that he had raised the issue of underinvestment and the urgent need to begin to reverse that with the MP for Newark, Robert Jenrick.

A Member queried how the improvement of transport infrastructures would assist with social mobility. In response, the Business Manager advised that poor transport links could prevent individuals from job searching and also being able to take a position if offered. This was also the case for those seeking to attend a further education college. Transport links in the rural areas were particularly poor. It was also noted that the cost of public transport was also a factor. Members agreed that improvements to the infrastructure would also benefit the district's economic growth.

A Member noted that often students who left to study rarely came back to the area as there was no suitable employment and until that was addressed the situation would not change. He added that in his previous role as a teacher they had provided training for mature students in the guise of an access course into nursing but reduction in funding for this and the loss of the bursary had had a detrimental effect on the number of students.

A Member stated that if the State of the Nation report was read in depth the major contributing factor to the result was education. He added that the schools in the district had been neglected by the County Council and that the schools themselves neglected to provide adequate careers advice and were poor at engaging with the local authority and the initiatives and job fairs they provided.

AGREED (unanimously) that:

- (a) the Committee endorse the collaborative work being undertaken by NSDC relating to issues highlighted in the Social Mobility Index; and
- (b) the Committee supports further research into opportunities to provide additional support to improve the situation relating to the outcomes of the social mobility index and to receive a further report to the next meeting of the Committee.

The Leader left the meeting at this point.

39. NOTTINGHAMSHIRE PLANNING OBLIGATIONS STRATEGY – CONSULTATION

The Committee considered the report presented by the Business Manager – Planning Policy which provided Members with the comments submitted by Officers in relation to the recent consultation regarding the proposed update to the Nottinghamshire Planning Obligations Strategy.

Members were informed that Nottinghamshire County Council, in their role as coordinator and provider of important local services, sought contributions from new developments to mitigate the impact of additional residents. These contributions were sought through Section 106 Agreements secured as part of the planning application process. Paragraph 3 of the report set out the proposals with the Officer response to a number of issues and comments that had been identified with the obligations strategy.

AGREED (unanimously) that:

- (a) the contents of the report and Appendix B be noted; and
- (b) any additional comments to the consultation be agreed by Committee.

40. NOTTINGHAMSHIRE MINERALS LOCAL PLAN – ISSUES & OPTIONS

The Committee considered the report presented by the Business Manager – Planning Policy in relation to the response made on behalf of the District Council following consultation with all Councillors.

Appendix A to the report set out the District Council's response and highlighted to Members that Question 4 was of particular significance in relation to the serious concerns the Council had about the methodology used to calculate the future need for sand and gravel in the withdrawn Minerals Local Plan.

AGREED (unanimously) that the report and the consultation response be noted.

The meeting closed at 7.45pm

Chairman

NEWARK & SHERWOOD DISTRICT COUNCIL

Minutes of the **HOMES & COMMUNITIES COMMITTEE** held on Monday, 15 January 2018 in the Civic Suite, Castle House at 6.00pm.

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

Councillors: Mrs B.M. Brooks, Mrs A.C. Brooks, Mrs I. Brown, M. Buttery, K. Girling, Mrs S.M. Michael, N. Mitchell, Mrs P. Rainbow and Mrs S. Soar.

ALSO IN ATTENDANCE: Councillor P.C. Duncan

Prior to the commencement of the meeting the Chairman took the opportunity to thank the team of Officers who had worked on the resettlement of the Syrian Refugees and the event held prior to Christmas. The Newark Advertiser had published an article on the matter which had been well received by its readers.

The Director – Safety advised the Committee that the Council had been selected as a finalist in the UK Housing Awards in the Strategic Local Authority of the Year category, the results of which would be known in May 2018.

30. APOLOGIES FOR ABSENCE

An apology for absence was received by Councillor R. Crowe.

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

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

32. DECLARATION OF ANY INTENTION TO RECORD THE MEETING

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

33. MINUTES OF THE MEETING HELD ON 6 NOVEMBER 2017

Councillor Mrs Soar advised that she had submitted her apologies for the meeting and requested that these be recorded.

AGREED (unanimously) that, subject to the inclusion of Councillor Mrs Soar's apologies for absence, the Minutes of the meeting held on 6 November 2017 be approved as a correct record and signed by the Chairman.

34. SHERWOOD & NEWARK CITIZEN ADVICE (SNCA)
PRESENTATION OF PERFORMANCE OUTTURNS 2016-17

The Committee considered the joint presentation by the Business Manager – Housing & Safeguarding and Jackie Insley, Chief Officer (SNCA) in relation to the performance targets in respect of core advice service provision as set out in the Service Level Agreement between the SNCA and the Council, for which grant funding was awarded. Circulated at the meeting was an ‘Our Impact in 2016/17’ sheet produced by SNCA.

Ms Insley advised that the SNCA’s relocation to Castle House had been well received by officers, volunteers and clients. She explained that the service being provided in Ollerton had been reduced to 2 days per week due to resource issues. It was hoped that more could be made of providing assistance to clients via email and webchat. It was, however, acknowledged that the most vulnerable clients continued to require face to face interaction and this would not be compromised. Ms Insley acknowledged that the service could not exist without their volunteers. She stated that the recruitment of volunteers was costly due to the amount of training that was required and that attempts to secure additional funding may be required. It was reported that the SNCA’s finances were sound at present but that working arrangements were constantly reviewed. Talks had commenced with Bassetlaw CA to explore the possibility of developing a working partnership but that the allocation of funding streams for both areas must be discussed in depth so that all parties were clear as to its allocation.

Members agreed that the service provided an invaluable resource to the district’s residents. In noting the figures provided for clients using the service, a Member referred to the high number of queries where there was no indication of where the client lived, suggesting that these might be persons from outside the district. He queried why people from out of the district did not use services more local to themselves. Ms Insley advised that it was hoped that in future a new recording system would eradicate the ‘others’ category from the list of clients and clarify whether they were clients from within the district or outside. However, she made the point that the ‘others’ figure took into account those who did not wish to divulge their home address, which did not necessarily mean that they were from outside the district. She also stated that SNCA were keen never to turn any client away who had made the effort to seek its assistance regardless of their home address.

