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**Monday, 4 February 2019**

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

**To all Members of the Council:**

**MEETING: Full Council**

**DATE: Tuesday, 12 February 2019 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](mailto:Nigel.hill@newark-sherwooddc.gov.uk)

## AGENDA

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1. Apologies for absence	
2. Minutes from the meeting held on 11 December 2018	5 - 19
3. Declarations of Interest by Members and Officers and as to the Party Whip	
4. Declarations of any Intentions to Record the Meeting	
5. Communications which the Chairman or the Chief Executive may wish to lay before the Council	
6. Communications which the Leader of the Council and Committee Chairmen may wish to lay before the Council	
7. Questions from Members of the Public	
8. In accordance with Rule No. 10 to receive Petitions from Members of the Council (if any)	
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10. Treasury Management 2018/19 - Mid Year Report	38 - 48
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12. Kings Clipstone Neighbourhood Planning Referendum	61 - 63
13. Notices of Motion (if any)	

In accordance with Rule No 13.1, Councillor K. Girling will move and Councillor D. Staples will second a motion to the following effect:

Motion to Council on Modern Slavery:

- Though it's approaching 200 years since the abolition of the slave trade, it is estimated that there are more slaves today than ever before. Figures from the International Labour Organisation (ILO) suggest that there are more than 40 million people in modern slavery across the world, with nearly 25 million in forced labour.
- There were 5145 victims of modern slavery submitted to the National Referral Mechanism in 2017, a 35% increase on 2016. A rising number but still well below the 10,000 and 13,000 potential victims estimated by the Home Office.
- Modern slavery is happening nationwide and within Nottinghamshire, traffickers and slave masters use whatever means they have at their disposal to coerce, deceive and force individuals into a life of abuse, servitude and inhumane treatment. This can include sexual and criminal exploitation.

Newark & Sherwood District Council resolves to:

- Raise public awareness about modern slavery, working with the media and local partners to highlight the prevalence of modern slavery.
- Regularly train our staff to identify victims of slavery and to ensure they are referred for suitable support.
- Work proactively with Nottinghamshire Police and other enforcement agencies to prevent and disrupt modern slavery, taking a robust response against perpetrators.
- Investigate how best to ensure that the Council's procurement arrangements minimise the risk of modern slavery within its own supply chain.

Proposed by: Councillor Keith Girling

Seconded by: Councillor David Staples

14. Questions from Members of the Council

15. Minutes for Noting

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(f)	Shareholder Committee Minutes- 17 December 2018	104 - 106
(g)	Planning Committee - 15 January 2019	107 - 118
(h)	Planning Committee - 5 February 2019	To Follow

16. Exclusion of the Press and Public

NONE

To consider resolving that, under section 100A (4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 1, 2, 3 and 7 of part 1 of Schedule 12A of the Act.

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 **Full Council** held in the Civic Suite, Castle House, Great North Road, Newark, Nottinghamshire, NG24 1BY on Tuesday, 11 December 2018 at 6.00 pm.

PRESENT: Councillor K Walker (Chairman)  
Councillor B Crowe (Vice-Chairman)

Councillor Mrs K Arnold, Councillor Mrs B Brooks, Councillor Mrs C Brooks, Councillor Mrs I Brown, Councillor M Cope, Councillor Mrs R Crowe, Councillor Mrs G Dawn, Councillor Mrs M Dobson, Councillor P Duncan, Councillor K Girling, Councillor P Handley, Councillor Mrs L Hurst, Councillor R Jackson, Councillor B Laughton, Councillor J Lee, Councillor D Lloyd, Councillor Mrs S Michael, Councillor N Mison, Councillor N Mitchell, Councillor D Payne, Councillor P Peacock, Councillor Mrs P Rainbow, Councillor T Roberts, Councillor Mrs S Soar, Councillor D Staples, Councillor F Taylor, Councillor Mrs L Tift, Councillor Mrs A Truswell, Councillor I Walker, Councillor B Wells, Councillor T Wendels and Councillor Mrs Y Woodhead

APOLOGIES FOR ABSENCE: Councillor R Blaney, Councillor M Buttery, Councillor D Clarke, Councillor Mrs S Saddington and Councillor D Thompson

### 37 MINUTES FROM THE MEETING HELD ON 9 OCTOBER 2018

AGREED that that minutes of the meeting held on Tuesday 9 October 2018 be approved as a correct record and signed by the Chairman.

### 38 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.

### 39 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.

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

The Chairman of the Council expressed his thanks to all those who had marked Remembrance Sunday in the District and particularly the work of schools in marking 100 years since the end of World War One.

### 41 COMMUNICATIONS WHICH THE LEADER OF THE COUNCIL AND COMMITTEE CHAIRMEN MAY WISH TO LAY BEFORE THE COUNCIL

The Chairman advised that in accordance with Section 100(B)(4)(b) of the Local Government Act 1972 that he had agreed to the request from the Leader of the

Council to lay a late motion to the Council in order to formalise the Council's position in respect of the County Council proposals for local government reorganisation in Nottinghamshire.

Accordingly Councillor D. Lloyd moved and Councillor P. Peacock seconded a motion to the following effect:

“On Wednesday 5th December, at a meeting attended by the Chief Executive and Leader of the Council, Nottinghamshire County Council shared their draft Business Plan for ‘The Future of Local Government in Nottinghamshire’ – The Outline Case for Change’.

The Leader of the Council undertook to share this with all Councillors as soon as the embargo was lifted.

In that meeting, on behalf of Newark & Sherwood District Council, the Leader and Chief Executive expressed concerns that the Business Case did not appear to have passed the necessary tests as elucidated by the Secretary of State for Housing and Local Government following his decision on the re-organisation for Buckinghamshire. Further, they represented the view of Council that we will cooperate to review options for change without re-organisation where a spirit of willingness is apparent and information exchanges are reciprocal.

Today, we learned that the Leader of the County Council intends to withdraw the item to Full Council on the Business Case and next stages. We do not know at this time whether there will be any recommendations to expunge existing policy decisions – namely to investigate re-organisation – or to codify alternative ways forward. To that extent, it is deemed necessary to ask Council to adopt a policy stance at this juncture in order to formalise its conclusions on the draft Business Case.

Council is asked to resolve that:

Newark and Sherwood District Council welcomes the decision by Nottinghamshire County Council not to proceed with a formal review of Local Government Re-organisation at this time.

In so doing, the Council continues to recognise that there are financial and service imperatives for the County Council that affect our residents.

The Council therefore iterates its willingness to cooperate in exploring what measures can be taken to devolve, share, combine and review services in our District and Countywide where appropriate.

Necessarily, the Council affirms its opposition to a single Unitary Council for Nottinghamshire (“the preferred option”) and its belief that the tests for progressing Local Government Re-organisation had not been met in the draft Business Case put before us. Also, that the Business Case would not, and could not, have been meaningfully consulted on without correction, amendment and reflection by the District Council.”

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

42 APPOINTMENT OF MONITORING OFFICER

The Council considered the report of the Chief Executive proposing the appointment of Karen White as the Council's Monitoring Officer. Under Section 5 of the Local Government and Housing Act 1989, the Council had a duty to appoint a Monitoring Officer. The Monitoring Officer must ensure that the Council receives correct and appropriate advice on the lawfulness of its decision making.

Karen White undertook the role on an interim basis while Kirsty Cole was Acting Chief Executive and she had acted as Deputy Monitoring Officer for a number of years. It was considered that she had the appropriate skills, experience and ability to undertake the role of Monitoring Officer.

The Council took the opportunity to thank Mrs K. Cole, Deputy Chief Executive and Monitoring Officer, who would be leaving the Authority at the end of the year, for her 37 years of service at the Council. Members expressed their gratitude for her work and loyal service during this time.

AGREED (unanimously) that Karen White be appointed as the Council's Monitoring Officer with effect from 1 January 2019.

43 SCHEDULE OF MEETINGS FOR 2019/20

The Council considered the report of the Chief Executive which set out a proposed schedule of meetings for the period May 2019 to May 2020. It was noted that the Annual Council Meeting, following the District Council elections to be held on 2 May 2019, was scheduled for Tuesday 21 May 2019 in order to allow sufficient time for political group meetings and the Member Induction Programme.

AGREED (unanimously) that the Schedule of Meetings for 2019/20 (as attached as Appendix A to these minutes) be approved.

44 LOCALISED COUNCIL TAX SUPPORT SCHEME FOR 2019/20

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 2019/20 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 2019/20 and updates the income disregards and premiums in accordance with the Departments for Works & Pensions annual uprating criteria for 2019/20.

45 KINGS CLIPSTONE NEIGHBOURHOOD PLAN

The Council considered the report of the Deputy Chief Executive which sought to approve arrangements for a Neighbourhood Plan Referendum in Kings Clipstone. The Kings Clipstone Neighbourhood Plan was presented to the District Council in August 2018. Following the required process of public consultation, the Plan was submitted to an independent Inspector for examination in October 2018 who had subsequently recommended proceeding to a referendum. A date of 31 January 2019 has been identified for the referendum.

It was the District Council's responsibility to prepare a version of the Neighbourhood Plan incorporating the Inspector's modifications which would be subject to the referendum. Kings Clipstone Parish Council had accepted the suggested modifications. This document and the Inspector's report would be published on the District Council's website in advance of the Notice of Referendum.

AGREED (unanimously) that:

- a) the report be noted; and
- b) the Chief Executive, acting as Returning Officer, be authorised to arrange a referendum for the Kings Clipstone Neighbourhood Plan to be held on 31 January 2019.

46 REVIEW OF STATEMENT OF GAMBLING POLICY

The Council considered the report of the Director – Safety which sought approval of the Statement of Gambling Policy 2019 – 2021 which the Council was required to adopt under the Gambling Act 2005, and to consider the making of a 'no casino' resolution under Section 166 of the Gambling Act 2005.

The Council, as Licensing Authority under the Gambling Act 2005, was responsible for issuing premises licences for gambling premises, issuing permits in respect of gaming on licensed premises and for registering small society lotteries. In respect of carrying these duties the Council was required to adopt and have in place a Statement of Gambling Policy relating to those duties. The Policy set out the principles which the Council would apply in considering and granting those licences and permits. The Act required that the Policy be reviewed at least every three years. The draft Policy had been subject to consultation and a small number of comments had been received. These were considered by the Licensing Committee, and where appropriate, changes to the Policy had been made.

In adopting its original Statement of Gambling Policy the Council considered a resolution under Section 166 of the Gambling Act that it would not issue any premises



licences for casinos in the district. The 'no casino' resolution was agreed and confirmed for a further three years following the review of the Statement of Gambling Policy in 2009, 2012 and 2015. Under the legislation the resolution only lasts for three years and therefore needed consideration again this year. It was noted that a single response had been received, from Newark Town Council, in support of the 'no casino' resolution.

The Licencing Committee had considered the draft Policy and the issue of the 'no casino' resolution and recommended that the Council to adopt the draft Policy and renew the resolution not to issue licenses for casinos in the District.

AGREED (unanimously) that:

- a) the draft Statement of Gambling Policy 2019 - 2021 be approved; and
- b) the Council pass a resolution under Section 166 of the Gambling Act 2005 not to issue any premises licence for casinos in the District.

#### 47 REVIEW OF STATEMENT OF LICENSING POLICY

The Council considered the report of the Director - Safety which sought approval to adopt the 2019 - 23 Statement of Licensing Policy. The Licensing Act 2003 required the Council to have in place a Statement of Licensing Policy relating to the carrying out of its functions under that Act. The Policy set out the principles which the Council would apply in considering and granting licences under the Act.

The Council was required to formulate the Policy with reference to the Statutory Guidance issued by the Home Office. The Guidance had been updated to take into account of various legislative changes and the Statement of Licensing Policy incorporated these changes. The Policy had also been updated to provide more detail with regard to safeguarding issues in licenced premises.

