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Friday, 4 May 2018

Chairman: Councillor K Walker
Vice-Chairman: Councillor B Crowe

To all Members of the Council:

MEETING: Full Council

DATE: Tuesday, 15 May 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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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.

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of **Full Council** held in the Civic Suite, Castle House, Great North Road, Newark, Nottinghamshire, NG24 1BY on Tuesday, 10 April 2018 at 6.00 pm.

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

Councillor Mrs K Arnold, Councillor R Blaney, Councillor Mrs B Brooks, Councillor Mrs I Brown, Councillor M Buttery, Councillor M Cope, Councillor J Lee, Councillor Mrs S Michael, Councillor D Payne, Councillor B Wells, Councillor Mrs Y Woodhead, Councillor B Crowe, Councillor Mrs R Crowe, Councillor P Duncan, Councillor K Girling, Councillor P Handley, Councillor R Jackson, Councillor B Laughton, Councillor N Mison, Councillor N Mitchell, Councillor P Peacock, Councillor Mrs P Rainbow, Councillor T Roberts, Councillor Mrs S Saddington, Councillor Mrs S Soar, Councillor D Staples, Councillor Mrs A Truswell and Councillor I Walker

APOLOGIES FOR ABSENCE: Councillor Mrs C Brooks, Councillor D Lloyd, Councillor T Wendels, Councillor Mrs G Dawn, Councillor Mrs M Dobson and Councillor Mrs L Hurst

77 MINUTES FROM THE MEETING HELD ON 8 MARCH 2018

AGREED that that minutes of the meeting held on 8 March 2018 be approved as a correct record and signed by the Chairman.

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

NOTED the interests declared as shown in the schedule circulated at the meeting.

79 DECLARATIONS 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.

80 COMMUNICATIONS WHICH THE CHAIRMAN OR THE CHIEF EXECUTIVE MAY WISH TO LAY BEFORE THE COUNCIL

The Acting Chief Executive reminded all Members of the GDPR training sessions which had been arranged for Monday 16 April at 2.00pm and Tuesday 24 April at 5.00pm.

The Acting Chief Executive also requested Members to advise Democratic Services if they were able to attend the Gladstone House opening event to be held on Tuesday 24 April 2018 from 2.00pm.

81 APPOINTMENT OF CHIEF EXECUTIVE AND HEAD OF PAID SERVICE

The Council considered the report of the Acting Chief Executive which sought to

confirm the recommendation of the Chief Officers Appointment Panel in respect of the appointment of the Chief Executive and Head of Paid Service. Following a rigorous recruitment process the Chief Officers Appointments Panel unanimously recommended that John Robinson, currently Chief Executive of Gedling Borough Council, be appointed as Chief Executive and Head of Paid Service. Terms and conditions of employment had been agreed and Mr Robinson was scheduled to take up the position on 23 July 2018.

AGREED (unanimously) that

- (a) John Robinson be appointed as Chief Executive and Head of Paid Service, Electoral Registration Officer and Returning Officer with effect from 23 July 2018;
- (b) John Robinson be nominated as a Director of the Board of Active4Today and of the Council's Development Company with effect from 23 July 2018 and that the Acting Chief Executive stand down from these roles accordingly; and
- (c) the Acting Chief Executive, Kirsty Cole, revert to her substantive role of Deputy Chief Executive and that she reassume the role of Monitoring Officer with effect from 23 July 2018 and the Director – Safety, Karen White, reassume the role of Deputy Monitoring Officer with effect from the same date.

82 INCORPORATION OF DEVELOPMENT COMPANY

The Council considered the report of the Director – Safety which sought approval of the Articles of Association and Governance Agreement for the Council's wholly owned Development Company following. The Shareholder Committee had considered the draft Articles of Association and Governance Agreement at their meeting held on 29 March 2018 and following amendment had recommended them to Council for approval.

In accordance with Procedure Rule No. 26.4 Councillor D. Staples moved, and Councillor P. Peacock seconded an amendment in respect of the recommendation to approve the Governance Agreement that:

“the Governance Agreement be referred back to the Shareholder Committee for further consideration of the ethical issues.”

This amendment was declared lost with 11 votes for and 19 against.

AGREED (with 19 votes for, 10 against and 1 abstention) that the Governance Agreement for the Development Company be approved.

AGREED (unanimously) that the Articles of Association for the Development Company be approved.

83 NEWARK COMMUNITY GOVERNANCE REVIEW

The Council considered the report of the Acting Chief Executive which sought approval for the publication of draft proposals in respect of the 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. At their meeting held on 12 December 2017 the Council approved the terms of reference for the review of the Newark Town Council boundaries and agreed to publish these for a period of consultation, which closed on 9 February 2018.

Three responses were received during the consultation process and these were considered by the Community Governance Review Working Party at their meeting held on 20 March 2018. The Working Party formulated Draft Proposals for consultation and these were attached as Appendix A to the report. It was proposed that these be published for a further period of consultation which would open on 16 April 2018 and close on 25 May 2018 in accordance with the revised timetable which was set out as Appendix B to the report.