The Chairman of the Committee asked Ms Insley to pass on the Committee’s thanks to all her officers and volunteers for the work they undertook to assist the residents of Newark and Sherwood.

AGREED (unanimously) that the contents of the report, particularly the performance outturns and annual/impact reports regarding the provision of core advice services to residents in the district by Sherwood and Newark Citizens Advice, be noted.

35. HOMES & COMMUNITIES COMMITTEE REVENUE BUDGET 2018/19

The Committee considered the report presented by the Assistant Business Manager – Financial Strategy & Performance which provided information on the budget and scale of fees and charges for the areas that fell within the remit of the Committee for 2018/2019.

The revenue budget proposals were listed at paragraph 3 of the report together with the major variances between the 2017/18 and 2018/19 budgets.

AGREED (unanimously) that:

- (a) the final Committee budget as shown in Appendix A to the report be recommended to Policy & Finance Committee at its meeting on 22 February 2018 for inclusion in the overall Council budget; and
- (b) the scale of fees and charges as shown at Appendix B be recommended to Policy & Finance Committee at its meeting on 22 February 2018 and Council on 8 March 2018.

36. 5 YEAR HOUSING REVENUE ACCOUNT DEVELOPMENT PROGRAMME

The Committee considered the report presented by the Business Manager – Strategic Housing in relation to progress with the 5 Year Housing Revenue Account (HRA) Development Programme and the proposal to develop an extra care facility in Ollerton in partnership with Nottinghamshire County Council.

The report provided Members with information as to the Phase One – Site Progression and gave further detail of the Gladstone House – Extra Care Scheme, Homes & Communities Agency Grant Funding and the Budgetary Position. Paragraph 4 of the report related to the proposed extra care facility in Ollerton.

A Member of the Committee commented that he was pleased to read of the proposed extra care facility in Ollerton. However, he queried whether the increased development costs on Phase One of the development programme would jeopardise the extra care proposal if the application for grant funding to the HCA towards Phase One was unsuccessful. The Business Manager advised that it could have an impact given that it could affect the available capital within the HRA Business Plan for new development, but reassured Members that capital costs associated with the development programme were constantly reviewed. The increased costs had resulted from issues with securing planning permission and the small scale of the developments which had led to unforeseen additional costs. It was noted that NCC was reviewing its approach to extra care with a view to developing a new strategy. This would be presented to its Adult Social Care and Public Health Committee in early 2018. It was essential that NCC supported, in principle, the development of extra care facility in order for it to proceed.

Members noted that the original cost per unit had been set at a low level and queried who had set the original estimate and how this would be avoided in the future. The Business Manager advised that the original figure had been based on previous development delivery costs but that the additional abnormal costs were not known at that time. In relation to the bid submitted to the HCA for funding, Members were informed that the HCA had encouraged the Council to submit the bid and therefore it was hoped that it would be successful.

The Chairman noted that 6 units had been opened in Caunton which had been developed by NCHA. These were 2 bedroomed semi-detached and had cost approximately £144,000 each, which was significantly more expensive than those developed by the Council. He suggested that it would benefit the Committee to understand the cost of developing the units if they met with a senior member of the team from the developers, Robert Woodheads. The Business Manager suggested that it would also be beneficial to explore the challenges on a site by site basis.

AGREED (unanimously) that:

- (a) the current progress to deliver the 5 year HRA development programme be noted;
- (b) in principle, approval be given for Officers to progress the feasibility work to develop an extra care facility in Ollerton and continue discussions with Nottinghamshire County Council regarding this; and
- (c) the Business Manager – Strategic House extend an invitation to a member of the development team from Robert Woodheads to attend a meeting of the Committee to discuss the challenges of the development programme on a site by site basis.

37. 2017 ROUGH SLEEPERS COUNT

The Committee considered the report presented by the Business Manager – Housing & Safeguarding in relation to the annual figure submitted to the Department for Communities & Local Government (DCLG) which demonstrated that local initiatives had been effective in tackling rough sleeping locally.

The report set out the methodology used to undertake the count and the agencies involved in its completion.

A Member raised the issue of beggars on the streets suggesting that the public should not give them money as it would likely encourage others to beg in the town. He added that more emphasis was needed on rough sleepers and the homeless. The Business Manager advised that there was a difference between beggars and rough sleepers and that in the district's known hotspots information was to be distributed advising the public and shop owners on how to report any incidents. She noted that receiving such information enabled the Council to monitor the situation and react to any incidents.

All Members agreed that despite the increase in the national figures for rough sleeping, the Business Manager's team were to be congratulated for reducing the levels in Newark and Sherwood.

AGREED (unanimously) that the contents of the report and the progress made in tackling rough sleeping in the district be noted.

38. URGENCY ITEM – MINUTE OF DECISION
Approval of Two Consultation Responses for Submission to the DCLG relating to the Implementation of the Homeless Reduction Act (HRA) in April 2018

NOTED the responses submitted to the DCLG in relation to the Homeless Code of Guidance and the H-Click – New Burdens Assessment.

The meeting closed at 7.02pm

Chairman

NEWARK & SHERWOOD DISTRICT COUNCIL

Minutes of the **COUNCILLORS' COMMISSION** held in Room S1/S2 Castle House, Great North Road, Newark on Thursday 25 January 2018 at 2.30pm.

PRESENT: Councillor: R.V. Blaney (Chairman)
Councillors: D.J. Lloyd, J. Lee, N. Mison, D.R. Payne and D. Staples.

APOLOGIES: Councillors: J. Lee (for late arrival) and P. Peacock.

58. MINUTES OF THE MEETING HELD ON 27 APRIL 2017

AGREED that the minutes of the meeting held on 27 April 2017 be approved as a correct record and signed by the Chairman.

59. DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

There were no declarations of interest.

60. GOVERNANCE REVIEW

The Commission considered the report of the Deputy Chief Executive which advised of the outcome of a Member questionnaire concerning the Council's governance arrangements. The Council had the option of reverting back to a Cabinet style of Governance from May 2018 which the corporate peer challenge suggested the Council may wish to explore.

Questionnaires were sent to Members in May 2017 and a total of 8 completed questionnaires had been returned. The Commission expressed their disappointment with this small number of returns. None supported the return to a Cabinet style of governance, considering that the Committee system was more democratic and gave Members a stronger voice.