A number of representations had been received following the publication of the draft Policy for consultation. The Statement of Policy had been slightly revised by the Licensing Committee to take account of the comments received.

AGREED (unanimously) that the Statement of Licensing Policy for 2019 - 23 be approved.

#### 48 NOTICES OF MOTION

##### (i) Policing

In accordance with Council Procedure Rule No 13.1 Councillor P. Peacock moved and Councillor N. Mitchell seconded a motion to the following effect:

"This Council

1. Notes the conclusion of the Home Affairs Select Committee report (Policing for

the future, published on the 25th of October 2018) that “Policing is struggling to cope in the face of changing and rising crimes” and its recommendation that policing funding should be prioritised in the Budget and forthcoming spending review.

2. Notes that since 2010, police numbers have fallen significantly both nationally and locally as a result of Government cuts.
3. Notes that cuts to other services through austerity increases the demand on the police which often acts as the “public service of last resort”.
4. Recognises that many residents in Newark and Sherwood are concerned that the cuts mean that Nottinghamshire Police is no longer visible in our communities, no longer has the capacity to respond on community safety, and that consequently the fear of crime is rising.
5. Endorses the Council’s policy of working in partnership with the police to respond to community safety concerns.
6. Condemns the Government’s continuing policy of reducing the resources available to the police and transferring the cost to the Council taxpayers through the Police Authority precept.
7. Will write a letter to the Home Secretary calling on the Government to use the police grant announcement for 2019/20 to begin to reverse the damaging cuts to Policing in Nottinghamshire and make an immediate investment in making our communities safer.”

In accordance with Council Procedure Rule No 26.4, Councillor D. Lloyd moved and Councillor B. Laughton seconded an amendment to the motion to change the wording as follows:

“Newark and Sherwood District Council properly recognises its role in both crime and disorder reduction and in promoting community safety. This is reflected in its priorities to be ‘Cleaner, Safer and Greener’ and is made apparent through recent service changes and increasingly effective partnership working. Recent announcements by the Chief Constable, Chief Inspector and Area Commander for the District give the Council cause to believe that there is the potential for a step-change in joint-working and policing in our District.

This Council does however note the conclusions of the Home Affairs Select Committee Report (Policing for the future, published on the 25th October 2018).

It is noted that there is a rising demand to investigate and prosecute online fraud, child sexual abuse and safeguarding vulnerable people which may require some change in structures and focus across all Constabularies. It is also noted that, “after a long period of decline”, ‘traditional’ volume crimes are increasing in 2018.

The Council recognises that issues of criminality and community safety are a priority concern for residents with variations in the type, extent and geography of those concerns. It is noted that the report properly refers to “policing” within multi-agency

partnerships specifically around areas of neighbourhood policing and crime reduction. To this extent, the Council iterates its intent to work closely with all agencies, most especially the Police Constabulary, to reduce, detect and prosecute crime in our District.

The findings of the Select Committee report demonstrate an increasing variance in priorities and deployment in different geographies, most probably reflecting local priorities and/or policy decisions by Police & Crime Commissioners. They recommend a review of the funding formula and the potential to pool resources with other public agencies. This Council endorses both conclusions and welcome the additional funding that has been available in the meantime.

The Council formally welcomes and endorses recent discussions and partnership activities with the Police that cover our District. It calls upon the Police and Crime Commissioner to sustain the focus that is now apparent and to secure the necessary local resources for personnel, equipment and initiatives.”

In accordance with Council Procedure Rule No. 24.1 Councillor P. Peacock requested a short adjournment. This was agreed.

(Meeting adjourned at 6.57pm. Meeting reconvened at 7:13pm.)

The amendment to the motion on being put to the vote was declared carried with 21 votes for and 13 against. The amended motion then became the substantive motion which, on being put to the vote, was declared carried with 21 votes for, 10 against and 3 abstentions.

(ii) Poverty

In accordance with Council Procedure Rule No 13.1 Councillor D. Staples moved and Councillor Mrs L. Tift seconded a motion to the following effect:

“This Council notes the recent report of the UN Rapporteur on Extreme Poverty and Human Rights, Philip Alston, on the UK, which said that levels of child poverty are “not just a disgrace but a social calamity and an economic disaster.” We are aware that already high levels of child poverty in our District, which in some wards is well over 30%, are very likely to increase significantly as Universal Credit is rolled out here. As Councillors with a responsibility for the health and welfare of our citizens we urge the Government to:

1. stop the roll out of the discredited Universal Credit system;
2. increase support for families dependent on benefits; and
3. abandon further cuts to local government funding.

The Council instructs its Chief Executive to write to the newly appointed Work and Pensions Secretary, Amber Rudd, to inform her of these concerns in the hope that she will not follow her predecessor in denying the realities that the Rapporteur made clear.”

The motion on being put to the vote was declared lost with 13 votes for and 21 against.

49 QUESTIONS FROM MEMBERS OF THE COUNCIL

Details of the question put forward from Councillor Mrs C Brooks and the reply given by Councillor R. Jackson are attached as Appendix B to these minutes.

50 MINUTES FOR NOTING

50a POLICY & FINANCE COMMITTEE - 29 NOVEMBER 2018

50b ECONOMIC DEVELOPMENT COMMITTEE - 21 NOVEMBER 2018

50c HOMES & COMMUNITIES COMMITTEE - 5 NOVEMBER 2018

50d LEISURE & ENVIRONMENT COMMITTEE - 13 NOVEMBER 2018

50e GENERAL PURPOSES COMMITTEE - 15 NOVEMBER 2018

50f LICENSING COMMITTEE - 15 NOVEMBER 2018

50g AUDIT & ACCOUNTS COMMITTEE - 28 NOVEMBER 2018

50h SHAREHOLDER COMMITTEE - 23 OCTOBER 2018

50i PLANNING COMMITTEE - 6 NOVEMBER 2018

50j PLANNING COMMITTEE - 20 NOVEMBER 2018

50k PLANNING COMMITTEE - 4 DECEMBER 2018

Meeting closed at 8.19 pm.

Chairman

**MAY 2019 – MAY 2020**

<b>2019</b>	<b>Monday</b>	<b>Tuesday</b>	<b>Wednesday</b>	<b>Thursday</b>	<b>Friday</b>
<b>May</b>			1	2 District/Parish Elections	3
	6 BANK HOLIDAY	7	8	9	10
	13	14	15	16	17
	20	21 ANNUAL COUNCIL	22	23	24
	27 BANK HOLIDAY	28	29	30	31
<b>June</b>	3	4 PLANNING	5	6	7
	10 HOMES & COMMUNITIES	11 SHAREHOLDER	12	13 GP & LICENSING	14
	17	18	19 ECONOMIC DEVELOPMENT	20	21
	24	25 LEISURE & ENVIRONMENT	26	27 POLICY & FINANCE	28
<b>July</b>	1	2 PLANNING	3	4	5
	8	9	10	11	12
	15	16 COUNCIL	17	18	19
	22	23	24 AUDIT & ACCOUNTS	25	26
	29	30	31		

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

2019/2020	Monday	Tuesday	Wednesday	Thursday	Friday
	4	5 PLANNING	6	7	8
	11	12	13	14 GP & LICENSING	15
	18	19 LEISURE & ENVIRONMENT	20 ECONOMIC DEVELOPMENT	21	22
	25 HOMES & COMMUNITIES	26	27 AUDIT & ACCOUNTS	28 POLICY & FINANCE	29
<b>December</b>	2	3 PLANNING	4	5	6
	9	10 SHAREHOLDER	11	12	13
	16	17 COUNCIL	18	19	20
	23	24	25 BANK HOLIDAY	26 BANK HOLIDAY	27
	30	31			
<b>January</b>			1 BANK HOLIDAY	2	3
	6	7	8	9	10
	13	14 PLANNING	15 ECONOMIC DEVELOPMENT	16	17
	20 HOMES & COMMUNITIES	21 LEISURE & ENVIRONMENT	22	23 POLICY & FINANCE	24
	27	28	29	30	31

2020	Monday	Tuesday	Wednesday	Thursday	Friday
February	3	4 PLANNING	5 AUDIT & ACCOUNTS	6	7
	10	11 COUNCIL	12	13	14
	17	18	19	20 POLICY & FINANCE (BUDGET)	21
	24	25	26	27	28
March	2	3 PLANNING	4	5	6
	9 COUNCIL (TAX)	10 SHAREHOLDER	11	12 GP & LICENSING	13
	16 HOMES & COMMUNITIES	17 LEISURE & ENVIRONMENT	18	19	20
	23	24	25 ECONOMIC DEVELOPMENT	26	27
	30	31 PLANNING			
April			1	2 POLICY & FINANCE	3
	6	7	8	9	10 BANK HOLIDAY
	13 BANK HOLIDAY	14	15	16	17
	20	21	22 AUDIT & ACCOUNTS	23	24
	27	28 PLANNING	29	30	



<b>May</b>					1
<b>2020</b>	<b>Monday</b>	<b>Tuesday</b>	<b>Wednesday</b>	<b>Thursday</b>	<b>Friday</b>
	4 BANK HOLIDAY	5	6	7 PCC Election	8
	11	12 ANNUAL COUNCIL	13	14	15
	18	19	20	21	22
	25 BANK HOLIDAY	26	27	28	29

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

- Planning Committee – 4.00pm
- Audit & Accounts Committee – 10.00am
- Shareholder Committee – 10.00am

## **COUNCIL MEETING – 11 DECEMBER 2018**

### **QUESTIONS FROM MEMBERS OF THE COUNCIL**

#### **Question from Councillor Mrs C. Brooks to the Chairman of the Leisure & Environment Committee:**

At the Full Council Meeting held on 10th April 2018 the following motion was carried unanimously:

“Newark and 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 Council’s services and encourage others to do the same and to use alternative materials wherever possible;
- Agrees that a paper is bought to the Council’s Leisure and Environment Committee on how we progress these objectives.”

Could we have a report on what measures have been taken to action the above, and what progress if any, has been made against each of these objectives?

#### **Reply from Councillor R. Jackson:**

The Council issued a press release to all local media in April of this year on the motion adopted by this authority to maximise the amount of plastic and other materials which can be recycled and to work and support the growing national campaign to highlight the dangers of single use plastics to our environment, especially our oceans. This was also communicated internally to all our staff and our companies, Newark and Sherwood Homes and Active4Today.

We have further utilised the reach of social media, namely Facebook and Twitter, to emphasise messages around the subject and constantly look for opportunities to convey these messages to our customers and residents. Recently, the Council provided information to every household in Newark and Sherwood to further increase the understanding of the importance of household recycling, and to reduce bin contamination and improve recycling rates, including plastics. Such messages have also been put on all our website and through the publication of our residents’ magazine, the Voice.

Working with the County Council, we supplied a joint response to HM Treasury’s consultation on single use plastics and ‘on the go’ plastic waste. Off the back of this consultation, it was announced in the budget that the Packaging Recovery Note (PRN) system is to be reviewed as well as a tax to be implemented on single use plastics containing less than 30% recycled plastic.

It is important that we lobby for food and carton manufacturers to use only recyclable, reusable or compostable materials in their products, as some manufacturers are doing after public pressure.

In relation to the relationship with Nottinghamshire County Council, who are the waste disposal authority, and Veolia, we are unfortunately tied to the contract NCC has with Veolia, which runs until 2032. Unless the National Waste Strategy, which is due to be published imminently by the Department for Environment, Food and Rural Affairs, provides a significant incentive for change, it is unlikely that this input specification will be altered. We have been working with NCC, Veolia and other Nottinghamshire authorities to increase the participation rate in our existing recycling services. The new household guidance, delivered as part of the Cleaner, Safer and Greener campaign, details what can be recycled and encourages the recycling of commonly missed items such as shampoo bottles.