AGREED (unanimously) that the draft proposals as set out in Appendix A to the report be published in accordance with the revised review timetable.

84 NOTICES OF MOTION

In accordance with Procedure Rule No 13.1, Councillor R Jackson moved and Councillor B. Laughton seconded a motion to the following effect:

“Newark & Sherwood District Council as a waste collecting authority:

Support the growing national campaign to highlight the dangers of single use plastics to our environment especially our oceans;

That we commit to work with our waste management partners, Nottinghamshire County Council and Veolia to maximise the amount of plastic and other materials which can be recycled;

We review and reduce our reliance on single use plastics throughout the Councils services and encourage others to do the same and to use alternative materials wherever possible; and

Agrees that a paper is brought to the Councils Leisure & Environment Committee on how we progress these objectives.”

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

Councillors P. Handley, I. Walker and Mrs A. Truswell left the meeting following the consideration of this motion.

85 MINUTES FOR NOTING

85a LEISURE & ENVIRONMENT COMMITTEE – 20 MARCH 2018

85b GENERAL PURPOSES COMMITTEE – 15 MARCH 2018

85c LICENSING COMMITTEE – 15 MARCH 2018

85d PLANNING COMMITTEE - 6 MARCH 2018 AND 3 APRIL 2018

Minute No. 207 – Field Ref. No. 7108, Eakring Road, Bilsthorpe
(17/01139/OUTM)(MAJOR)

Councillor B. Laughton stated that Bilsthorpe Parish Council welcomed this decision of the Planning Committee but their preference was for enhanced Section 106 funding for the Village Hall rather than the provision of affordable housing, and requested that this be taken into account.

Councillor D. Payne noted the request.

85e POLICY & FINANCE COMMITTEE – 5 APRIL 2018

85f ECONOMIC DEVELOPMENT COMMITTEE – 28 MARCH 2018

85g SHAREHOLDER COMMITTEE – 29 MARCH 2018

Minute No. 4 – Company Name

In presenting the minutes Councillor R. Blaney advised the Council that the proposed name for the Development Company, on which the Director – Resources was likely to consult, was “ArkWood Development Limited”.

Meeting closed at 7.41 pm.

Chairman

ANNUAL COUNCIL MEETING – 15 MAY 2018

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

1.0 Purpose of Report

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

2.0 Background Information

- 2.1 The allocation of seats to committees was last considered at the Annual Council Meeting held on 16 May 2017. Under the committee style of governance all committees are now required to reflect political balance.
- 2.2 Section 15 of the Local Government and Housing Act 1989 requires the Council to consider the political composition of the Council at each Annual Meeting in respect of the new Municipal Year. The Act, together with Local Government (Committees and Political Groups) Regulations 1990, require local authorities to allocate seats on non-executive Committees of a local authority on a proportional basis, in accordance with the number of seats on the Council held by each political group.
- 2.3 The Constitution provides that the following Committees be appointed:-

<u>Committee</u>	<u>No. of Members</u>
Policy & Finance	7
Homes & Communities	12
Leisure & Environment	12
Economic Development	12
Planning	15
Licensing	15
General Purposes	15
Audit & Accounts	6
Shareholder	5
Mansfield & District Crematorium Joint Committee	3

- 2.4 The political composition remains unchanged, and is as follows: -

	<u>No. of Seats</u>
Conservative	24
Labour	12
Independent	3

- 2.5 Based on the Committee structure the following calculation can be made:-

a) No of seats on Council = 39

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

	%
Conservative	61.54
Labour	30.77
Independent	7.69
	<u>100%</u>

- b) Based on the existing Committee structure there are now a total of 102 seats on Committees, following the addition of the Shareholder Committee, which must comply with political balance rules.

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

			<u>Rounded</u>
Conservative	102 x 61.54%	62.77	63
Labour	102 x 30.77%	31.38	31
Independent	102 x 7.69%	7.84	8
			<u>102</u>

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

Conservative	63
Labour	31
Independent	8

- 2.7 The proposed allocation of seats on Committees to each political group is set out in the matrix which is attached as **Appendix A** to the report.
- 2.8 Schedules of appointments to Committees have been forwarded to Group Leaders, based on the calculations made.

3.0 RECOMMENDATION

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

Background Papers

Nil

For further information please contact Nigel Hill on 01636 655243.

K.H. Cole
Acting Chief Executive

**ALLOCATION OF SEATS TO
POLITICAL GROUPS**

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

* (includes other local authority members)

ANNUAL COUNCIL MEETING – 15 MAY 2018

APPOINTMENTS FOR 2018/19

1.0 Purpose of Report

- 1.1 To make appointments to Committees for 2018/19 including the Working Parties/Task & Finish Groups and Advisory Boards established by Full Council.