Two of those returning questionnaires felt that there should be more meetings but the remaining 6 felt that the current frequency of meetings was correct. There was also support for business to be conducted through Committee meetings rather than establishing more Task and Finish Groups. There was also no expressed wish to create a dedicated Overview and Scrutiny Committee. A number of respondents supported the introduction of a forward plan by individual committees which was to be implemented.

The report also provided an update in respect of Member training and the development of the Extranet. There was a recognition by Members of the benefits of training and development in supporting them in their roles with particular areas identified being planning and licensing, ICT and treasury management. The Commission discussed the possibility of hosting future East Midlands Council events which may encourage more of our Members to attend.

AGREED (unanimously) that:

- (a) the outcome of the members questionnaire be noted; and
- (b) in light of the apparent lack of support for a move to a Cabinet system, this not be pursued further at the current time.

61. PLANNING PROTOCOL

The Commission considered the report of the Deputy Chief Executive which set out a proposed change to the Planning Protocol which would require Planning Committee Members to seek additional information to approach the relevant Business Manager or Case Officer where they would otherwise be minded to seek deferral.

The proposed wording of the relevant provision would be as follows:-

“Heading 15 – Deferral

- 15.1 Members should not seek to defer consideration of any item put before the Planning Committee unless there are clear and demonstrable reasons for doing so.*
- 15.2 Where a member might otherwise be minded to seek deferral of an item by reason that they wish to seek clarification on a particular issue, consider that further material information is required on a particular matter or for any other substantial reason, they should seek to obtain such clarification or additional information from the relevant Business Manager or the relevant Case Officer at least two hours prior to the commencement of the Planning Committee meeting.”*

The Commission suggested the following wording be added at the end of 15.1:

“such as a relevant planning issue arising for the first time not having been previously considered and needing further investigation.”

AGREED (unanimously) that Full Council be recommended to amend the Planning Protocol for Members as set out above.

62. UPDATES TO FINANCIAL REGULATIONS AND THE ANTI FRAUD AND CORRUPTION STRATEGY

The Commission considered the report of the Business Manager - Financial Services which sought to recommend updates to the Council’s Financial Regulations and Anti-Fraud and Corruption Strategy. The Financial Regulations and Anti-Fraud and Corruption Strategy were due for review in July 2017. However this had been delayed due to the appointment of a new Business Manager. The updated documents were included as appendices to the report.

The Director – Resources advised Members of Sections 12 and 13 which had been added to the Financial Regulations.

The Commission raised a number of queries in respect of the content of both documents and requested the Director – Resources to revise these ahead of being

presented to Council for approval.

AGREED (unanimously) that Full Council be recommended to update the Financial Regulations and Anti-Fraud and Corruption Strategy subject to the amendments highlighted by Members.

63. URGENCY ITEMS

The Commission considered the report of the Business Manager - Democratic Services regarding the process for consultation with Members on urgent delegated decisions. It was noted that the Director – Safety had reminded appropriate Officers of the need to consult with the relevant Members before putting forward the record of decision to Committee for noting. Officers would undertake the consultation by phone and email and it was requested that when Members are away they activate an out of office on their email so officers are aware that they will not be able to respond.

AGREED (unanimously) that the report be noted.

64. DATE OF NEXT MEETING

To be arranged when required.

Meeting closed at 3.00pm.

Chairman

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of the **PLANNING COMMITTEE** held in the Civic Suite, Castle House, Newark on Tuesday, 16 January 2018 at 4.00pm.

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

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

169. APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of Councillors R.A. Crowe and Mrs Y. Woodhead.

170. DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

Member/Officer

Agenda Item

Councillors Mrs A.C. Brooks and D.R. Payne

Agenda Item 13 – 23 Haywood Oaks Lane, Blidworth (17/02145/FUL) Both Members were Directors of Newark and Sherwood Homes and declared their interests on the grounds of potential bias. They left the meeting and took no part in the discussion or vote.

Councillor Mrs S.E. Saddington

Agenda Item 9 – The Byre, Bathley Lane, Little Carlton (17/01751/FUL) Personal Interest as information that she had purportedly quoted was contained within the Schedule of Communication which was tabled at the meeting. Cllr Saddington denied the quotes were hers but chose to abstain from voting on the item in the interests of openness and transparency.

171. DECLARATION OF ANY INTENTIONS TO RECORD THE MEETING

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

172. MINUTES OF THE MEETING HELD ON 5 DECEMBER 2017

Minute No. 153 – Trent Farmhouse, Norwell Road, Norwell Woodhouse (17/01888/FUL) The third paragraph of the minute be amended to read 'would triple the size of the **original** property'.

AGREED that subject to the above amendment the minutes of the meeting held on 5 December 2017 be approved as a correct record and signed by the Chairman.

173. PLATTS ORCHARD, 39 CHURCH STREET, SOUTHWELL (17/01688/FUL)

The Committee considered the report of the Deputy Chief Executive, following a site visit prior to the meeting, which sought full planning permission for a two bedroom dwelling, a three bedroom dwelling and two four bedroom dwellings.

Members considered the application and it was commented that the application put before Committee was acceptable given that the footprint was the same as the planning permission granted on appeal. The height of the properties had been reduced and there was a mix of properties. It was commented that a scheme containing three dwellings would have been even better. Flood mitigation was raised as the granted planning permission which was granted on appeal in 2008 had no reference to any flood mitigation. On balance the scheme was considered better than that allowed on appeal. A Member asked that adequate off street parking would be made available for all plots, especially plot 1 as the plan appeared tight for two cars to be parked in tandem on the drive. It was further commented that on looking at the plan the developer could do a mix and match from the granted planning permission and could build two large houses and two small properties. It was proposed through the planning permission conditions the extinguishment of the right of extant consent, to prevent this from happening.

The Senior Planning Officer confirmed that a Section 106 legal agreement could be sought from the applicant to prevent the mix and match approach. The Chairman requested that this should be undertaken and if the applicant was not willing to sign the Section 106 agreement a further report be submitted to the Planning Committee.

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

- (i) conditions contained within the report;
- (ii) the signing of a Section 106 Legal Agreement to extinguish the right to mix/part implement the two permissions; and
- (iii) that adequate off street car parking be made available to plot 1.