Internally, recycling facilities are available throughout Castle House and the Brunel Drive Depot, whilst multiple water fountains are available for employees to encourage the use of re-fillable bottles. Through the Council's contract procedure rules, procurement policy and guide to sustainable procurement, officers are required to consider the social, economic and environmental impacts when procuring goods, services and works on behalf of the Council.

A report was brought to the November meeting of the Leisure and Environment Committee updating members on the work to date on the Cleaner, Safer and Greener campaign. As well as updating members on a number of issues contained in this reply, the report was also noted that almost 33 per cent of the 45,000 tonnes of waste collected by the Council is recycled. This is up four percentage points from 2015/16 and is the highest figure achieved by the Council.

## COUNCIL MEETING – 12 FEBRUARY 2019

### HOUSING REVENUE ACCOUNT BUDGET AND RENT SETTING FOR 2019/20

#### **1.0 Introduction**

1.1 Under the Council's Constitution the Housing Revenue Account (HRA) 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 HRA budget.

#### **2.0 Housing Revenue Account Budget**

2.1 The annual HRA Budget for 2019/20 and financial plan to 2022/23 including proposals for rent levels for 2019/20 was considered by the Policy & Finance Committee at its meeting on 24 January 2019.

2.2 The report presented to the Committee is at **Appendix A** and in summary it:

- a) Provided the actual outturn of the HRA for the year 2017/18.
- b) Examined the proposed income and expenditure on the HRA for 2019/20 in accordance with Section 76 of the Local Government and Housing Act 1989, to avoid a deficit on the Housing Revenue Account.
- c) Provided the indicative figures of income and expenditure for the financial years 2020/21 to 2022/23.
- d) Set rent levels (*1% reduction in line with national policy*) and service charges for Council housing properties with effect from 1 April 2019.
- e) Set charges for garage rents, plots and garage ports (*increase by CPI plus 1% (3.4%)*) with effect from 1 April 2019.
- f) Set housing support service charges and all other service charges (*increase by CPI plus 1% (3.4%)*) with effect from 1 April 2019. This includes ongoing arrangements for Gladstone House.
- g) Set rent levels for the Councils temporary accommodation (*increased by CPI plus 1% (3.4%)*) with effect from 1 April 2019.
- h) Detailed the annual management fee payable to Newark and Sherwood Homes (2019/20), in accordance with the Management Agreement. The annual management fee is still currently under negotiations and still to be finalised. An update along with revised HRA budget papers will be presented to Committee.

2.1 Against this background the Policy & Finance Committee considered and approved the recommendations set out in **Appendix A**, though it was recorded that the annual management fee payable to Newark and Sherwood Homes, in accordance with the Management Agreement, was still to be formally agreed with the Company.

- 2.2 In this respect the Council's Director of Governance and Organisational Development was given delegated authority to agree the annual management fee for 2019/20 with Newark & Sherwood Homes, which will inform an updated HRA Budget paper once the management fee is finalised.
- 2.3 In the report to the Policy & Finance Committee it was also noted that in 2019/20 53 Mondays fall in the financial year, which has created an issue with rent collection when a tenant is in receipt of Universal Credit, and whilst these matters were being considered the HRA budget has been prepared on a 52 week rent basis.

### **3.0 RECOMMENDATIONS that:**

- i. the Housing Revenue Account budget for 2019/20 as set out in Appendix 1 to the attached Policy & Finance report (Appendix A), noting delegation to the Director of Governance and Organisational Development to agree the 2019/20 Management Fee with Newark and Sherwood Homes, be approved;**
- ii. additional payments for the management of Gladstone House be made to Newark and Sherwood Homes, subject to Homes & Communities Committee approval;**
- iii. the rent of all properties in the Housing Revenue Account, as at 31 March 2019, be decreased by 1% in accordance with Welfare Reform and Works Act with effect from 1 April 2019;**
- iv. the rent on temporary accommodation be increased by CPI plus 1% (3.4%) with effect from 1 April 2019;**
- v. that all services charges and support charges should be increased by CPI plus 1% (3.4%) with effect from April 2019; and**
- vii. that garage, garage plot and garage port rents are increased by CPI plus 1% (3.4%) with effect from 1st April 2019.**

### **Reason for Decision**

To approve the HRA budget for 2019/2020, the rent levels, garage rent, garage plots, garage ports, housing support service charge levels and the rent levels for temporary accommodation.

### **Background Papers**

None.

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

Sanjiv Kohli  
Deputy Chief Executive/Director - Resources

Karen White  
Director - Governance & Organisational  
Development

**POLICY & FINANCE COMMITTEE**

**24 JANUARY 2019**

**HOUSING REVENUE ACCOUNT BUDGET AND RENT SETTING 2019/20**

**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 2017/18 (column 2 of **Appendix A1**).
- b. Examine the proposed income and expenditure on the HRA for 2019/20 (column 4 of **Appendix A1**) in accordance with Section 76 of the Local Government and Housing Act 1989, to avoid a deficit on the Housing Revenue Account.
- c. Provide the indicative figures of income and expenditure for the financial years 2020/21 to 2022/23 (columns 5 to 7 of **Appendix A1**).
- d. Set rent levels and service charges with effect from April 2019.
- e. Set charges for garage rents, plots and garage ports with effect from 1<sup>st</sup> April 2019.
- f. Set housing support service charges and all other service charges with effect from 1<sup>st</sup> April 2019.
- g. Detail the annual management fee payable to Newark and Sherwood Homes (2019/20), in accordance with the Management Agreement. The annual management fee is still currently under negotiations and still to be finalised. An update along with revised HRA budget papers will be presented to Committee in the form of a revised **Appendix A**.

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, to be presented to full Council at its meeting in February 2019, will allow the required time to notify Council housing tenants of the 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	12 February 2019
Newark and Sherwood Homes update of rent systems	By end of February 2019
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 2019

2.3 Any slippage from these key dates would jeopardise the implementation of the rent changes for 1 April 2019.

### **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 2019/20 budget process and medium term financial plan 2020/21 to 2022/23.

3.2 The HRA budget proposed in this report is 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 will continue for the year 2019-20.

3.3 The cumulative impact of the 1% rent reduction has been factored into the HRA Business Plan and is reflected in the proposed budget.

3.4 Every 6/7 years 53 Mondays fall in a financial year, which will be the case in 2019/20 and as rent debits are raised on Mondays this means that the HRA benefits from an extra weeks rent.

3.5 This has created two immediate issues that should be considered:

a) The 4 year -1% rent decrease introduced by the Welfare Reform Act 2016 means that the 53 Mondays of rent in 2019/20 can be interpreted as taking LAs over the required 1% decrease on rents in the 52 Monday year in 2018/19.

b) Universal Credit Legislation does not allow for 53 Monday years and therefore Universal Credit claimants could find themselves a week in arrears if charged 53 weeks rent.

3.6 The Local Government Association (LGA) is in discussion with Ministry of Housing, Communities & Local Government (MHCLG) and Department of Works and Pensions (DWP) on this matter and **Appendix B** sets out the current position.

3.7 In light of the above issues the budget for the HRA 2019/20 has been prepared with rent for 52 weeks. This has been factored into the HRA business Plan.

### ***Management Fee***

3.8 In accordance with the Management Agreement with Newark and Sherwood Homes the required process is currently being followed and an agreement for the management fee for 2019/20 has yet to be reached. A verbal update will be made at the meeting.

### **HRA Business Plan**

- 3.9 In accordance with the management agreement the Company is charged to:

*Maintain and manage effective HRA Business Plan forecasting and modelling, undertake scenario testing in liaison with the Council and make recommendation for the maintenance of a viable and sustainable HRA Business Plan*

- 3.10 In respect of the above in October 2017 the Council requested that the Company work with the Council, providing all the necessary financial inputs and assumptions, to complete a fundamental review of the financial model that underpins the HRA Business Plan. This work has taken longer than timetabled with the Company and an external validation has just been completed. Council officers are now able to review the outcome of this work and a future report will be presented to the Committee on this matter.
- 3.11 Further consideration is also necessary to understand what additional capacity the removal of the HRA Borrowing Cap can bring to the HRA Business Plan, along with analysing the potential impact of the recent proposals within the Social Housing Green Paper over the medium term of the Plan.

### **Rent Cycle**

- 3.12 The Company have recently informed the Council that their Board have requested that the Council consider a review of its secure tenancy agreement to amend from a 48 week rent cycle (*with 4 rent free weeks*) to a 52 week rent cycle.
- 3.13 Officers of the both the Council and Company are now considering how best to progress this matter, set against the benefits and disadvantages of the proposal, the resources required, timetabling and the need to undertake statutory consultation with all tenants. A future report will be supplied to the Committee on this matter once all appropriate considerations have been made.

### **4.0 National and Local Policy Context**

- 4.1 Reflecting on the narrative at paragraph 3.2, on 7 February 2017 Government published the Housing White Paper "Fixing Our Broken Housing Market" stating that it would provide clarity over future rent levels and offer a clear and stable long-term framework for investment with the expectation that significantly more affordable homes are built. The White Paper specifically stated that:

***'It will set out, in due course, a rent policy for social housing landlords (housing associations and local authority landlords) for the period beyond 2020 to help them to borrow against future income, and will undertake further discussions with the sector before doing so. Our aim is to ensure that they have the confidence they need about their future income in order to plan ahead. The Government also confirms that the 1% rent reduction will remain in place in the period up to 2020'***

- 4.2 In respect of the above MHCLG recently closed a consultation paper proposing to issue a new direction from the Secretary of State to the Regulator of Social Housing to ensure that, from 2020 onwards, the Regulator's rent standard:



- reflects Government's announcement on 4 October 2018 ([announcement in October 2017](#)) that it intends to permit registered providers to increase their rents by up to CPI+1% each year, for a period of at least 5 years; the announcement recognises the need for a stable financial environment to support the delivery of new homes
  - applies to local authority registered providers (as well as to private registered providers), to reflect the roll out of Universal Credit.
- 4.3 The direction also sets out the basis on which social rents and affordable rents are set. The following documents covering this matter can be found on [www.gov.uk](http://www.gov.uk):
- Rents for social housing from 2020-21
  - Policy statement on rents for social housing
  - The Direction on the Rent Standard 2018
- 4.4 MHCLG and DWP in 2017 published consultation on the future funding for supported housing, the outcome of this was announced on 9 August 2018 with the decision that housing benefit will remain in place to fund this accommodation, protecting the viability of the HRA Business Plan.
- 4.5 The Government, however, still intends to develop an oversight regime for this area, ensuring there is quality and value for money across the whole supported housing section, along with undertaking a review of housing related support to better understand how housing and support currently fit together.
- 4.6 Most recently MHCLG published the Social housing green paper: a 'new deal' for social housing, which sets out a new vision for social housing with five principles to underpin a new, fairer deal for social housing residents:
- 1) A safe and decent home which is fundamental to a sense of security and our ability to get on in life;
  - 2) Improving and speeding up how complaints are resolved;
  - 3) Empowering residents and ensuring their voices are heard so that landlords are held to account;
  - 4) Tackling stigma and celebrating thriving communities, challenging the stereotypes that exist about residents and their communities, and
  - 5) Building the social homes that we need and ensuring that those homes can act as a springboard to home ownership.
- 4.7 The Green Paper also confirms that the Government will not be implementing the Higher Value Asset provisions of the 2016 Housing and Planning Act, looking to repeal this legislation when Parliamentary time allows, and confirms that implementation of the fixed-term tenancy provisions within Act is now a decision at the discretion of individual social landlords. This has removed some potential risks to the long term viability of the HRA Business Plan.
- 4.8 In addition, at the most recent Conservative party conference the Prime Minister announced that Councils' HRA borrowing cap will be scrapped by the end of October 2018 and a determination has now been issued revoking previous determinations that specified a local authority's limits on indebtedness.