2.0 Background Information

- 2.1 Details of the Leader and Deputy Leader of the Council, other Group Leaders and appointments to Committees will be circulated in the schedule when these have been received from political groups.
- 2.2 The schedule has been amended to include the Working Parties/Task & Finish Groups and Advisory Boards established by Full Council that are still operational.
- 2.3 Details of these groups are attached as an **Appendix** to the report.

3.0 RECOMMENDATION

That the appointments for 2018/19, as set out in the schedule to be circulated, be approved.

Background Papers

Nil

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

K.H. Cole
Acting Chief Executive

APPENDIX

Working Party/Task & Finish Group	Date First Established and last reconvened	Date of Last Meeting/ (Next Scheduled Meeting)	Current Membership	Remit
Newark Community Governance Review Working Party	12 December 2017 (Full Council)	20 March 2018 To be arranged for June 2018	<ul style="list-style-type: none">• 4 Members drawn from the whole of the Council (3 from the controlling group and 1 from the major opposition group)• Councillors Blaney, Lloyd, Keith Walker and Peacock	<ul style="list-style-type: none">• To oversee the review process and make recommendations to Full Council in terms of the outcome of the review.
Investment Advisory Board	10 October 2017 (Full Council)		<ul style="list-style-type: none">• 3 Members drawn from the whole of the Council• 2 Councillors from the Conservative Group• Councillor D. Staples (Labour Group)	<ul style="list-style-type: none">• To provide advice to the Policy & Finance Committee on the implementation of the Investment Plan.

ANNUAL COUNCIL MEETING – 15 MAY 2018

APPOINTMENT OF REPRESENTATIVES ON OUTSIDE BODIES AND COUNCIL OWNED COMPANIES

1.0 Purpose of Report

- 1.1 To make appointments to Outside Bodies for the 2018/19 Municipal Year and to the Boards of the Council's wholly owned companies.

2.0 Background Information

- 2.1 The schedule of appointments has been amended from 2017 to add a relevant Ward Member from the Edwinstowe & Clipstone Ward and the Devon Ward to act as Observers on the Board of Trustees for the Rumbles Catering Project.
- 2.2 The Interim Board of Directors for the Council's wholly owned Development Company has also been added to the schedule.
- 2.3 Details of the proposed appointments to outside bodies will be circulated when these have been received from political groups.

3.0 RECOMMENDATION

That the appointments of representatives on outside bodies for 2018/19, as set out in the schedule to be circulated, be approved.

Background Papers

Nil

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

K.H. Cole
Acting Chief Executive

ANNUAL COUNCIL MEETING – 15 MAY 2018

RULE NO. 4.8 – APPOINTMENT OF PANEL

1.0 Purpose of Report

- 1.1 In accordance with Rule No 4.8, the Council is required to appoint a Panel of at least 4 Members in order to be in a position to call an Extraordinary Meeting of the Council should the offices of Chairman and Vice-Chairman of the Council be vacant or both the Chairman and Vice-Chairman are unable to act for any reason.
- 1.2 In 2017/18 the Leader of the Council, Deputy Leader of the Council and the Leaders of the Labour and Independent groups on the Council formed the Panel.

2.0 RECOMMENDATION

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

Background Papers

Nil

For further information please contact Nigel Hill on ext 5243.

K.H. Cole
Acting Chief Executive

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of **Audit & Accounts Committee** held in the Civic Suite, Castle House, Great North Road, Newark, Notts, NG24 1BY on Wednesday, 25 April 2018 at 10.00 am.

PRESENT: Councillor Mrs S Michael (Chairman)

Councillor B Crowe, Councillor P Handley, Councillor D Payne and Councillor B Wells

APOLOGIES FOR ABSENCE: None

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

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

38 DECLARATION OF ANY INTENTIONS TO RECORD THE MEETING

Other than the Council's usual practice of recording the meeting, there were no declarations of intention to record the meeting.

39 MINUTES OF THE PREVIOUS MEETING

That the Minutes of the meeting held on 7 February 2018 be approved as a correct record and signed by the Chairman.

The Business Manager- Financial Services, informed the Committee, in relation to the Counter Fraud Activity Report, in Minute 27- a total of £26,000 of Council Tax discount had been cancelled and re-raised as Council Tax. He was not aware of any prosecutions.

40 STATEMENT OF ACCOUNTING POLICIES

The Assistant Business Manager presented the Councils Accounting Policies in relation to the closedown of the 2017/18 financial year. The policies would be applied to the treatment of all transactions that make up the figures in the Statement of Accounts to ensure the accounts present a true and fair view of the financial position of the Council as at 31 March 2018. The 2017/2018 Statement of Accounts would be prepared in accordance with the Code of Practice on Local Authority Accounting in the United Kingdom 2017-18 which was based on International Financial Reporting Standards.

Members noted that the Policy for Overheads and Support Services had been removed as the Central Support notion was no longer required for the Statement of Accounts.

AGREED (unanimously) that Members approve the amended Statement of Accounting Policies for 2017/2018.