174. BECHERS COTTAGE, BECHERS WALK, BURGAGE LANE, SOUTHWELL (17/01787/FUL)

The Committee considered the report of the Deputy Chief Executive, following a site visit prior to the meeting, which sought full planning permission for the householder application for a single storey pitched roof extension to the north of Bechers Cottage with flat roof and glazed roof.

A schedule of communication was tabled at the meeting, which detailed correspondence received after the agenda was published from the Planning Case Officer, informing the Committee of a typographical error within the report. Reference was made to the immediately adjacent dwelling to the north of the site being North Lodge, this should read Garden Lodge.

The Senior Planning Officer presented this application (17/01787/FUL) and the following application as minuted below (17/02137/LBC) together. Members also considered both applications together and took a separate vote on each application and a combined recorded vote as follows.

Members considered the application and it was commented that the proposal was too close in proximity to Garden Lodge and would enclose their limited patio area. The extension would also detract from the setting and aspect of the listed building (Hill House), would result in an excessive adverse impact on Garden Lodge and was a development too far.

AGREED (with 10 votes for and 3 votes against) that contrary to Officer recommendation planning permission be refused on the following grounds:

- (i) Loss of Amenity for Garden Lodge;
- (ii) Impact on the character and appearance of the listed building.

175. BECHERS COTTAGE, BECHERS WALK, BURGAGE LANE, SOUTHWELL (17/02137/LBC)

The Committee considered the report of the Deputy Chief Executive, following a site visit prior to the meeting, which sought a single storey pitched roof extension to the north of Bechers Cottage with flat roof and glazed link.

A schedule of communication was tabled at the meeting, which detailed correspondence received after the agenda was published from the Planning Case Officer, informing the Committee of a typographical error within the report. Reference was made to the immediately adjacent dwelling to the north of the site being North Lodge, this should read Garden Lodge.

AGREED (with 10 votes for and 3 votes against) that contrary to Officer recommendation Listed Building Consent be refused on the grounds of the impact on the listed building.

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

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

B. Wells	Against
Mrs Y. Woodhead	Absent

176. SOUTHWELL METHODIST CHAPEL, PREBEND PASSAGE, WESTGATE, SOUTHWELL (17/02143/FUL)

The application was withdrawn from the agenda due to the Town Council's objection being removed and was granted under the Officer scheme of delegation.

177. THE BYRE, BATHLEY LANE, LITTLE CARLTON (17/01751/FUL)

The Committee considered the report of the Deputy Chief Executive, following a site visit prior to the meeting, which sought a householder application for the extension to the existing bungalow, to comprise new master bedroom, en-suite bathroom and study.

A schedule of communication was tabled at the meeting, which detailed correspondence received after the agenda was published from the following: South Muskham Parish Council; Neighbour; Local Ward Member; and the Applicant.

Members considered the application and felt that the proposal was acceptable.

AGREED (with 10 votes for, 2 votes against and 1 abstention) that full planning permission be approved subject to the conditions contained within the report.

178. GARAGE HOUSE, GREAT NORTH ROAD, SOUTH MUSKHAM (17/02016/FUL)

The Committee considered the report of the Deputy Chief Executive, following a site visit prior to the meeting, which sought full planning permission for the construction of a large detached four bedroom dwelling of contemporary design with integral garage.

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

Councillor H. Clack, representing South Muskham Parish Council spoke in support of the application in accordance with the views of South Muskham Parish Council as contained within the report.

Members considered the application and felt that the design was not sympathetic with the fact that it would sit in a rural area, outside of the village envelope. It was also commented that there was no doubt that the land was in the open countryside, the Great North Road being the boundary line. It was felt that a development of this size was wrong in the position of open countryside.

AGREED (with 12 votes for and 1 abstention) that:

- (i) full planning permission be refused for the reasons contained within the report; and

- (ii) an investigation to take place regarding whether there has been a breach of planning control (change of use and erection of structures without the necessary planning permission).

179. 22 HIGH STREET, SUTTON ON TRENT (17/01300/FUL)

The Committee considered the report of the Deputy Chief Executive, following a site visit prior to the meeting, which sought demolition of the prefabricated concrete garage and the division of the existing residential property to form an additional dwelling in the existing footprint.

A schedule of communication was tabled at the meeting, which detailed correspondence received after the agenda was published from the Agent. The Agent confirmed that the fence had been erected for the single property, should approval be granted and the works be completed to form two dwellings, the fence would be moved back to form three car parking spaces.

The Planning Case Officer had revised Condition three to read as follows: Prior to the first occupation of the dwellings hereby approved, the existing fencing that has been erected to the rear of the property immediately adjacent to the shared driveway shall be removed and the three new parking spaces shall be provided as shown on the approved plan. Ref. 302 P 02 Rev A. The parking spaces shall thereafter be retained for the lifetime of the development.

Members considered the application and felt that the proposal was acceptable subject to the three car parking spaces being made available.

AGREED (unanimously) that full planning permission be approved subject to the conditions contained within the report and the revised condition three as contained in the schedule of communication regarding the three car parking spaces.

180. ROSE COTTAGE, WASHTUB LANE, SOUTH SCARLE (17/01987/FUL)

The Committee considered the report of the Deputy Chief Executive, following a site visit prior to the meeting, which sought planning permission for the demolition of the existing rear porch and the construction of a two-storey side and part-storey front extension; refurbishment of the existing dormer windows; replacement of external doors and windows throughout; replacement of the existing 4ft fence on the southern boundary with 6ft fence and removal of the existing gated access.

A schedule of communication was tabled at the meeting, which detailed correspondence received after the agenda was published from the Agent and South Scarle Parish Meeting.

Councillor D. Clarke representing South Scarle Parish Meeting spoke against the application on the grounds of not enough adequate car parking for the proposed five bedroom house and the narrow access/egress onto Washtub Lane. The proposed development would create highway issues in the village with the increase in vehicles. South Scarle Parish Meeting had taken a vote at their meeting with 10 votes for and 17 votes against planning permission, therefore by a majority vote the proposed planning permission was objected to.

Members sought clarification regarding car parking for this property. The Planning Officer confirmed that there was land at the front of the property in ownership of Rose Cottage which could be used to park around five vehicles.