## **5.0 Newark and Sherwood Homes Management Fee**

5.1 Under the management agreement, Newark and Sherwood Homes (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 rolling year 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. 2020-21 will see the management fee rebased again.

5.3 The process to formulate the Management Fee for 2019/20 is being discussed and negotiated between senior officers of both the Council and Company. Unfortunately, at this point the negotiations have not been concluded and as such the Management Fee cannot be reported. It is anticipated that a verbal update along with the revised HRA budget papers will be presented to Committee.

5.4 For the Committee's reference the total management fee payable for 2016/17 was £7,796,900, 2017/18 was £8,083,310 and £8,265,360 (£8,221,290 plus 20% estimated rent income for Gladstone House £44,070) for 2018/19.

### ***Additional income to NSH***

5.5 Members will be aware that the Gladstone House extra care scheme became operational in 2018/19. There are 60 units in total. All tenants pay rent of £92.31 or £101.54 (one or two bed units) and a service charge of £127.85 per week. This service charge is to be paid over to Newark and Sherwood Homes as this covers the cost of providing food, TV Licence, lifelines and general services of communal areas. As some of these charges are variable, the payment of the service fee to NSH should be quarterly on agreement of costs and associated income. These charges are in addition to the management fee detailed in 5.3. The charges above are the rent and service charges for 2018/19 and are subject to the implementation of the agreed changes in this report.

- 5.6 In addition to the Management Fee detailed in 5.3 – 20% of the rent collected for Gladstone House should be paid over to Newark and Sherwood Homes for the management of the extra care accommodation.
- 5.7 Payments will also be made where NSH provide general fund Services to the Council, i.e. Non HRA Core Services such as Right to buy administration and Hostel management. The Company also receive income from the management of the HRA capital programme and 5 year development programme. Income of approximately £0.47m from photovoltaic cells, where solar panels are fitted to HRA properties, is received annually and currently pass ported to NSH.

### **Reserves**

- 5.8 For the Committee’s information the Company’s reserves are listed below and accord with the Management Agreement:

<b>Reserves</b>	<b>Outturn 2017/18 (£000’s)</b>	<b>Estimate 2018/19 (£000’s)</b>
Minimum Reserve	450	475
Core Service Reserve	100	100
Bad Debt Reserve	50	50
Development and IT reserve	142	191
Staffing and Pay Reserve	100	100
Capital Financing Reserve	2339	1507
Growth	0	616
Capital Development Fund	1854	3007
Major Repairs Reserve	12	31
<b>TOTAL</b>	<b>5047</b>	<b>6077</b>

- 5.9 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.

### **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 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<sup>st</sup> April 2015, and to increase rents in future by CPI + 1%. There was an element of flexibility as the proposals allowed for vacant properties to be relet at target (formula) rent. The 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.
- 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 2019/20 will be set at target rent as at 8 July 2018 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 Newark & Sherwood District Council is the temporary social housing for the homeless and as such for the financial year 2018/19 it was agreed that rent and service charge levels for the existing temporary accommodation would be calculated on CPI plus 1% equating to a 3.8% overall increase.
- 6.6 The calculation for the service charge element has been reviewed and it is proposed that September CPI plus 1% (3.4%) is an appropriate increase for rent and service charges for 2019/20. However, the Business Manager - Housing, Health & Community Relations has said that there is scope for this to be re-evaluated in the year and for 2020/21 as part of wider temporary accommodation proposals being considered. These proposals will be reported to Homes and Communities in March 2019.
- 6.7 The Committee should note that the total rent rebate case load is 3,115 (57.95%) of the total housing stock, 5375, as at 31 March 2018). The position related to benefits is now complicated by the under occupation charge which is applied after benefit is calculated – 2,215 (41.2%) tenants are currently on 100% benefit, with 898 (16.71%) claimants receiving partial benefit. Of the total number of claimants 697 (12.97%) have their benefit reduced due to an under occupation charge – these could be full or partial benefit cases.
- 6.8 Officers from Revenues & 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 £52,667
  - Committed payments £13,356
  - 129 households have been helped all due to under occupation
  - Of these 129 properties, 64 have been substantially adapted for the claimants needs; these are automatically renewed each year.
- 6.9 This financial support helps households to progress solutions aimed at enabling the long term sustainability of their tenancy and alleviates hardship.
- 7.0 Service Charge Issues**
- 7.1 Newark and Sherwood Homes have indicated that a number of the service charge costs are not currently being met by the service charges that are applied to the tenant.
- 7.2 Information has yet to be provided as to which charges are falling short and what the difference between cost and income is.

7.3 In light of the above it is anticipated that an analysis of the service charge costs will be undertaken by NSH in 2019/20, with the intention to review the charges in 2020-21 to move towards full cost recovery.

7.4 Therefore, it is proposed that CPI plus 1% be agreed on all service charges, and during 2019-20 a full and complete review of costs and charges are undertaken by NSH to enable a true charge to be established.

## **8.0 Housing Support Service Charge**

8.1 Housing based support services are a core function provided by Newark and Sherwood Homes under the terms of its management agreement with the Council.

8.2 The main support service provided is to tenants in the Council's supported accommodation, representing approximately 50% of the Council's housing stock.

8.3 All tenants living in designated supported housing are responsible for paying a mandatory lifeline service of £1.66 per week in line with the conditions of the tenancy agreement.

8.4 An increase of CPI plus 1% would increase the charge to £1.72 per week in 2019/20. This charge is not covered by Housing Benefit.

8.5 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.

8.6 It is proposed that all discretionary services provided to tenant and private customers should be increased by September 2018 CPI plus 1% (3.4%).

## **9.0 Other Service Charges**

9.1 A number of tenants have water and 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. 3.4%.

9.2 A number of properties built since 2010/11 are currently subject to a weekly service charge covering the costs (where appropriate) of landscaping, lighting and drainage. It is proposed that these weekly charges are increased in line with September 2018 CPI +1%, i.e. 3.4%.

9.3 Temporary housing accommodation, Seven Hills and Wellow Green, are subject to a service charge fee. It is proposed that these weekly charges are increased in line with September 2018 CPI + 1% (3.4%), as referenced in paragraph 6.6.

## **10.0 Garage Rents, Plots and Garage Ports**

10.1 The level of garage rents was raised in 2018/19, in line with the rent increase, to £8.36 per week, (plus VAT if they are let to non-Council tenants).

- 10.2 The level of garage plot rents was raised in 2018/19, in line with the rent increase, to £42.77 per annum with VAT payable for non-Council tenants.
- 10.3 The level of garage port rents was raised in 2018/19, in line with the rent increase, to £3.74 per week with VAT payable for non-Council tenants. .
- 10.4 Whilst it may be possible to increase rents by more than CPI + 1% (3.4%) 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.
- 10.5 Officers from both the Council and NSH continue to identify existing and redundant garage sites that are suitable for inclusion in the 5 year HRA development programme.
- 10.6 The 1% reduction in rent does not extend to garage rents.

#### **11.0 Financial Considerations - FIN18-19/8216**

- 11.1 The majority of the financial implications are set out in the body of the report.
- 11.2 The Housing Revenue Account balances at 31 March 2018 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.
- 11.3 At the most recent Conservative party conference the Prime Minister announced that Councils' HRA borrowing cap will be scrapped by the end of October 2018 and a determination has now been issued revoking previous determinations that specified a local authority's limits on indebtedness.
- 11.4 Once again it has been a very difficult year, with a significant amount of resources being used in the preparation of the Housing Revenue Account annual budget and the Business Plan.
- 11.5 The budget includes costs that continue to fall to the HRA following the transfer of management of the housing stock to Newark and Sherwood Homes, 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 Newark and Sherwood Homes), external audit fees, and costs of 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***

- 11.6 The number of properties sold under 'Right To Buy' sales in 2018/19 to December 2018 amount to 25.

- 11.7 In 2014 the Council 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.
- 11.8 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. Homes England funding) or non RTB housing receipts.
- 11.9 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.
- 11.10 The Government has recently consulted on introducing some flexibility to the use of the 1-for-1 receipts and the outcome of this is now awaited.
- 11.11 The Council is using its' 1-for-1 receipts to contribute to the funding of the 5 year HRA development programme, within the parameters set by Government.

### ***Depreciation***

- 11.12 The Council stock is now depreciated on a componentisation basis, the depreciation remains as a charge to the HRA transferring funds to the Major Repairs Reserve (MRR). Officers from the Council and NSH continue to scrutinise the capital programme on an ongoing basis to ensure that sufficient funding is available.

### ***Balances***

- 11.13 At the end of the financial year 2017/2018, the Housing Revenue Account added £4,443,913 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.
- 11.14 The Council's current policy for the Housing Revenue Account is to establish a sustainable housing growth programme, as loans reach maturity they are repaid, however dependant on the capital programme and the available resources the borrowing may be refinanced in order to deliver the 5 year HRA development programme. The revenue budget is developed in line with the capital programme requirements and the resources available to deliver the housing growth programme, while making sure that the housing Revenue Account remains financially viable.

## **12.0 Proposals**

- 12.1 The proposed budget for 2019/20 is attached at **Appendix A1**.
- 12.2 The proposed combined management and maintenance fee be verbally reported and agreed under the existing management agreement as stated in paragraph 5.3.

- 12.3 Additional payments to cover the cost of the services and the management of Gladstone House be agreed.
- 12.4 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 2018 less 1%. The rent on temporary accommodation is exempt from the rent reduction.
- 12.5 Following a 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 3.4% in line with CPI + 1% from 1<sup>st</sup> April 2019.
- 12.6 As stated in paragraphs 9.1, 9.2, and 9.3 it is proposed that all other services charges are increased by 3.4% in line with CPI + 1% from 1 April 2019.
- 12.7 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 2019, CPI plus 1% (3.4%).

**13.0 RECOMMENDATIONS that:-**

- (a) the following recommendations be made to Council at its meeting on 12 February 2019:**
- i. the Housing Revenue Account budget for 2019/2020 as set out in the revised Appendix A1 (to be circulated), be recommended to Council on 12<sup>th</sup> February 2019;**
  - ii. included within the HRA budget for 2019/20, the Management and Maintenance Fee be agreed;**
  - iii. Additional payments for the management of Gladstone House be made to Newark and Sherwood Homes;**
  - iv. the rent of all properties in the Housing Revenue Account, as at 31<sup>st</sup> March 2019, be decreased by 1% in accordance with Welfare Reform and Works Act;**
  - v. the rent on temporary accommodation be increased by CPI plus 1% (3.4% from 1<sup>st</sup> April 2019);**
  - vi. that all services charges and support charges should be increased by CPI plus 1% (3.4%) with effect from April 2019;**
  - vii. that garage, garage plot and garage port rents are increased by 3.4% in line with CPI + 1% with effect from 1<sup>st</sup> April 2019.**

**Reason for Recommendations**

**To advise Members of the proposed HRA budget for 2019/2020, the rent levels, garage rent, garage plots, garage ports and Housing Support Service Charge levels and for all to be recommended to Council.**