41 IAS19 UNDERLYING PENSION ASSUMPTIONS AND UNDERLYING VALUATION ASSUMPTIONS FOR 2017/18 STATEMENT OF ACCOUNTS

The Chairman agreed to take items 6 and 7 together as they both dealt with Assumptions made to inform the Statement of Account 2017/18.

The Assistant Business Manager- Financial Services presented the Committee with information regarding the assumptions made by the pension fund actuary in calculating the IAS 19 (International Accounting Standard 19 - Employee Benefits) figures to be reported in the 2017/18 Statement of Accounts.

To calculate the cost of earned benefits for inclusion in the Statement of Accounts, the scheme actuaries used certain assumptions to reflect expected future events which may affect the cost. The assumptions used should lead to the best estimate of the future cash flows that will arise under the scheme liabilities. The Council would use the calculated costs and the underlying assumptions, based upon the advice of the actuary of the Nottinghamshire County Council Pension Fund, Barnett Waddingham, and the administering authority (Nottinghamshire County Council), in preparing the annual Statement of Accounts.

AGREED (unanimously) that Members note and approve the assumptions used in the calculation of pension figures for 2017/2018.

The Assistant Business Manager- Financial Services also provided Members with information regarding the assumptions made by the Valuers in calculating the figures to be reported in the 2017/18 Statement of Accounts, as per the revaluation model approach taken by the Council under IAS 16 (International Accounting Standard 16 – Property, Plant and Equipment). During 2017/18 the assets that had been revalued were:

- Dukeries Leisure Centre;
- Castle House and car/lorry parking;
- Kelham Hall;
- Workshops and shops;
- Investment properties;
- Council Depots;
- Local Housing Office; and
- All Council Dwellings.

As this financial year was a full revaluation of the Councils dwelling assets our normal chartered surveyors, Herbert Button and Partners, didn't have the resources to carry out the large scale valuation required. Therefore the Council also appointed Wilks Head & Eve to carry out the large scale valuation on the Council Dwellings. The reports were attached for Members.

AGREED (unanimously) that Members note and approve the assumptions used in the calculation of asset valuation figures for 2017/2018.

42 INTERNAL AUDIT PROGRESS REPORT 2017/18

The Principle Auditor presented the Internal Audit Progress report as at 31 March 2018. Six reports had been issues during the period: Information Governance with High Assurance; Car Parks, Performance Management (partial), Income/Banking arrangements and Visitors Centre, all with Substantial Assurance; and finally with Limited Assurance, ICT Operations- Starters and Leavers and Performance Management (partial).

Members heard details of those audits at draft stage and those that had been delayed but were due to be at draft stage by the end of April. Members also considered the detail of those audit recommendations that had been extended. The Committee were in general agreement that work on Audit Recommendations should be a priority for Business Managers, and that where recommendations had been extended, the Business Manager of the relevant area should be requested to attend the meeting. The Committee agreed that the Chairman of the Committee with the Business Manager- Financial Services should agree which Business Managers should be invited to the Committee meeting once the agenda for the meeting had been published.

AGREED (unanimously) that the Audit and Accounts Committee consider and comment upon the latest internal audit progress report.

43 COUNTER-FRAUD ACTIVITY REPORT

The Business Manager- Financial Services presented a report detailing counter fraud activity from 1 November 2017 to 31 March 2018. He informed the Committee that since the Council had started referring cases to the Fraud and Error Services on 1 December 2015, 91 potentially fraudulent cases has been referred, and 7 cases had been sanctioned in the Newark and Sherwood Area.

A Fraud Risk workshop, facilitated by Assurance Lincolnshire had been held during February resulting in a refreshed Fraud Risk Register. The Anti-Fraud and Corruption Strategy was refreshed during this period and was ratified at the Council meeting on 13th February 2018.

AGREED (unanimously) that the content of the report be noted.

44 EXTERNAL AUDIT PLAN FOR 2017/18 ACCOUNTS

John Cornett- Director (KPMG) was in attendance to present the Annual External Audit Plan 2017/18. The Plan detailed the Financial Statements and Value for Money Conclusion. The deadline for the production and signing of the financial statements had been significantly advanced in comparison to the year ended 31 March 2017 and as a result this had been recognised as a significant risk in relation to this matter. Other significant risks highlighted were the valuation of PPE and pension liabilities due to the assumptions made to calculate these. Other areas of focus were Business Rate Appeals and Prior Period Adjustment to take account of an asset that had been transferred to the Council in 2015 but not included on the Asset Register. The Audit fee for 2017/18 was £48, 329.00.

The Business Manager- Financial Services explained that the accounts were on track to be ready by the new deadline. The Council had used an external company to ascertain the risk of Business Rates Appeals. There were none as yet but the Council had a 'threat list' and were working to the assumptions based on this.

AGREED (unanimously) that the Council notes the External Audit Plan.