It was commented that as Nottinghamshire Highways had no grounds for refusal it was felt that this was a substantial plot and considered acceptable. Other Members had concerns regarding parking on Washtub Lane and the extra traffic this property would bring to a very small road network in the village.

AGREED (with 10 votes for and 3 votes against) that planning permission be approved subject to the conditions contained within the report.

Having declared interests on the following Minute Councillors Mrs A.C. Brooks and D.R. Payne (Chairman) left the meeting and took no part in the discussion or vote. Councillor G.P. Handley took the Chair.

181. 23 HAYWOOD OAKS LANE, BLIDWORTH (17/02145/FUL)

The Committee considered the report of the Deputy Chief Executive, which sought the installation of a dropped kerb and driveway plus provision of ramped/sloped access to rear door.

Members considered the application and a felt that the proposal was acceptable.

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

Councillors Mrs A.C. Brooks and D.R. Payne (Chairman) returned to the meeting. Councillor D.R. Payne resumed Chairman.

182. LAND AT OLDBRIDGE WAY, BILSTHOPRE (17/01910/OUTM)

The Committee considered the report of the Deputy Chief Executive, which sought the variation of condition 14 attached to planning permission 16/01618/OUTM to allow an increase of the number of dwellings being accessed off each access from 10 to 12 in each case.

A schedule of communication was tabled at the meeting, which detailed correspondence received after the agenda was published from the Planning Case Officer which proposed an amendment to the recommendation, that planning permission be granted subject to conditions and the signing of a Section 106 agreement.

Members considered the application and felt that the proposal was acceptable.

AGREED (unanimously) that the variation of condition 14 be approved, subject to the conditions contained within the report and the signing of a Section 106 agreement.

(Councillor Mrs A.C. Brooks left the meeting at this point).

183. SHANNON FALLS, TOLNEY LANE, NEWARK (16/01884/FUL)

The Committee considered the report of the Deputy Chief Executive, which sought the views of Members to additional information received in connection with an appeal against a previous committee decision to refuse the change of use of scrubland for the siting of eight static mobile homes for gypsy travellers and reduce ground levels to 10.5m AOD at the site.

This application was considered by the Planning Committee on 25 January 2017 when Members resolved to refuse planning permission on the grounds of flood risk. The applicant had appealed against the refusal of planning permission and an Informal Hearing was due to take place on 27 February 2018. Within the appeal submission, additional information had been submitted in relation to the proposed occupiers of the site that was not before Members when they came to their decision, which represented further material evidence that could have been weighed in the balance in the consideration process. The additional personal circumstances detail set out within their appeal documentation was included within the report.

The Committee was informed that had this information been presented with the original application, officers would have likely recommended a personal permission be granted for a temporary period of three years. In the light of this additional material information that had been received, Members were asked to consider whether this would be likely to affect their resolution on this proposal if the matter were to come before them again, for determination. Members were also informed that the flood evacuation plan was robust and was as up to date as it could be, bearing in mind constraints of the length of the Tolney Lane access, the flooding issues (including parts of the access flooding first) and level of warning offered depending on the severity of an event. A vote was taken to continue to defend the appeal on the basis that any consent, even temporary, would be unacceptable. This was lost by a vote of four votes for and eight votes against.

Members considered the report and resolved that if the additional information had been before them previously they would have been minded to have approved the application subject to a personal and temporary consent for a period of three years. The appeal therefore should be fought on the basis that any permission granted on appeal should be both temporary and personal. It should be made clear that this decision had been taken as soon as it reasonably could have been with Members following its receipt as part of the appellants appeal proposals.

The Environment Agency should also be advised that the Council's position at the hearing was that there is significant flood risk, but that a temporary permission was acceptable currently, subject to robust planning conditions and flood warden responsibilities. If the Environment Agency wanted to argue that permission should be resisted on any basis, including temporary, it would be for them to promote and would not form part of this authority's case.

AGREED (unanimously) that if the additional information had been before the Planning Committee previously Members would have been minded to approve the application subject to a personal and temporary consent for a period of three years, and subject to robust flood evacuation and warden

requirements, similar to those previously accepted, such as at Green Park. The appeal therefore should be fought on the basis that any permission granted on appeal should be temporary and personal. It should be made clear that this decision had been taken as soon as it reasonably could have been with Members following its receipt as part of the appellants appeal proposals.

The Environment Agency should also be advised that the Council's position at the hearing was that there is flood risk, but until alternative sites were found, a temporary permission, with appropriate safeguards secured by condition, was acceptable. If the Environment Agency wanted to argue that any permission should be resisted it would be for them to argue that at the hearing.

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

184. 1 POST OFFICE LANE, SOUTH SCARLE (17/01118/FUL)

The Committee considered the report of the Deputy Chief Executive, following a site visit prior to the meeting, which sought planning permission for the conversion and extension of an existing detached barn on the site to form an independent dwelling.

Members considered the application and a Member commented on the vote that had taken place at South Scarle Parish meeting with twelve votes for, nineteen votes against and seven letters of objection. It was commented that the barn was attached to another barn which was being used as a hobby workshop. A compressor and a lifting machine was used which generated noise. Concerns had been raised by the owner of that barn that any future neighbour may submit a formal noise complaint to the district council. The Architect however had confirmed that the barn would be sound proofed.

The Chairman requested that a strongly worded letter be forwarded to the Environmental Health Business Unit advising them that any noise being emitted from the neighbouring barn to that of the application site was well known to the applicant. A note to the applicant was also suggested.

AGREED (with 10 votes for and 1 vote against) that full planning permission be approved subject to the following:

- (i) the conditions contained within the report;
- (ii) a strongly worded letter be forwarded to the Environmental Health Business Unit advising them that any noise being emitted from the neighbouring barn to that of the application was well known to the applicant; and
- (iii) a note to the applicant regarding noise issue from existing workshop used as a hobby workshop that the occupiers should be aware of this from the outset and that a condition to secure noise mitigation has been imposed.

185. APPEALS DETERMINED

AGREED that the report be noted.

186. ENFORCEMENT ACTIVITY UPDATE

The Committee considered the report of the Deputy Chief Executive, which updated Members on planning enforcement matters.

The report followed on from the information presented to the 5 December 2017 Planning Committee, which highlighted planning enforcement performance and cases of note during the final quarter until 22 November 2017. The report provided enforcement information up to the end of the quarter, 31 December 2017 and provided a complete picture for the quarter.