**Background Papers**

None



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

Sanjiv Kohli  
Director - Resources & Deputy Chief Executive

Karen White  
Director - Governance & Organisational  
Development

**HOUSING REVENUE ACCOUNT - OUTTURN 2017/18 and BUDGET 2019/20to 2022/23**

**Rent decrease of 1% for 19/20 - rent increase of CPI plus 1% for 20/21, 21/22 and 22/23**

					cpiplus 1% -1% (est 3%)	cpiplus 1% (est 3%)	cpiplus 1% (est 3%)
	Col 1	Col 2	Col 3	Col 4	Col 5	Col 6	Col 7
SUMMARY	2017-18 OUTTURN	2018-19 BASE BUDGET	2019-20 BASE BUDGET	2020-21 BASE BUDGET	2021-22 BASE BUDGET	2022-23 BASE BUDGET	
	£	£	£	£	£	£	£
<b>INCOME</b>							
Dwelling rents	21,216,006.15	20,743,210	21,253,130	22,163,750	23,113,160	23,990,640	
Non dwelling rents	218,912.14	222,070	199,850	193,870	187,710	181,360	
Charges for services	355,628.81	772,390	773,290	796,500	820,400	845,030	
Contributions to expenditure	75,727.55	83,000	87,940	90,580	93,300	96,100	
Other income	677,026.60	109,320	609,210	609,360	609,510	609,670	
<b>Sub Total - Income</b>	<b>22,543,301.25</b>	<b>21,929,990</b>	<b>22,923,420</b>	<b>23,854,060</b>	<b>24,824,080</b>	<b>25,722,800</b>	
<b>EXPENDITURE</b>							
Management & maintenance							
Supervision & Management General:							
Management	1,373,786.92	1,190,680	1,720,630	1,735,200	1,762,470	1,790,440	
Management Fee NaSH	4,283,440.00	4,302,910	5,012,570	5,162,950	5,317,840	5,477,380	
Maintenance Fee NaSH	3,835,372.96	3,962,450	3,464,500	3,568,440	3,675,490	3,785,750	
Maintenance	0.00	75,000	68,000	70,040	72,140	74,300	
Rents, rates, taxes & other	0.00	0	3,170	0	0	0	
Depreciation - dwellings	3,723,294.00	3,727,930	4,998,210	5,041,660	5,119,150	5,163,390	
Depreciation - others	419,614.43	418,850	0	0	0	0	
Revenue Expenditure Funded by Capital	200,915.60	0	0	0	0	0	
Revaluation of Assets - Dwellings	(27,068,908.49)	0	0	0	0	0	
Revaluation of Assets - Others	94,214.34	0	0	0	0	0	
Debt Management Expenses	32,840.13	35,820	76,940	78,480	80,050	81,650	
<b>Sub Total - Expenditure</b>	<b>(13,105,430.11)</b>	<b>13,713,640</b>	<b>15,344,020</b>	<b>15,656,770</b>	<b>16,027,140</b>	<b>16,372,910</b>	
<b>NET COST OF SERVICES</b>	<b>(35,648,731.36)</b>	<b>(8,216,350)</b>	<b>(7,579,400)</b>	<b>(8,197,290)</b>	<b>(8,796,940)</b>	<b>(9,349,890)</b>	
Profit/Loss on sale of HRA fixed assets	(25,066.82)	0.00	0.00	0.00	0.00	0.00	
Interest Paid	4,077,156.58	4,081,720	3,877,090	3,791,690	3,889,370	3,962,510	
Interest Receivable	3,619.42	(8,400)	(3,000)	(3,000)	(3,000)	(3,000)	
S106 Capital Income	(574,992.54)	(1,383,830)	0	0	0	0	
Capital Gov'T Grant/Cont	(2,199,614.37)	(1,161,020)	(1,560,000)	(520,000)	0	0	
Capital Other Grant/Cont	(3,908,366.29)	0	0	0	0	0	
Provision for Bad Debt	90,263.81	0	555,840	36,420	37,980	35,100	
Admin Fee on Council Houses	40,300.00	0	36,400	36,400	36,400	36,400	
<b>NET OPERATING EXPENDITURE</b>	<b>(38,145,431.57)</b>	<b>(6,687,880)</b>	<b>(4,673,070)</b>	<b>(4,855,780)</b>	<b>(4,836,190)</b>	<b>(5,318,880)</b>	
<b>APPROPRIATIONS</b>							
Tfr Sale Proceeds From Cies	2,145,946.50	0.00	3,300,420.00	3,300,420.00	3,300,420.00	3,300,420.00	
Tfr Admin Cost Of Sales Re Crr	(40,300.00)	0.00	(36,400.00)	(36,400.00)	(36,400.00)	(36,400.00)	
Revenue Contribution To Mrr	4,443,913.00	3,883,030	2,889,470	4,112,180	4,612,590	5,095,280	
Depreciation Charged To Mrr	4,142,908.43	4,146,780.00	4,998,210.00	5,041,660.00	5,119,150.00	5,163,390.00	
Employers contrib NCC	260,000.00	260,000	260,000	260,000	260,000	260,000	
Assets Written Off Disposal	(2,120,879.68)	0.00	(3,300,420.00)	(3,300,420.00)	(3,300,420.00)	(3,300,420.00)	
Refcus Expenditure To Caa	(200,915.60)	0.00	0.00	0.00	0.00	0.00	
Dep&Imp Excl Hra Dwellings	(419,614.43)	(418,850.00)	0.00	0.00	0.00	0.00	
Hra Depreciation	(3,723,294.00)	(3,727,930.00)	(4,998,210.00)	(5,041,660.00)	(5,119,150.00)	(5,163,390.00)	
Capital Grant & Contr Applied	6,682,973.20	2,544,850.00	1,560,000.00	520,000.00	0.00	0.00	
Tfr Cap Grant Cont To Unapplied	0.00	0.00	0.00	0.00	0.00	0.00	
Revaluation of Assets - Dwellings	27,068,908.49	0.00	0.00	0.00	0.00	0.00	
Revaluation of Assets - Others	(94,214.34)	0.00	0.00	0.00	0.00	0.00	
<b>HRA (SURPLUS)/DEFICIT FOR YEAR</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	
WORKING BALANCE B/F (excluding NSH efficiency gain)	(2,000,000.00)	(2,000,000)	(2,000,000)	(2,000,000)	(2,000,000)	(2,000,000)	
WORKING BALANCE C/F (excluding NSH efficiency gain)	(2,000,000.00)	(2,000,000)	(2,000,000)	(2,000,000)	(2,000,000)	(2,000,000)	

**SUBJECTIVE SUMMARY**

**HOUSING REVENUE ACCOUNT**

APPENDIX A2

CODE	SERVICE	2018/19 BASE BUDGET	2019/20 BASE BUDGET	MORE (LESS)	2020/21 BASE BUDGET	2021/22 BASE BUDGET	2022/23 BASE BUDGET
		£	£	£	£	£	£
114	<b>EMPLOYEES</b>						
	SUPERANNUATION	260,000	260,000	0	260,000	260,000	260,000
	<b>EMPLOYEES SUB-TOTAL</b>	<b>260,000</b>	<b>260,000</b>	<b>0</b>	<b>260,000</b>	<b>260,000</b>	<b>260,000</b>
	<b>PREMISES RELATED EXPENDITURE</b>						
211	REPAIRS & MAINTENANCE	4,037,450	3,532,500	(504,950)	3,638,480	3,747,630	3,860,050
214	RATES	0	0	0	0	0	0
	<b>SUPPLIES &amp; SERVICES</b>						
430	NSDC MANAGEMENT COSTS	0	573,060	573,060	570,940	580,930	591,150
451	CONTRACTUAL	4,704,970	5,443,570	738,600	5,605,750	5,773,930	5,947,160
452	PROFESSIONAL SERVICES	19,520	52,680	33,160	52,990	53,300	53,620
471	STAFF EXPENSES & FEES	1,500	1,500	0	1,550	1,600	1,650
482	SUBSCRIPTIONS	2,200	1,000	(1,200)	1,030	1,060	1,090
491	INSURANCES	197,710	189,560	(8,150)	190,890	194,490	198,150
492	TRANSFER TO MAJOR REPAIRS/GROWTH RESERVE	3,883,030	2,889,470	(993,560)	4,112,180	4,612,590	5,095,280
	<b>TRANSFER PAYMENTS</b>						
612	FEED IN TARIFF PAYABLE TO NSH	525,000	475,000	(50,000)	475,000	475,000	475,000
612	PROVISION FOR BAD DEBTS	0	555,840	555,840	36,420	37,980	35,100
	<b>CENTRAL DEPARTMENTAL EXPENSES</b>						
712	CENTRAL DEPARTMENTAL SUPPORT	414,800	0	(414,800)	0	0	0
715	DEPARTMENTAL ADMINISTRATION	152,890	0	(152,890)	0	0	0
	<b>RUNNING EXPENSES SUB-TOTAL</b>	<b>13,939,070</b>	<b>13,714,180</b>	<b>(224,890)</b>	<b>14,685,230</b>	<b>15,478,510</b>	<b>16,258,250</b>
	<b>CAPITAL FINANCING</b>						
811	LOANS POOL	4,081,720	3,877,090	(204,630)	3,791,690	3,889,370	3,962,510
817	DEBT MANAGEMENT EXPENSES	35,820	76,940	41,120	78,480	80,050	81,650
821	CAPITAL CHARGES	4,146,780	4,998,210	851,430	5,041,660	5,119,150	5,163,390
	<b>CAPITAL FINANCING SUB-TOTAL</b>	<b>8,264,320</b>	<b>8,952,240</b>	<b>687,920</b>	<b>8,911,830</b>	<b>9,088,570</b>	<b>9,207,550</b>
	<b>INCOME</b>						
911	GOVERNMENT GRANTS	0	0	0	0	0	0
922	OTHER LA CONTRIBUTIONS	0	0	0	0	0	0
928	RECHARGE TO THIRD PARTY	(5,290)	(4,950)	340	(5,100)	(5,250)	(5,410)
932	FEED IN TARIFFS	(525,000)	(475,000)	50,000	(475,000)	(475,000)	(475,000)
932	FEES & CHARGES	(52,230)	(57,860)	(5,630)	(57,860)	(57,860)	(57,860)
933	RENTS	(21,789,470)	(21,452,980)	336,490	(22,357,620)	(23,300,870)	(24,172,000)
933	SERVICE CHARGES	0	(844,690)	(844,690)	(867,900)	(891,800)	(916,430)
939	OTHER RECEIPTS	(83,000)	(87,940)	(4,940)	(90,580)	(93,300)	(96,100)
941	INTEREST	(8,400)	(3,000)	5,400	(3,000)	(3,000)	(3,000)
	<b>INCOME SUB-TOTAL</b>	<b>(22,463,390)</b>	<b>(22,926,420)</b>	<b>(463,030)</b>	<b>(23,857,060)</b>	<b>(24,827,080)</b>	<b>(25,725,800)</b>
	<b>COMMITTEE TOTAL (SURPLUS)/DEFICIT</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	WORKING BALANCE B/Fwd	(2,000,000)	(2,000,000)	0	(2,000,000)	(2,000,000)	(2,000,000)
	Excluding NSH EFFICIENCY PAYMENT						
	WORKING BALANCE C/Fwd	(2,000,000)	(2,000,000)	0	(2,000,000)	(2,000,000)	(2,000,000)

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**Local Government Association – Briefing Note (4 January 2019)**

**Housing Revenue Accounts (HRA): Rent issues in 2019/20 arising from 53 Mondays falling in the financial year**

**Introduction**

- 1) This note has been prepared by the Local Government Association (LGA), National Federation of ALMOs (NFA) and Association of Retained Council Housing (ARCH) in consultation with a range of local authorities. We feel it is useful to send to all councils with a Housing Revenue Account.
- 2) Every six to seven years 53 Mondays fall in a financial year and this will be the case in 2019/20. As rent debits are raised on Mondays this means that the HRA ordinarily benefits from an 'extra' week's rent when there are 53 Mondays in a year.
- 3) This creates two immediate issues which are important now as local authorities (LA) begin taking decisions and planning communications to tenants on rents from April 2019.