45 FRAUD RISK ASSESSMENT

The Business Manager- Financial Services presented a report detailing the results of a Fraud Risk Assessment undertaken in February 2018. All services provided by the Council had been reviewed to see where any new areas of fraud might occur and any new controls that had been put in place. Eighteen areas of the Council activities were considered to be at risk, with an additional four sub categories: seven were medium risk, and fifteen low risk. The only change had been to change NNDR from green to amber risk due to the national increase in business rate avoidance tactics. Actions to mitigate risks were also detailed in the report.

The Committee considered the report and it was confirmed that representatives from Newark and Sherwood Homes had been at the review session. They had noted three cases of subletting during 2016/17 and relevant procedures were in place.

AGREED (unanimously) that the report be noted.

46 AUDIT COMMITTEE WORK PROGRAMME

The Committee noted the Work Programme. The Business Manager- Financial Services confirmed that the Annual Audit report would go to Committee in July.

The Committee also noted the suggestion from Internal Audit to include on the work programme the Audit Committee self-assessment to consider the effectiveness of the Committee.

Meeting closed at 10.45 am.

Chairman

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of **Planning Committee** held in the Civic Suite, Castle House, Great North Road, Newark, Notts, NG24 1BY on Tuesday, 8 May 2018 at 4.00 pm.

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

Councillor Mrs K Arnold, Councillor R Blaney, Councillor Mrs C Brooks, Councillor B Crowe, Councillor Mrs M Dobson, Councillor J Lee, Councillor N Mison, Councillor Mrs P Rainbow, Councillor Mrs S Saddington, Councillor Mrs L Tift, Councillor Mrs Y Woodhead and Councillor R Jackson (Present for Item No. 14)

APOLOGIES FOR Councillor I Walker and Councillor B Wells
ABSENCE:

239 DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

<u>Member/Officer</u>	<u>Agenda Item</u>
Councillor J Lee	Agenda Item 12 – Land at Junction with Beckingham Road, Brownslow Hall, Coddington (18/00168/FUL). Personal Interest as he supported the residents and declared he had pre-determined the decision.
Councillors Mrs C Brooks and D Payne	Agenda Item 12 – Land at Junction with Beckingham Road, Brownslow Hall, Coddington (18/00168/FUL). Both Members were Directors of Newark and Sherwood Homes and declared their personal interests.

240 DECLARATION OF ANY INTENTIONS TO RECORD THE MEETING

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

241 MINUTES OF THE PLANNING COMMITTEE HELD ON 3 APRIL 2018

AGREED that the minutes of the above meeting be approved as a correct record and signed by the Chairman.

242 ORDER OF BUSINESS

With the agreement of the Committee, the Chairman changed the order of business and Agenda Items 12 and 14 were taken after Item 5, the agenda resumed its stated

order thereafter.

243 LAND AT FERNWOOD MEADOWS SOUTH, GREAT NORTH ROAD, FERNWOOD, NEWARK (17/01266/OUTM) (MAJOR)

The Committee considered the report of the Business Manager Growth & Regeneration which sought outline planning consent for a residential scheme of up to 350 dwellings with associated areas of public open space; green and drainage infrastructure. The proposal would include a mix of open market and affordable dwellings.

A schedule of communication was tabled at the meeting which detailed correspondence received after the Agenda was published from Nottinghamshire County Council Education Authority.

Members considered the application and one Member commented that she would have liked to have seen less development and more spent on infrastructure. A Member suggested that Fernwood Parish Council should be given an opportunity for allotment management and maintenance and the ability of another Fernwood Management Company to step in at a later date if the Parish Council were unable to continue. Mains water should also be made available to the allotment site and written into the Section 106 agreement.

A Member also commented that the report was inaccurate in stating that the Council was unwilling to take on the open space. The Council was willing to maintain the open space if an appropriate maintenance sum was provided by the applicant. The cost of this was unpalatable for the applicant.

AGREED (unanimously) that outline planning permission be approved subject to the conditions appended to the report; the completion of an associated Section 106 agreement - to be framed to allow Fernwood Parish Council first approach for allotment management and maintenance; the ability of another Fernwood ManCo to step in at a later date if the Parish were unable; and conditions as recommended (which can be amended provided they achieve substantively the same objective); and the finalisation of conditions in substantive accordance with those Appended within the report (this can include conditions being moved into the Section 106 subject to legal advice).

244 LAND AT JUNCTION WITH BECKINGHAM ROAD, BROWNLOWS HALL, CODDINGTON (18/00168/FUL)

The Committee considered the report of the Business Manager Growth & Regeneration which sought planning permission for the demolition of the existing garage block (comprising six garages) and the erection of three two storey terraced dwellings with associated garden space and parking.

Councillor J Lee having declared a personal interest and pre-determination withdrew himself from the meeting and sat in the public seating area.

A schedule of communication was tabled at the meeting which detailed correspondence received after the Agenda was published from the Agent and Coddington Parish Council.