The Committee was informed that a report would be submitted on a quarterly basis, providing performance information and an update on cases where formal action had been taken. The report would also include case studies which would show how the breaches of planning control had been resolved through negotiation.

The report presented a snap shot on the general volumes of cases received and dealt with.

- Schedule A outlined the enforcement activity during the quarter (October to December 2017).
- Schedule B sets this (on a pro-rata basis) against the activity over previous quarters). The cases closed may have exceeded on occasion, cases received as a case received in an earlier quarter may have been closed.
- Schedule C detailed a summary of formal action taken since the last report was compiled, 22 November to 31 December 2017.
- Schedule D provided a selection of cases where breaches had been resolved without formal action having been taken.

AGREED that the report be noted.

The meeting closed at 6.40pm

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of the **PLANNING COMMITTEE** held in the Civic Suite, Castle House, Newark on Tuesday, 6 February 2018 at 4.00pm.

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

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

187. APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of Councillors N.B. Mison and Mrs Y. Woodhead.

188. DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

<u>Officer</u>	<u>Agenda Item</u>
Business Manager - Growth & Regeneration	Agenda Item 9 – Land at William Hall Way, Fernwood (17/02141/FUL) Personal Interest as the Applicant was a friend of the family.

189. DECLARATION OF ANY INTENTIONS TO RECORD THE MEETING

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

190. MINUTES OF THE MEETING HELD ON 16 JANUARY 2018

AGREED that the minutes of the meeting held on 16 January 2018 be approved as a correct record and signed by the Chairman.

191. LAND OFF SANDHILLS SCONCE, TOLNEY LANE, NEWARK (17/00954/FUL)

The Committee considered the report of the Deputy Chief Executive, which sought to remove part of Condition one attached to planning permission 12/00562/FUL for the change of use to the gypsy and traveller residential caravan site, to allow the use to be permanent.

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

Councillor A.C. Roberts, representing Newark Town Council spoke against the application in accordance with the views of Newark Town Council as contained within the report.

Members considered the application and referred to the Gypsy and Traveller accommodation discussions that took place at the Plan Review Examination In Public which had taken place the previous week. The position on need and supply would be clarified in the coming months when the position of the GTAA was clarified. The Planning Inspector following a previous hearing regarding this site had reported that they could not justify permanent planning permission and as nothing had changed regarding the flood risk and as there was still some eight months to run on the existing temporary permission it was considered that permanent permission should not be granted.

Some Members commented that Tolney Lane was where the Gypsy/Travelling Community wanted to settle and the Authority should help to resolve the flooding issue on Tolney Lane.

AGREED (with 8 votes for and 5 votes against) that contrary to Officer recommendation planning permission for a temporary basis for a further three years be refused for the following reasons:

- (i) the development was in a flood plain and was at risk of flooding being mindful that on this basis the Planning Inspector on appeal could not justify a permanent permission on this site.

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

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

192. OLD MANOR FARM, MAIN STREET, FARNSFIELD (17/02135/FUL)

The Committee considered the report of the Deputy Chief Executive, following a site visit prior to the meeting, which sought full planning permission for a proposed residential development of four new dwellings for the over 55's market. This application also included the change of use of the Grade II listed Threshing Barn, (from an annex for the farmhouse to an independent dwelling). The rear barn, which is currently used for storage, was proposed to be converted into an annex to the Threshing Barn dwelling.

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

Councillor Mrs L Shelby, representing Farnsfield Parish Council spoke against the application in accordance with the views of Farnsfield Parish Council as contained within the report.

Councillor B Laughton, adjoining Ward Member for Southwell, spoke against the application and stated that there had been ninety eight letters of objection and only two letters of support for this development. The application was contrary to the Neighbourhood Plan. One of the local residents had flooded on two occasions with sewage, which was considered a significant problem within Farnsfield. There were also issues with the school catchment area. Existing traffic issues and the relationship with the proposed access was considered extremely dangerous and on street car parking also exacerbated the traffic problem. The access from the front of the development would ruin the vista of Old Manor Farm and was against Core Policy 14 – Historic Environment. The site would set a precedent regarding back land development. The removal of the trees was not acceptable and contributed to the whole ambience in that area. Councillor Laughton supported Farnsfield Parish Council in their objection to the application, which had been a unanimous decision.

Members considered the application and felt that there was already a traffic problem within Farnsfield and the access/egress to this site was horrendous. Notwithstanding this Members noted the Highway Authority was not objecting to the proposals. The Threshing Barn and Annex was questioned, the annex being larger than a large house. The over 55's age category was discussed and it was felt that the age of 55 was not old and Members could not see the benefit of semi-detached properties for that age category. The loss of trees would be detrimental to the environment and there was too much back land development for the site. The impact from this development on the neighbouring property 'Fielding' was considered too detrimental.

AGREED (with 12 votes for and 1 abstention) that contrary to Officer recommendation full planning permission be refused for the following reasons:

- (i) over intensive back land development which harms the character and appearance of the Conservation area and impacts on the amenity of surrounding properties;
- (ii) impact of the removal of trees on the character of the Conservation Area; and
- (iii) contrary to the Development Plan policies including policies within the Farnsfield Neighbourhood Plan.

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

Councillor	Vote
Mrs K. Arnold	For
R.V. Blaney	For
Mrs A.C. Brooks	For

R.A. Crowe	For
Mrs M. Dobson	For
G.P. Handley	For
J. Lee	For
N. Mison	Absent
D.R. Payne	Abstention
Mrs P. Rainbow	For
Mrs S.E. Saddington	For
Mrs L.M.J. Tift	For
I. Walker	For
B. Wells	For
Mrs Y. Woodhead	Absent

193. FORMER GARAGE SITE AT THORPE CLOSE, CODDINGTON (17/02294/FUL)

The Committee considered the report of the Deputy Chief Executive, following a site visit prior to the meeting, which sought the demolition of the existing garages and the development of three, two bed dwellings and one, one bed dwelling.

A schedule of communication was tabled at the meeting, which detailed correspondence received after the agenda was published from the Parish Council; Applicant and Planning Case Officer.

Councillor L Cox, representing Coddington Parish Council spoke against the application in accordance with the views of Coddington Parish Council as contained within the schedule of communication which was tabled at the meeting.