**Welfare Reform Act**

- 4) The 4 year 1% rent a year decrease introduced by the Welfare Reform Act 2016 means that the 53 Mondays of rent in 2019/20 can be interpreted as taking LAs over the required 1% decrease on rents in the 52 Monday year in 2018/19.
- 5) A number of LAs and their representative groups have raised this with MHCLG, whose initial response was that the rent reduction had to be applied on an annual basis and that landlords would either have to offer up a rent free week or collect 52 weeks' worth of rent over 53 payments. Either way local authorities would lose a week's rent.
- 6) Furthermore this would have a long lasting impact of reducing rental income since Government is consulting on proposals to limit rent increases to CPI+1% per year from 2020/21 so the reduced rental income in 2019/20 would be "baked in".
- 7) However a number of LAs and partners have investigated this issue and have reached a consensus that the definition within the legislation could be interpreted so that rent payable 'in respect of that relevant year' should be calculated – as it is for accounting purposes at the year end - on a daily basis, though still charged on a weekly basis. This would allow 53 weeks' worth of rent to be charged as normal, and still be in compliance with the Welfare Reform and Work Act requirements to reduce rents by 1%.

- 8) It is also easier to explain as weekly rents will just need to be reduced by 1% as normal. There will need to be communication with any tenants making monthly payments (for instance by direct debit) where payments will increase by about 1% next year but that the following year's increase in payments will be lower in percentage terms than the increase at that time.
- 9) This consensus has been communicated to MHCLG. Officials have emphasised that it is for individual LAs to satisfy themselves that they are complying with the legal position.

### **Universal Credit**

- 10) A further complicating issue is that Universal Credit legislation does not allow for 53 Monday years and therefore UC claimants would find themselves a week in arrears if charged 53 week's rent.
- 11) LAs have suggested that this could be amended through a statutory instrument, which references 53 weeks where applicable. However, DWP are not supportive of this approach, perhaps because it might have implications for their IT systems, or for introducing further complexity.
- 12) Another proposal is to ask that the Government temporarily resolve this through topping up rents for 2019/20 somehow, while working to find a sustainable long-term solution. There is not yet a detailed view on what the long-term solution might be.

### **Next steps**

- 13) The LGA will continue to make representations to both DWP and MHCLG for a sustainable long-term solution to this issue, and would welcome views from councils.

## COUNCIL MEETING - 12 FEBRUARY 2019

### TREASURY MANAGEMENT 2018/19 - MID YEAR REPORT

#### **1. Purpose of Report**

- 1.1. This report provides an update on the Council's treasury activity and prudential indicators for the first half of 2018/19. As indicated in the report none of the Prudential Indicators have been breached and a prudent approach has been taken in relation to the investment activity, with priority being given to security and liquidity over yield.

#### **2. Background Information**

- 2.1. The Council's Treasury Management Strategy for 2018/19 was approved by Full Council on 8 March 2018. The Council has borrowed and invested substantial sums of money and is therefore exposed to financial risks including the loss of invested funds and the revenue effect of changing interest rates. The successful identification, monitoring and control of risk is therefore central to the Council's Treasury Management Strategy.
- 2.2. Following consultation in 2017, CIPFA published new versions of the Prudential Code for Capital Finance in Local Authorities (Prudential Code) and the Treasury Management Code of Practice but has yet to publish the local authority specific Guidance Notes to the latter. In England MHCLG published its revised Investment Guidance which came into effect from April 2018.
- 2.3. The updated Prudential Code includes a new requirement for local authorities to provide a Capital Strategy, which is to be a summary document approved by full Council covering capital expenditure and financing, treasury management and non-treasury investments.
- 2.4. The Code also recommends that members are informed of Treasury Management activities at least twice a year. This report therefore ensures that this Council is embracing best practice in accordance with CIPFA's recommendations.
- 2.5. Treasury Management is defined as: "The management of the local authority's investments and cash flows, its banking, money market and capital market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks".

#### **3. Economic Background**

- 3.1. **Appendix A** gives a report on the economic background from our Treasury Consultants, Arlingclose.

#### **4. Regulatory Updates**

- 4.1. International Financial Reporting Standard (IFRS) 9 – Financial Instruments: The new standard presents revised guidance on the classification and measurement of financial assets, including a new expected credit loss model for calculating impairment.

- 4.2. IFRS 9 replaces the ‘incurred loss’ model in IAS 39 with an ‘expected credit loss’ model, which means that a loss event will no longer need to occur before an impairment allowance is recognised.
- 4.3. The standard aims to address concerns about ‘too little, too late’ provisioning for loan losses, and will accelerate recognition of losses.
- 4.4. The accounting treatment of the expected credit loss model for the financial assets depends on the business model the initial investment was made on. There are three options with regard to the business model:
- Achieve objectives by collecting contractual cash flows;
  - Achieve objectives by both collecting contractual cash flows and selling assets; and
  - Achieve objectives by any other means that collecting cash flows.
- 4.5. Once the Business Model has been identified this then will identify the accounting treatment as either Amortised Cost, Fair Value through Other Comprehensive Income or Fair Value through Profit/Loss. Officers have prepared workings papers for all the current live investments that were held before IFRS9 was implemented, on the business model of ‘achieve objectives by collecting contractual cash flows’ and confirmed with our auditors, Mazars, that the impact would be immaterial. The table below shows a full instrument by instrument breakdown and the Business Model that has been proposed .

<b>Counterparty</b>	<b>Balance at 31.3.18</b>	<b>Business Model</b>
<b><i>Bank Deposit/Notice Account</i></b>		
Santander	£5,000,000	achieve objectives by collecting contractual cash flows
Handelsbanken	£5,000,000	achieve objectives by collecting contractual cash flows
Lloyds	£4,900,000	achieve objectives by collecting contractual cash flows
<b><i>Money Market Fund</i></b>		
Goldmans Sachs	£343,000	achieve objectives by collecting contractual cash flows
Deutsche Bank	£295,000	achieve objectives by collecting contractual cash flows
Invesco	£5,934,000	achieve objectives by collecting contractual cash flows
CCLA	£3,000,000	achieve objectives by collecting contractual cash flows
<b><i>Other</i></b>		
Trade Receivables	£4,666,417	achieve objectives by collecting contractual cash flows

- 4.6. Each new financial instrument that the Council enters into will now need to be assessed at the point of inception. Each instrument will be reviewed on an individual basis to find the correct business model, a framework will be included within the Investment Strategy and the Treasury Management Strategy. This will then be reported back to this Committee.
- 4.7. MHCLG consulted on statutory overrides relating to the IFRS 9 Financial Instruments accounting standard from 2018/19. The consultation recognised that the requirement in IFRS 9 for certain investments to be accounted for as fair value through profit and loss may introduce “more income statement volatility” which may impact on budget calculations. The consultation proposed a time-limited statutory override and sought views whether it should be applied only to pooled property funds.

## 5. Treasury Management Strategy Statement and Annual Investment Strategy Update

5.1. The Treasury Management Strategy Statement (TMSS) for 2018/19 was approved by Full Council on 8 March 2018. The indicator relating to Interest Rate Exposure was originally set based on cash flow forecasts of the total value of investments held on any given day. Due to the actual profiling of payments and receipts, officers feel that a percentage basis rather than a set value would allow this indicator to be managed more effectively. Below is the proposed change to the approved Prudential Indicator for the Interest Rate exposure which is contained within the TMSS 2018/19.

### 5.2. Current Indicator

	2018/19 £m	2019/20 £m	2020/21 £m
<b>Fixed Rate</b>			
Borrowing	124.2	124.2	124.2
Investments	-5	-5	-5
<b>Net Upper limit on fixed rate exposure</b>	<b>119.2</b>	<b>119.2</b>	<b>119.2</b>
<b>Variable Rate</b>			
Borrowing	31	31	31
Investments	-37.3	-37.3	-37.3
<b>Net Upper Limit on variable rate exposure</b>	<b>-6.3</b>	<b>-6.3</b>	<b>-6.3</b>

### 5.3. New Proposed Indicator

	2018/19	2019/20	2020/21
<b>Fixed Rate</b>			
Borrowing	100%	100%	100%
Investments	75%	75%	75%
<b>Variable Rate</b>			
Borrowing	20%	20%	20%
Investments	100%	100%	100%

## 6. Local Context

6.1. At 31/3/2018 the Council's underlying need to borrow for capital purposes as measured by the Capital Financing Requirement (CFR) was £125m, while usable reserves and working capital which are the underlying resources available for investment were £44.8m.

The table below shows the revised estimates for capital expenditure and the changes since the Capital Programme was agreed within the Capital Programme budget on 8 March 2018.

Capital Expenditure	2018/19 Capital Budget approved 8 March 2018 £m	Current Expenditure £m	2018/19 Revised Estimate £m
General Fund Expenditure	5.047	1.890	12.526
HRA Expenditure	17.614	5.585	19.878
<b>Total Capital Expenditure</b>	<b>22.661</b>	<b>7.475</b>	<b>32.404</b>



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

The increase from the Budget approved 8 March 2018 relates to approved capital carry forward requests and approved variations to the capital programme.

- 6.2. At 31/3/2018, the Council had £89m of borrowing and £24m of investments. The Council's current strategy is to maintain borrowing and investments below their underlying levels, referred to as internal borrowing.
- 6.3. The Council has an increasing CFR over the next 2 years due to the Capital Programme and there may be a requirement to borrow up to £6.6m over the forecast period. However, if reserve levels permit, internal borrowing will be considered.

## 7. **Borrowing Strategy**

- 7.1. At 30/9/2018 the Council held £89m of loans, as part of its strategy for funding previous years' capital programmes.

### 7.2. **Borrowing Activity in 2018/19**

	<b>Balance on 01/04/2018 £m</b>	<b>Balance on 30/09/2018 £m</b>
Short Term Borrowing	7.815	7.562
Long Term Borrowing	81.580	81.580
<b>TOTAL BORROWING</b>	<b>89.395</b>	<b>89.142</b>
Other Long Term Liabilities	0.224	0.224
<b>TOTAL EXTERNAL DEBT</b>	<b>89.619</b>	<b>89.366</b>
CFR	124.681	124.681
Under / (over) borrowing	35.062	35.315

- 7.3. As the Council is in a significant under borrowed position, as per the table in 7.2, there may be a requirement during the remainder of the financial year where new borrowing is required. Any new borrowing will be within the approved Treasury Management Borrowing Strategy framework and will have been reviewed for cost effectiveness as whether to borrow shorter term or long term in relation to interest rate forecasts.
- 7.4. **PWLB Certainty Rate and Project Rate Update:** The PWLB introduced a 'Certainty Rate' for borrowing in 2013 which is 0.20% below the PWLB standard rate. The rate is made available for a 12 month period, in return for the Council providing advance information about its capital investment plans. During September 2018 the Council submitted its application to CLG via the new certainty rate form to access this reduced rate for a further 12 month period from 01/11/2018.
- 7.5. **LOBOs:** The Council holds £3.5m of LOBO (Lender's Option Borrower's Option) loans where the lender has the option to propose an increase in the interest rate at set dates, following which the Council has the option to either accept the new rate or to repay the loan at no additional cost. All of the £3.5m of LOBOs had options during the last 6 months, none of which were exercised by the lender. The Council acknowledges there is an element of refinancing risk even though in the current interest rate environment lenders are unlikely to exercise their options.

- 7.6. **Internal borrowing:** For the Council, the use of internal resources in lieu of borrowing has continued to be the most cost effective means of funding of capital expenditure that has not been funded from grants and other resources. This has lowered overall treasury risk by reducing both external debt and temporary investments. However this position will not be sustainable over the medium term as the Council needs to use reserves for the purpose they were set aside for, and external borrowing may need to be undertaken.
- 7.7. **Debt rescheduling:** The premium charge for early repayment of PWLB debt remains relatively expensive for the loans in the Council's portfolio and therefore unattractive for debt rescheduling activity. No rescheduling activity was undertaken or is proposed during the rest of the financial year as a consequence.