Councillor Mrs Cox, representing Coddington Parish Council spoke against the application in accordance with the views of Coddington Parish Council.

Councillor J Lee sought Committee approval to speak as the Local Ward Member for the application. The Chairman allowed Councillor J Lee to return to the meeting and speak on the item. Councillor J Lee did not take part in the debate or voting of the application.

Councillor J Lee, Local Ward Member for Balderton North & Coddington spoke against the application on the grounds of loss of green open space in a conservation area. He commented that this area of land was heavily used by children as a play area and dog walkers and would be a major loss to the local community. The nearest park was a fifteen minute walk. Nottinghamshire County Council had put in double yellow lines in that area and the mobile traffic camera was used to reduce parking issues. He felt the application was of bad design and urged the Committee to refuse the application.

Members considered the application and it was commented that the site had a range of garages and hard standing, the open space wrapped around the garages and would therefore wrap around the proposed development. The proposed houses would be placed on the derelict site. It was also confirmed that the green area left would be accessible by the public. Members also considered the information regarding the current open space being 1851 sqm which would reduce to 1639 sqm and felt that there would be minimal loss. The development would provide three houses to three families on the Newark and Sherwood Homes waiting list and would be valued by those people.

Other Members commented that the site was in the protected open space and was in the Core Strategy. The local community were against the development and it was felt that the site should be cleared and retained as a green open space in line with what the local community wanted. The school traffic issues with car parking were also raised and it was felt that the development would only exasperate that problem.

The Business Manager Growth & Regeneration clarified that whilst the site was dedicated as protected open space in the Core Strategy, as a matter of law planners and indeed members should consider whether other material considerations outweigh the development plan and in this case it was considered by planners that the gaining of three affordable dwellings outweighed the minimal loss of green space cited above.

AGREED (with 8 votes for and 4 votes against) that planning permission be approved subject to the conditions contained within the report, the following amendment to condition 2 and additional condition.

- (i) The updated plan requested to include proposed visibility splays. Condition 2 to be amended to reflect the awaited revised plan which will also show the removal of only one tree;

- and
- (ii) An additional condition be included to restrict the root protection area to be a 'hand dig' zone along with tree protection.

245 LAND ADJACENT TO THE MANOR HOUSE, MAIN STREET, HOVERINGHAM (18/00373/FUL)

The Committee considered the report of the Business Manager Growth & Regeneration, following a site visit, which sought full planning permission for the erection of a two storey, two bedroom dwelling that would be sited in the west of the garden of the Manor House, Hoveringham.

Councillor Lady H Nall, representing Hoveringham Parish Council spoke in support of the application in accordance with the views of Hoveringham Parish Council as contained within the report.

Councillor R Jackson, the Local Ward Member for Dover Beck, spoke in support of the application and commented that the application site was next to the church and Manor House which was the highest point within the village and had not previously flooded. The village was desperate for two bedroom properties for people to downsize and stay in the village.

Members considered the application and it was commented that the reason for Officer refusal was due to the sequential test and Hoveringham being a SP3 village. Members felt that the site visit had shown that the hedge had been a feature in the garden for a long period of time and the access to the proposed development was off the existing access. It was felt that taking both those into consideration it would look like the proposed development had always been in situ. Members were therefore minded to approve subject to appropriate and proportionate mitigation to address the issue of possible flooding.

(Councillor J Lee was not present for the Officer presentation and took no part in the vote).

AGREED (unanimously) that contrary to Officer recommendation full planning permission be approved subject to demonstration that the proposal would not increase flood risk to third parties to the satisfaction of Newark and Sherwood District Council and appropriate and proportionate mitigation measures for possible flooding to be secured by conditions as well as other suitable conditions.

246 LAND NORTH OF PETERSMITH DRIVE, OLLERTON (17/00595/FULM)

The Committee considered the report of the Business Manager Growth & Regeneration, which sought full planning permission for a residential development of the site for 305 dwellings with associated open space and ancillary works.

(Councillor R A Crowe left the meeting at this point).

A schedule of communication was tabled at the meeting which detailed correspondence received after the Agenda was published from the Applicant and Applicant's Archaeologist.

Members considered the application and commented on the two access points from the development; particular concern was raised regarding the 180 degree turn off Petersmith Drive. It was suggested that the turn could be eased through further discussions with the applicant's agent for an improved layout. It was suggested that delegated authority be granted to the Business Manager in consultation with the Planning Committee Chairman and Vice-Chairman to negotiate an improved layout in terms of the T junction.

AGREED (with 11 votes for and 1 abstention) that Planning permission be approved, subject to conditions (including delegated authority to amend draft conditions accordingly should appropriate information be submitted effectively discharging pre-commencement conditions set out in the agenda prior to a decision being issued) and signing and sealing of S106 to secure developer contributions and provisions as set out in report. Officers to seek softening of T junction at western end of the site details of which to be delegated to the Business Manager Growth & Regeneration in conjunction with the Planning Committee Chairman and Vice-Chairman.