Members considered the application and it was commented that there was a major parking issue within this area and the removal of the garages would only exasperate the parking problem. Any increase in on-street parking may put the local bus service at risk as the service was already limited, as the bus had problems negotiating some of the streets due to car parking. It was commented that the bus service was essential for the elderly population that lived in the village. Other Members commented that whilst they understood that the garages were used, they did not know whether they were used for storage or for car parking. The proposed scheme was for much needed bungalows which would also have two allocated car parking spaces and would be affordable accommodation for rent.

A Member commented that there was a low post and rail fence along a piece of open space on Thorpe Close, it was suggested that Newark and Sherwood Homes could be asked to provide that piece of land in order for the road on Thorpe Close to be widened and a parking bay be incorporated along the road. The Member gave an undertaking to work with the Council and Newark and Sherwood Homes to alleviate the car parking problem. He commented on the importance of building homes for people to live in rather than using garages for storage.

A Member felt that this item should be deferred as requested by Coddington Parish Council in order for information regarding the number of garages used for vehicles or storage and where garage occupants lived could be compiled and considered. The removal of the garages could have a large impact on on-street parking within this location.

AGREED (with 7 votes for, 5 votes against and 1 abstention) that the application be deferred until the 6 March 2018 Planning Committee, in order for further information regarding the number of garages used for parking vehicles or storage and where garage occupants lived.

194. THE OLD VICARAGE BOUTIQUE HOTEL, WESTGATE, SOUTHWELL (17/01654/FUL)

The Committee considered the report of the Deputy Chief Executive, which sought full planning permission to vary condition four of the original permission 09/00622/FUL which permitted part of the hotel to be used as a restaurant/coffee shop, formation of parking areas (retrospective), decking area including hot tub (retrospective) and re-roofing of conservatory in slate (re-Submission) to allow sixty covers within the restaurant.

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

Members considered the application and the local Ward Members were both in agreement and understood the commercial desire to achieve what was being sought from the planning application to vary condition four. They felt that car parking was adequate and some research had been undertaken by one of the Members regarding the noise nuisance which had clarified that no enforcement action had been taken regarding the noise nuisance complaints. It was also commented that this would encourage tourism in Southwell.

AGREED (unanimously) that full planning permission be granted, subject to the conditions contained within the report.

195. EXCLUSION OF THE PRESS AND PUBLIC

AGREED (unanimously) that under Section 100(A) of the Local Government Act 1972, the press and public be excluded from the meeting during discussion of the following items of business on the grounds that they involved the likely disclosure of exempt information as defined in Paragraph 3 & 5 of Schedule 12A of the Act and that the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

196. LATE ITEM - RESIDENTIAL DEVELOPMENT AT EPPERSTONE MANOR, MAIN STREET, EPPERSTONE

The reason for the late item was due to the time constraints granted to the Acting Chief Executive, which needed to be extended to allow further negotiation prior to the next Committee.

The Committee considered the late item report of the Business Manager Growth & Regeneration, which sought Member consideration regarding the Enforcement Report which was considered at the 5 December 2017 Planning Committee meeting, which granted time limited delegated authority to the Deputy Chief Executive to re-negotiate the terms of previous Section 106 Agreements. That time limited authority expired on the 31 January 2018. Following mediation and a site meeting last week between

officers and Councillor Jackson, as local Member, an acceptable settlement to date appeared likely. Officers therefore sought a further period of time limited authority until 6 March 2018, the day of the next Planning Committee.

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

197. APPEALS LODGED

AGREED that the report be noted.

198. APPEALS DETERMINED

AGREED that the report be noted.

(Having declared a Personal Interest on the following Minute, the Business Manager Growth & Regeneration left the meeting at this point).

199. LAND AT WILLIAM HALL WAY, FERNWOOD (17/02141/FUL)

The Committee considered the report of the Deputy Chief Executive, which sought full planning permission for the construction of a building to house a gym and sports performance centre (D2 use class) including new vehicular access from William Hall Way and associated parking and boundary treatment.

Members considered the application and felt that the proposal was acceptable.

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

The meeting closed at 6.13pm

NEWARK & SHERWOOD DISTRICT COUNCIL

Minutes of the meeting of the **AUDIT & ACCOUNTS COMMITTEE** held in the Civic Suite, Castle House, on Wednesday, 7 February 2018 at 10:00am.

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

Councillors: Councillor R.A. Crowe, G.P. Handley, D.R Payne and B. Wells.

ALSO IN ATTENDANCE: Nick Wilson - Business Manager - Financial Services (NSDC)
Andrew Snape - Assistant Business Manager - Financial Services (NSDC)
Amanda Hunt – Principal Auditor(Assurance Lincolnshire)
Helen Brookes - Manager (KPMG)
Lucy Pledge (Audit and Risk Manager- Assurance Lincolnshire).
Richard Bates- Safety and Risk Management Officer (NSDC)

23. APOLOGIES FOR ABSENCE

None

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

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

26. DECLARATION OF ANY INTENTION TO RECORD THE MEETING

There were no declarations of intention to record the meeting.

27. MINUTES OF MEETING HELD ON 29 NOVEMBER 2017

Minute 21- Counter Fraud Activity Report- A Member of the Committee requested further information on the identified cases of fraud from 2016/17, as to where these cases had occurred and whether prosecutions had been brought against the perpetrator.

AGREED that the Minutes of the meeting held on 29 November 2017 be approved as a correct record and signed by the Chairman, subject to a minor typographical amendment.

28. DRAFT TREASURY MANAGEMENT STRATEGY 2018/19

The Assistant Business Manager- Financial Services presented the Treasury Management Strategy Statement, incorporating the Borrowing Strategy, Investment Strategy and Prudential Indicators. The Committee noted the economic background and external context, the Council's Borrowing portfolio and associated limits, the Investment Strategy and Counterparty list, and economic forecast from Arlingclose.

In discussion, the Committee considered the impact of an increase in interest rates. The Assistant Business Manager- Financial Services explained that the Council's borrowing was on fixed rates, and an increase in interest rate may benefit the Council by providing greater return on investments.