## 8. Investment Activity

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

### 8.2. Investment Activity in 2018/19

Type of Investment	Balance on 01/04/2018 £m	Balance on 30/09/2018 £m	Average Interest Rate
<b>Short term Investments:</b>			
Fixed Term Deposits	9.900	9.900	0.68%
Money Market Funds	9.572	24.583	0.61%
Bank Call Account	5.000	0.050	0.20%
<b>Total Short term Investments</b>	<b>24.472</b>	<b>34.533</b>	
Long term Investments	0	0	
<b>TOTAL INVESTMENTS</b>	<b>24.472</b>	<b>34.533</b>	
Increase/ (Decrease) in Investments		10.061	

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

## 9. Non-Treasury Investments

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

9.2. As per section 4.5, these Non-Treasury Investments have also been reviewed for the impact of IFRS9, see breakdown below, and will need approval on the business model the investments are held under;

Counterparty	Balance at 31.03.18	Business Model
Growth Investment Fund	£597,267	achieve objectives by collecting contractual cash flows
Loans to Housing Associations	£22,994	achieve objectives by collecting contractual cash flows
Loans to Parish Councils	£18,570	achieve objectives by collecting contractual cash flows

These investments generated £0.023m of investment income for the Council after taking account of direct costs, representing a rate of return of 4.06%.

## 10. Prudential Indicators

10.1. The Council can confirm that it has complied with its Prudential Indicators for 2018/19, which was set on 8 March 2018 as part of the Council's Treasury Management Strategy Statement.

10.2. **Upper Limits for Fixed and Variable Interest Rate Exposure.** These indicators allow the Council to manage the extent to which it is exposed to changes in external interest rates.

£m	Approved 2018/19 £m	Actual to 30/09/2018 £m
<b>Fixed</b>		
Upper Limit for Exposure on Debt	124.2	86.1
Upper Limit for Exposure on Investments	-5	0
<b>Net Fixed Exposure</b>	<b>119.2</b>	<b>86.1</b>
<b>Variable</b>		
Upper Limit for Exposure on Debt	31	3.1
Upper Limit for Exposure on Investments	-37.3	-34.5
<b>Net Variable Rate Exposure</b>	<b>-6.3</b>	<b>-31.4</b>

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

	Upper Limit %	Actual at 30/09/18 £	Actual at 30/09/18 %	Compliance
Under 12 months	15%	£4.5m	5.2%	Yes
12-24 months	15%	£2.0m	2.3%	Yes
2-5 years	30%	£13.6m	15.8%	Yes
5-10 years	100%	£22.7m	26.4%	Yes
Over 10 years	100%	£43.3m	50.3%	Yes

10.4. **Principal Sums Invested for over 364 Days.** All investments were made on a short-term basis and there were no investments for more than 364 days.

10.5. **Authorised Limit and Operational Boundary for External Debt.** The Local Government Act 2003 requires the Council to set an Affordable Borrowing Limit, irrespective of their indebted status. This is a statutory limit which should not be breached. The Operational Boundary is based on the same estimates as the Authorised Limit but reflects the most likely, prudent but not worst case scenario without the additional headroom included within the Authorised Limit. The s151 Officer confirms that there were no breaches to the Authorised Limit and the Operational Boundary during 2018/19.

	<b>Approved Operational Boundary 2018/19 £m</b>	<b>Authorised Limit 2018/19 £m</b>	<b>Actual External Debt 30/09/18 £m</b>
Borrowing	128.3	128.4	89.1
Other Long Term Liabilities	0.4	0.6	0.2
<b>Total</b>	<b>128.7</b>	<b>129.0</b>	<b>89.3</b>

## 11. Outlook for the remainder of 2018/19

11.1. **Appendix B** gives a summarised outlook for the rest of the current financial year from our Treasury Consultants, Arlingclose.

## 12. Banking Arrangements

12.1. Lloyds bank plc, the Councils current banking service providers, has reviewed its contractual arrangement with its local authority customers, the review concluded that each local authority is to enter into an agreement where a set off or transfer of credit balances in accounts held with the bank, in or towards the satisfaction of any liabilities can be carried out.

12.2. The Council has been successfully operating this process since transferring over to Lloyds in 2017 and the agreement allows the Council to continue to have credit and debit balances across all of its Lloyds bank accounts.

## 13. RECOMMENDATIONS that:-

- (a) the new Prudential Indicator for Interest Rate Exposure contained within the Treasury Management Strategy, detailed in Section 5 of the report, be approved;
- (b) the treasury activity be noted;
- (c) the Prudential Indicators, detailed in Section 10 of the report, be noted;
- (d) the business model applied to all current investment relating to IFRS9 (Sections 4.5 and 9.2 of the report refer) is to 'achieve objectives by collecting contractual cash flows'; and

- (e) the Lloyds Set Off agreement, as detailed at Section 12.1 and 12.2 of the report, be noted and approved.**

Background Papers

Nil.

For further information please contact Andrew Snape, Assistant Business Manager – Financial Services on extension 5523.

S. Kohli  
Deputy Chief Executive/Director - Resources

**External Context**

**Economic Background:** Oil prices rose by 23% over the six months to around \$82/barrel. UK Consumer Price Inflation (CPI) for August rose to 2.7% year/year, above the consensus forecast and that of the Bank of England's in its August *Inflation Report*, as the effects of sterling's large depreciation in 2016 began to fade. The most recent labour market data for July 2018 showed the unemployment rate at 4%, its lowest since 1975. The 3-month average annual growth rate for regular pay, i.e. excluding bonuses, was 2.9% providing some evidence that a shortage of workers is providing support to wages. However real wages (i.e. adjusted for inflation) grew only by 0.2%, a marginal increase unlikely to have had much effect on households.

The rebound in quarterly GDP growth in Q2 to 0.4% appeared to overturn the weakness in Q1 which was largely due to weather-related factors. However, the detail showed much of Q2 GDP growth was attributed to an increase in inventories. Year/year GDP growth at 1.2% also remains below trend. The Bank of England made no change to monetary policy at its meetings in May and June, however hawkish minutes and a 6-3 vote to maintain rates was followed by a unanimous decision for a rate rise of 0.25% in August, taking Bank Rate to 0.75%.

Having raised rates in March, the US Federal Reserve again increased its target range of official interest rates in each of June and September by 0.25% to the current 2%-2.25%. Markets now expect one further rise in 2018.

The escalating trade war between the US and China as tariffs announced by the Trump administration appeared to become an entrenched dispute, damaging not just to China but also other Asian economies in the supply chain. The fallout, combined with tighter monetary policy, risks contributing to a slowdown in global economic activity and growth in 2019.

The EU Withdrawal Bill, which repeals the European Communities Act 1972 that took the UK into the EU and enables EU law to be transferred into UK law, narrowly made it through Parliament. With just six months to go when Article 50 expires on 29 March 2019, neither the Withdrawal Agreement between the UK and the EU, which will be legally binding on separation issues and the financial settlement, nor its annex which will outline the shape of their future relationship, have been finalised, extending the period of economic uncertainty.

**Financial Markets:** Gilt yields displayed marked volatility during the period, particularly following Italy's political crisis in late May when government bond yields saw sharp moves akin to those at the height of the European financial crisis with falls in yield in safe-haven UK, German and US government bonds. Over the period, despite the volatility, the net change in gilt yields was small. The 5-year benchmark gilt only rose marginally from 1.13% to 1.16%. There was a larger increase in 10-year gilt yields from 1.37% to 1.57% and in the 20-year gilt yield from 1.74% to 1.89%. The increase in Bank Rate resulted in higher money market rates. 1-month, 3-month and 12-month LIBID rates averaged 0.56%, 0.70% and 0.95% respectively over the period.

**Credit Background:** Reflecting its perceived higher risk, the Credit Default Swap (CDS) spread for non-ringfenced bank NatWest Markets plc rose relatively sharply over the period to around 96bps. The CDS for the ringfenced entity, National Westminster Bank plc, has held steady below 40bps. Although the CDS of other UK banks rose marginally over the period, they continue to remain low compared to historic averages.

The ringfencing of the big four UK banks - Barclays, Bank of Scotland/Lloyds, HSBC and RBS/Natwest Bank plc – is complete, the transfer of their business lines into retail (ringfenced) and investment banking (non-ringfenced) is progressing and will need to be completed by the end of 2018.

There were a few credit rating changes during the period. Moody's downgraded Barclays Bank plc's long-term rating to A2 from A1 and NatWest Markets plc to Baa2 from A3 on its view of the credit metrics of the entities post ringfencing. Upgrades to long-term ratings included those for Royal Bank of Scotland plc, NatWest Bank and Ulster Bank to A2 from A3 by Moody's and to A- from BBB+ by both Fitch and Standard & Poor's (S&P). Lloyds Bank plc and Bank of Scotland plc were upgraded to A+ from A by S&P and to Aa3 from A1 by Moody's.

Our treasury advisor Arlingclose will henceforth provide ratings which are specific to wholesale deposits including certificates of deposit, rather than provide general issuer credit ratings. Non-preferred senior unsecured debt and senior bonds are at higher risk of bail-in than deposit products, either through contractual terms, national law, or resolution authorities' flexibility during bail-in. Arlingclose's creditworthiness advice will continue to include unsecured bank deposits and CDs but not senior unsecured bonds issued by commercial banks.

**Outlook for the Remainder of 2018/19**

Having raised interest rates in August 2018 to 0.75%, the Bank of England’s Monetary Policy Committee (MPC) has maintained expectations of a slow rise in interest rates over the forecast horizon.

The MPC has a definite bias towards tighter monetary policy but is reluctant to push interest rate expectations too strongly. While policymakers are wary of domestic inflationary pressures over the next two years, it is believed that the MPC members consider both that (a) ultra-low interest rates result in other economic problems, and that (b) higher Bank Rate will be a more effective weapon should downside Brexit risks crystallise and cuts are required.

Arlingclose’s central case is for Bank Rate to rise twice in 2019. The risks are weighted to the downside. The UK economic environment is relatively soft, despite seemingly strong labour market data. GDP growth recovered somewhat in Q2 2018, but the annual growth rate of 1.2% remains well below the long term average.

	Sep-18	Dec-18	Mar-19	Jun-19	Sep-19	Dec-19	Mar-20	Jun-20	Sep-20	Dec-20	Mar-21	Jun-21	Sep-21
<b>Official Bank Rate</b>													
<b>Upside risk</b>	0.00	0.00	0.00	0.00	0.00	0.00	0.25	0.25	0.25	0.25	0.25	0.25	0.25
<b>Arlingclose Central Case</b>	0.75	0.75	1.00	1.00	1.25	1.25	1.25	1.25	1.25	1.25	1.25	1.25	1.25
<b>Downside risk</b>	0.00	0.00	0.50	0.50	0.75	0.75	0.75	0.75	0.75	0.75	0.75	0.75	0.75

The view is that the UK economy still faces a challenging outlook as the minority government continues to negotiate the country's exit from the European Union. Central bank actions and geopolitical risks, such as prospective trade wars, have and will continue to produce significant volatility in financial markets, including bond markets.



## COUNCIL MEETING – 12 FEBRUARY 2019

### NOTTINGHAMSHIRE ECONOMIC PROSPERITY COMMITTEE – CHANGES TO THE TERMS OF REFERENCE

#### **1.0 Purpose of Report**

- 1.1 To consider amendments to the Nottinghamshire Economic Prosperity Committee's (EPC) Terms of Reference. The Terms of Reference state that they 'can only be amended by resolution of each of the constituent authorities' and as the joint committee has delegated powers the remit requires approval by the Council.

#### **2.0 Background**

- 2.1 At its meeting held on 5 December 2013, the Policy Committee recommended to Council the establishment of a joint committee of local authorities in the City of Nottingham and County of Nottinghamshire to drive future investment in growth and jobs within their areas. Having considered the proposals and governance arrangements for the EPC, the Full Council, at its meeting held on 17 December 2013, agreed the establishment of the Committee.