247 LAND AT PINFOLD LANE, AVERHAM (17/02307/FUL)

The Committee considered the report of the Business Manager Growth & Regeneration, following a site visit prior to the meeting, which sought full planning permission for the erection of a single detached three bedroom dwelling and detached single garage.

Members considered the application and it was commented that this was a landlocked paddock, access of which would need to be sought from the bungalow which was in the ownership of the applicant. The property had been created to fit onto the site and whilst the concerns of the Parish Council were taken on board this was considered an appropriate infill development in this small settlement.

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

248 DOWNTOWN GARDEN CENTRE, OLD GREAT NORTH ROAD, GREAT GONERBY (17/02120/NPA)

The Committee considered the report of the Business Manager Growth & Regeneration which related to a planning application seeking outline planning permission within the neighbouring South Kesteven District for the erection of a Designer Outlet Centre of up to 20,479 sqm (GEA) of floor space comprising retail units (A1) restaurants and cafes (A3) and storage. Additional large goods retail (5,574 sqm GEA) garden centre (5,521 sqm GEA) and external display area for garden centre (1,393 sqm) tourist information and visitor centre, training academy, leisure unit and offices including high-tech hub/start up offices. Demolition of existing garden centre and sales area and existing warehouse. Improvements to existing Downtown

Grantham Store elevations. Reconfigured car-parking and provision of new multi storey car park. Increased coach parking. Access improvements, drainage works, hard and soft landscaping and all ancillary works. All matters reserved with the exception of access.

Members were informed that the Council had been consulted on the above planning application and were invited to make comments on the scheme to the decision maker, South Kesteven District Council. A Holding Objection was issued to South Kesteven District Council until such time as the Council had secured professional retail advice on the scheme. The report set out what officers considered those comments should be for Members consideration.

A schedule of communication was tabled at the meeting which detailed correspondence received after the Agenda was published from Carter Jonas – Retail Consultant.

The Business Manager Growth & Regeneration advised Members of the application before them and informed them that the Retail Consultant had advised that it was unlikely that the market would be able to support two large-scale schemes within such close proximity. If one scheme was in place the impact would be £7.1m loss to Newark, the consultant had advised that the impact was just short of significant impact, albeit it was for Members to debate this issue. In any event the Business Manager informed that the view of Queens Counsel had been obtained regarding the proper retail planning test to consider. The issue for us to assess is whether the impact of 2 no. planning consents would be acceptable on the vitality and viability of Newark town centre. Retail advisors to the Council consider that the impact of both schemes to Newark Town Centre would be £11.8m. The Council was also considering the pending application for Marks & Spencer to relocate to Newark North Gate, which would also have an impact on the Town Centre. The Business Manager suggested that both a Planning Officer and an elected Member should attend South Kesteven District Council's Planning Committee to speak against the application, in addition to providing a strong written objection.

Members considered the application and agreed that the application would have a significant adverse impact on Newark Town Centre, particularly when viability margins were lower than ever in difficult market conditions. The loss of a significant town centre retailer would further exacerbate any significant adverse harm. It was suggested that the Newark MP should be informed and asked to seek confirmation that the Secretary of State call the matter in for his own determination should South Kesteven District Council be minded to approve the application. Members also confirmed they supported attendance of both a Planning Officer and an elected Member at the South Kesteven District Council Planning Committee to raise their objection.

AGREED (unanimously) that:

- (i) Strong objection be placed in writing to South Kesteven District Council; and
- (ii) attendance at South Kesteven District Council by both an Officer and elected Member to speak at their Planning Committee

against the scheme due to the retail impact on Newark town centre as per advice set out by Carter Jonas – Retail Consultant as detailed in the late items schedule.

249 RULE NO. 30 - DURATION OF MEETINGS

In accordance with Rule No. 30.1, the Chairman indicated that the time limit of three hours had expired and a motion was proposed and seconded to extend the meeting by one hour.

AGREED (unanimously) that the meeting continue for a further one hour.

250 LAND OFF MILL LANE, NORTH CLIFTON (17/01564/FUL)

The Committee considered the report of the Business Manager Growth & Regeneration, following a site visit, which sought planning permission for the erection of a single holiday unit in the form of a timber construction.

The application had been presented to the Planning Committee in line with the Council's Scheme of Delegation as North Clifton Parish Council had written in support of the application which differed to the professional officer recommendation.

Members at the December Planning Committee unanimously agreed to defer the application pending the submission of a protected species survey and to enable a site visit to take place.

A schedule of communication was tabled at the meeting, which detailed correspondence received after the agenda was published from Newark Showground and the Local Pub.

A further letter of support was hand delivered to the Business Manager Growth & Regeneration at the meeting from Girton sailing club.

Members considered the application and one Member commented that whilst she was not in support of the design, as she felt it did not fit into the area, she was in support of the application. This proposal would provide holiday accommodation to this rural area which was in demand. It was suggested that the development should be changed to look like a log cabin.