AGREED (unanimously) that the Committee approves each of the following key elements and recommends these to Full Council on 8th March 2018:

1. the Treasury Management Strategy 2018/19, incorporating the Borrowing Strategy and the Annual Investment Strategy (Appendix A, Section 4 and Section 5);
2. the Treasury Prudential Indicators and Limits for 2017/18 to 2019/20, contained within Appendix A Section 4 and Section 5; and
3. the Authorised Limit Treasury Prudential Indicator contained within Appendix A Section 4.

29. DRAFT CAPITAL STRATEGY 2018/19

The Assistant Business Manager- Financial Services presented the Capital Strategy, which outlined the principles and framework that shaped the Council's capital decisions. The principal aim was to deliver a programme of capital investment that contributed to the achievement of the Council's priorities and objectives as set out in the Corporate Plan. The Strategy defined at the highest level how the capital programme was to be formulated, identified the issues and options that influence capital spending, and set out how the resources and capital programme would be managed within specific prudential indicators. Members' attention was also drawn to the Annual Minimum Revenue Provision Statement 2018/19.

Members considered the Strategy and agreed to an amendment to section eight, to remove the first sentence, and noted an amendment required to the Capital Expenditure and Financing table.

AGREED (unanimously) that the Committee approves each of the following key elements and recommends these to Full Council on 8th March 2018:

1. the Capital Strategy 2018/19 to 2020/21 Appendix A;
2. the Capital Prudential Indicators and Limits for 2018/19 to 2020/21, contained within Appendix A Section 5; and
3. the Minimum Revenue Provision (MRP) Policy Statement as contained within Appendix A Section 6, which sets out the Council's policy on MRP.

30. INTERNAL AUDIT PROGRESS REPORT 2017/18

The Principal Auditor presented the Internal Audit progress report covering the period to 15 January 2018. Two audits reports had been issued - Insurance with high assurance, and Estates Management with limited assurance. There were a further seven audits in draft report stage. The Committee also noted that Strategic Asset Management had been removed from the plan as the service was currently under review and a new Business Manager was being appointed. Funding had also been removed as the client manager who requested it had since left and the Manager felt that the scope of the audit was similar to one carried out recently. The Committee heard that the plan was 60-65% complete.

The Members considered the progress report noting that the draft reports were issued firstly to CMT, for their consideration. This occasionally resulted in a slight delay in the reports coming to the Committee due to the timings of meetings. The Committee also discussed the Estates Management Audit, which had been issued with Limited Assurance. With regard to the Newark BIC, the Committee noted the recommendations and acknowledged that these had been raised with CMT. The Business Manager - Financial Services confirmed that CMT considered the Council's Major Income Streams and the audit had recommended that this include the income from the BIC. The Head of Internal Audit confirmed that the implementation of recommendations would be monitored by Internal Audit, and progress reported to the Audit Committee as part of their regular updates.

Secondly, with regard to Asset Management, the Committee requested that a report be brought to their next meeting detailing the Council's Write-off Policy and the amount of write-offs.

AGREED (unanimously) that the report be noted.

31. ANNUAL INTERNAL AUDIT PLAN 2018/19

The Head of Internal Audit presented the draft Annual Internal Audit Plan for 2018/19. The Plan had been developed with reference to our draft combined assurance model as well as previous audit work, audit risk assessment, discussions with senior management, strategic and emerging risks.

The Committee noted the inclusion of eight audit days covering Brexit preparation and understanding the risks and opportunities and were in general agreement that these should remain in the plan. Members also discussed the audit process in relation to housing benefit and how the audit process provided overall assurance against benefit fraud. The Business Manager- Financial Services also briefly outlined the counter fraud work undertaken within the public sector and the workshop shortly to be held with Audit Lincolnshire to refresh the Fraud Risk Register and which would then be brought back to the Committee.

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

32. EXTERNAL CERTIFICATION OF GRANT CLAIMS AND RETURNS 2016/17

Helen Brookes - KPMG was in attendance to present the Annual report on Grants and Returns 2016/17. She reported that there were no recommendations from the work, and the claim was unqualified and no adjustments had been required. The total fee for the work was £11,022. The Certificate was the final part of the Audit process for 2016/17.

AGREED (unanimously) that the Members consider and comment on the external auditors report on the certification of grant claims and returns for 2016/17.

33. RISK MANAGEMENT REPORT

The Safety and Risk Management Officer was in attendance to report to Members on the Council's Risk Management progress and the status of the Council's Strategic Risks. The Council's Risk Management Group met on a quarterly basis and the Risk Management Policy was due to be reviewed in April 2018. It was also noted that Internal Audit were undertaking a programmed audit of the Council's risk management systems.

The Committee also considered the Council's Strategic Risks and the Action Plans in place for each risk. The level of risks were determined by CMT and the Committee noted that the next Annual Strategic Risk Review was due to take place late spring/early summer 2018.

Members considered Strategic Risk 3 - Facilitating Growth. The Safety and Risk Management Officer agreed that this was a very wide ranging risk, however, he explained that each element was supported by a risk assessment with action attached to address the risk. Members heard details of regular meetings regarding the risk, crossing economic regeneration, planning and finance. Members were concerned that due to the wide ranging nature of the risk, it was difficult to reduce the risk target and the Safety and Risk Management Officer agreed to raise the issue with CMT.

AGREED (unanimously) that the report be noted.

34. REVIEW OF SIGNIFICANT INTERNAL CONTROL ISSUES HIGHLIGHTED IN THE ANNUAL GOVERNANCE SURVEY

The Business Manager - Financial Services presented a report which updated the status of the significant governance issues identified in the Annual Governance Statement, which was approved on 26 July 2017 and formed part of the Council's Statement of Accounts. He reiterated the work undertaken with regard to Counter Fraud with Assurance Lincolnshire.

AGREED (unanimously) that the Committee notes the results of the review of the significant governance issues as identified in the Annual Governance Statement.

35. AUDIT COMMITTEE WORK PROGRAMME

The Committee considered the work programme detailing items to be considered during their meetings throughout the municipal year.

AGREED that the Work Plan be noted.

36. DATE OF NEXT MEETING

The Committee agreed a workshop to be held on Wednesday 6 June 2018 to consider the draft accounts.

NOTED that the date of the next meeting was Wednesday, 25 April 2018, at 10am in Civic 1, Castle House.

The meeting closed at 11.20am.

Chairman