Other Members questioned whether the single three bedroom log house was acceptable in this location as holiday accommodation, or whether a future change of use application would be submitted if the accommodation was not viable.

A vote was taken and lost to grant planning permission with 5 votes for, 6 votes against and 1 abstention.

AGREED (with 6 votes for, 4 votes against and 2 abstentions) that planning permission be refused for the reasons contained within the report.

251 LAND AT EPPERSTON ROAD, LOWDHAM (18/00017/OUT)

The Committee considered the report of the Business Manager Growth & Regeneration, following a site visit, which sought outline planning permission for the erection of a single dwelling.

A schedule of communication was tabled at the meeting, which detailed correspondence received after the agenda was published from the Council's Environmental Health Officer which recommended an additional condition as follows:

"The reserved matters application shall be accompanied by Noise Report and Mitigation Strategy which includes proposed measures designed to mitigate the potential for noise disturbance to the occupiers of the proposed dwelling hereby approved. These measures shall include, but are not limited to, a suitable noise barrier/boundary. The approved Mitigation Strategy shall detail the timings of implementation of the measures proposed.

Reason: This proposal would introduce a new residential use close to an existing manufacturing business so the condition is necessary in the interests providing suitable mitigation for future occupiers of the dwelling hereby approved."

It is noted that the proposed access would serve the remainder of the site allocation. In order to ensure that the means of access to the wider allocation site is not prejudiced, a condition to ensure that the access remains outside of the residential curtilage to the proposed dwelling is considered appropriate and necessary as follows:

The reserved matters application shall be accompanied by a plan defining the extent of curtilage to the dwelling hereby approved which shall exclude the proposed shared vehicular access from Epperstone Road.

Reason: So as not to prejudice the remainder of the site allocation from the ability of achieving a single safe and appropriate means of vehicular access point as required by Policy Lo/Ho/1.

Members considered the application and the proposal was considered disappointing as the land had been allocated for five houses and there was a difficulty of securing sites that were surrounded by green belt land.

AGREED (with 10 votes for and 2 abstentions) that outline planning permission be approved subject to the conditions contained within the report and the additional condition detailed in the Schedule of communication and above.

252 J. HARRISON LTD, SOUTHWELL ROAD, LOWDHAM (17/01616/FUL)

The application was withdrawn from the agenda by the Planning Case Officer.

253 MOORBECK HOUSE, MILL LANE, CAUNTON (18/00515/FUL)

The Committee considered the report of the Business Manager Growth & Regeneration which sought full planning permission for the demolition of the existing

semi-dilapidated cattle store and its replacement with a building approximately 40% larger occupying approximately the same location.

A schedule of communication was tabled at the meeting which detailed correspondence received after the agenda was published from Caunton Parish Council, who had no objection to the application.

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.

254 CORAL BETTING OFFICE, KIRKLINGTON ROAD, RAINWORTH (18/00437/FUL)

The Committee considered the report of the Business Manager Growth & Regeneration which sought full planning permission to change the use of the building from its established A2 use to an A4 use. The change of use would allow the premise to operate as a Micropub to provide between 25 and 30 covers.

Members considered the application and the majority of Members welcomed the Micropub. Concern was raised regarding additional seating being placed on the grass areas surrounding the building and it was proposed that an additional condition be imposed to prevent any additional exterior covers.

AGREED (with 11 votes for and 1 vote against) that planning permission be approved subject to the conditions contained within the report and the additional condition preventing any additional exterior covers.

255 LANCRESSE, 24 STATION ROAD, COLLINGHAM (18/00514/FUL)

The Committee considered the report of the Business Manager Growth & Regeneration which sought full planning permission for the proposed extensions and alterations to the dwelling, including the demolition of a single storey outbuilding and the erection of a western boundary fence.

Members considered the application and felt that the proposals were acceptable.

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

256 Appeals Lodged

a

AGREED that the report be noted.

256 Appeals Determined

b

AGREED that the report be noted.

257 QUARTERLY ENFORCEMENT ACTIVITY UPDATE REPORT

The Committee considered the report of the Business Manager Growth & Regeneration, which updated Members on planning enforcement matters.

The report followed on from the information presented to the 16 January 2018 Planning Committee, which highlighted planning enforcement performance until the end of 2017. The report provided enforcement information up to the quarter from 1 January until 31 March 2018 and provided an update on cases where formal action had been taken. It also included case studies which showed 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 as follows:

- Schedule A outlined the enforcement activity during the quarter (January to March 2018) which captured the overall split to show of the cases investigated, how many were found to be a breach of planning or otherwise.
- 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 which in this case was for the quarter.
- Schedule D – provided examples of cases where breaches of planning control had been resolved without formal action having been taken.
- Schedule E – Notices complied with.

Members thanked officers for their hard work in preparing the report and were pleased with the scope and content.

AGREED that the report be noted.

Meeting closed at 7.30 pm.

Chairman