#### **3.0 Proposals**

- 3.1 In August 2018, senior officers from four of the constituent authorities: Nottinghamshire County; Nottingham City; Ashfield District; and Rushcliffe Borough Councils met to discuss the future of the EPC, which last met in March 2018. It was recognised that the TOR required updating in order to adapt to changes in the economic and political environment over the previous four years and therefore amendments to the existing Terms of Reference were considered.
- 3.2 The proposed amendments were designed to reflect changes in the operating environment (such as the Midlands Engine and the EU Referendum) since the EPC was established. The main substantive addition would enable discussion at future meetings of issues that cut across local authority boundaries and to agree to align activity where this would benefit the local authorities and local citizens. A copy of the revised Constitution for the EPC is attached to the report as Appendix A.
- 3.3 For ease of reference the proposed changes are listed below.

#### Current EPC Purpose:

*'To bring together local authority partners in Nottingham and Nottinghamshire in a robust, formally constituted arrangement which will drive future investment in growth and jobs in the City and County.'*

#### Proposed EPC Purpose:

*'To bring together local authorities in Nottingham and Nottinghamshire to agree and promote the key aspects of economic prosperity across the area, with a specific focus on shared priorities and securing investment.'*

Current EPC Remit:

- a) *to act as a local public sector decision making body for strategic economic development and to make recommendations to the D2N2 LEP on its investment and other priorities;*
- b) *to prioritise, commission and monitor both investment plans and all European Structural Investment Funds (SIF) and Single Local Growth Fund money that is available to Nottingham and Nottinghamshire via the D2N2 LEP and the EPC;*
- c) *to oversee the alignment of relevant local authority plans and ensure that they contribute to economic growth;*
- d) *to actively engage with a range of businesses in Nottingham and Nottinghamshire in relation to the EPC's decision making and to engage with other stakeholders where appropriate;*
- e) *to consider and advise on the appropriateness and viability of alternative, successor economic governance arrangements; and*
- f) *to ensure that potential benefits stemming from any overlaps with other LEPs are fully maximised.*

Proposed Remit:

- a) *to act as the local public sector decision making body for strategic economic growth;*
- b) *to act as a conduit to other sub-regional and regional bodies such as the D2N2 Local Enterprise Partnership and Midlands Engine;*
- c) *to oversee the alignment of relevant local authority plans for economic prosperity;*
- d) *to agree shared priorities and bids for funding to existing and new funding sources such a Local Growth Funds, European Funds (until the end of the Brexit transition period) and the Share Prosperity Fund (at the end of the Brexit transition period);*
- e) *to monitor and evaluate projects and programmes of activity commissioned directly by the EPC;*
- f) *to agree, monitor and evaluate spending priorities for the Nottinghamshire Business Rates Pool. (Only those constituent authorities that are members of the Pool would participate in this);*
- g) *to communicate and, where unanimously agreed, to align activity across Nottingham and Nottinghamshire on a range of other key public priorities that affect citizens.*

3.4 Regulation 11 of the Local Authorities (Arrangement for the Discharge of Functions) (England) Regulations 2012 would indicate that as the joint committee has delegated powers the Council's Constitution would also need to be updated to include the revised remit of the EPC. It is proposed that the Director – Governance & Organisational Development be given delegated authority to carry out the appropriate amendments.

#### **4.0 Equalities Implications**

4.1 There are no equalities implications arising from this report.

**5.0 Financial Implications (FIN18-19/4359)**

There are no direct financial implications arising from this report.

**6.0 RECOMMENDATIONS that:**

- (a) the proposed amended Terms of Reference for the Joint Economic Prosperity Committee be approved; and**
- (b) the Director – Governance & Organisational Development be given delegated authority to carry out the necessary amendments to the Council’s Constitution.**

**Background Papers**

Report submitted to Nottingham City Council Meeting

For further information please contact Nigel Hill, Business Manager – Elections & Democratic Services on 01636 655243.

John Robinson  
Chief Executive

# The City of Nottingham and Nottinghamshire Economic Prosperity Committee

## CONSTITUTION 2018- 2020

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### 1. **Purpose**

- 1.1 To bring together local authorities in Nottingham and Nottinghamshire to agree and promote the key aspects of economic prosperity across the area, with a specific focus on shared priorities and securing investment.

### 2. **Governance**

- 2.1 The Economic Prosperity Committee (“EPC”) will act as a Joint Committee under Section 20 (2) (E) of the Local Government Act 2000 and pursuant to Regulation 11 of the Local Authorities (Arrangement for the Discharge of Functions) (England) Regulations 2012.
- 2.2 The EPC will comprise the local authorities within the Nottinghamshire area: Ashfield District Council, Bassetlaw District Council, Broxtowe Borough Council, Gedling Borough Council, Mansfield District Council, Newark and Sherwood District Council, Nottingham City Council, Nottinghamshire County Council and Rushcliffe Borough Council (“constituent authorities”).
- 2.3 Political Proportionality rules will not apply to the EPC as so constituted.

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2.4 The EPC will be a legally constituted body with powers delegated to it by the constituent authorities in the following areas:

- a) to prioritise and make decisions on the use of the funding that the EPC may influence or control;
- b) to review future governance requirements and delivery arrangements and how these can be best achieved in Nottingham and Nottinghamshire;
- c) to have direct oversight of key economic growth focused projects and initiatives that the EPC has influence over the funding of or contributes to;
- d) to have strategic oversight of other key growth focused projects and initiatives in Nottingham and Nottinghamshire.

The EPC will not hold funds or monies on behalf of the constituent authorities.

2.5 The EPC's work plan and the outcome of any wider review into alternative governance may require a change in the delegated powers and terms of reference of the EPC and any such change would require the approval of all the constituent authorities.

2.6 These terms of reference should be reviewed two years after their adoption or after any amendments.

### 3. Remit

3.1 The remit of the EPC will be:

- a) to act as a local public sector decision making body for strategic economic growth;
- b) to act as a conduit to other sub-regional and regional bodies such as the D2N2 Local Enterprise Partnership and the Midlands Engine;
- c) to oversee the alignment of relevant local authority plans for economic prosperity;
- d) where appropriate, to agree shared priorities and bids for funding to existing and new funding sources such as Local Growth Funds, European Funds (until the end of the Brexit transition period) and the Shared Prosperity Fund (at the end of the Brexit transition period);
- e) to monitor and evaluate projects and programmes of activity commissioned directly by the EPC;
- f) to agree, monitor and evaluate spending priorities for the Nottinghamshire Business Rates Pool. (Only those constituent authorities that are members of the Pool would participate in this);
- g) to communicate and, where unanimously agreed, to align activity across Nottingham and Nottinghamshire on a range of other key public priorities that affect citizens.

### 4. Membership

4.1 One member from each constituent authority (such member to be the Leader/Elected Mayor or other executive member or committee chair from each constituent authority) and for the purposes of these terms of reference this member

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will be known as the principal member.

- 4.2 Each constituent authority to have a named substitute member who must be an executive member where the authority operates executive governance arrangements. In those constituent authorities where governance is by committee, that alternate member shall be as per that authority's rules of substitution. All constituent authorities must provide no less than twenty four hours' notice to either the Chair or the Secretary where a substitute member will be attending in place of the principal member. Regardless of any such notification, where both the principal member and the substitute member attends a meeting of the EPC the principal member shall be deemed as representing their authority by the Chair or Vice Chair.
- 4.3 In the event of any voting member of the EPC ceasing to be a member of the constituent authority which appointed him/her, the relevant constituent authority shall as soon as reasonably practicable appoint another voting member in their place.
- 4.4 Where a member of the EPC ceases to be a Leader / Elected Mayor of the constituent authority which appointed him/her or ceases to be a member of the Executive or Committee Chair of the constituent authority which appointed him/her, he/she shall also cease to be a member of the EPC and the relevant constituent authority shall as soon as reasonably practicable appoint another voting member in their place.
- 4.5 Each constituent authority may remove its principal member or substitute member and appoint a different member or substitute as per that authority's rules of substitution, and by providing twenty-four hours' notice to the Chair or the Secretary. Co-options onto the Committee are not permitted.
- 4.6 Each constituent authority may individually terminate its membership of the EPC by providing twelve months written notice of its intent to leave the EPC to the Chair or the Secretary. At the end of these twelve months, but not before, the authority will be deemed to no longer be a member of the EPC.
- 4.7 Where an authority has previously terminated its membership of the EPC it may rejoin the EPC with immediate effect on the same terms as existed prior to its departure, where the EPC agrees to that authority rejoining via a majority vote.

## 5. **Quorum**

- 5.1 The quorum shall be 5 members. No business will be transacted at a meeting unless a quorum exists at the beginning of a meeting. If at the beginning of any meeting, the Chair or Secretary after counting the members present declares that a quorum is not present, the meeting shall stand adjourned.

## 6. **Chair and Vice Chair**

- 6.1 The Chair of the EPC will rotate annually between the principal member of the City of Nottingham and the principal member of Nottinghamshire County Council. The position of Vice Chair shall be filled by the principal member of one of the district/borough council members of the EPC and this role will rotate annually

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between district/borough councils. The Chair or in their absence the Vice Chair or in their absence the member of the EPC elected for this purpose, shall preside at any meeting of the EPC.

6.2 Appointments will be made in May of each year.

6.3 Where, at any meeting or part of a meeting of the EPC both the Chair and Vice Chair are either absent or unable to act as Chair or Vice Chair, the EPC shall elect one of the members of the EPC present at the meeting to preside for the balance of that meeting or part of the meeting, as appropriate. For the avoidance of doubt, the role of Chair and Vice Chair vests in the principal member concerned and in their absence the role of Chair or Vice Chair will not automatically fall to the relevant constituent authority's substitute member.

## 7. Voting

7.1 One member, one vote for each constituent authority.

7.2 All questions shall be decided by a majority of the votes of the members present, the Chair having the casting vote in addition to their vote as a member of the Committee. Voting at meetings shall be by show of hands.

7.3 On the requisition of any two Members, made before the vote is taken, the voting on any matter shall be recorded by the Secretary so as to show how each Member voted and there shall also be recorded the name of any Member present who abstained from voting.

## 8. Sub-Committees and Advisory Groups

8.1 The EPC may appoint sub-committees from its membership as required to enable it to execute its responsibilities effectively and may delegate tasks and powers to the sub-committee as it sees fit.

8.2 The EPC may set up advisory groups as required to enable it to execute its responsibilities effectively and may delegate tasks as it sees fit to these bodies, which may be formed of officers or members of the constituent authorities or such third parties as the EPC considers appropriate.

## 9. Hosting and Administration

9.1 The EPC will be hosted by the same authority as the Chair. The Director of Legal and Democratic Services from that authority shall be Secretary to the Committee ("the Secretary"). The Host Authority will also provide s151 and Monitoring Officer roles and legal advice to the EPC. The administrative costs of supporting the committee will be met equally by the constituent authorities, with each authority being responsible for receiving and paying any travel or subsistence claims from its own members.

9.2 The functions of the Secretary shall be:

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- a) to maintain a record of membership of the EPC and any sub-committees or advisory groups appointed;
- b) to publish and notify the proper officers of each constituent authority of any anticipated “key decisions” to be taken by the EPC to enable the requirements as to formal notice of key decisions as given under the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 to be met;
- c) to carry out such notification to and consultation with members of any appointing constituent authority as may be necessary to enable the EPC to take urgent “key decisions” in accordance with the requirements of the Local Authorities (Executive Arrangements) (Meetings and Access to Information ) (England) Regulations 2012;
- d) to summon meetings of the EPC or any sub-committees or advisory groups;
- e) to prepare and send out the agenda for meetings of the EPC or any sub-committees or advisory groups; in consultation with the Chair and the Vice Chair of the Committee (or sub-committee/ advisory group);
- f) to keep a record of the proceedings of the EPC or any sub-committees or advisory groups, including those in attendance, declarations of interests, and to publish the minutes;
- g) to take such administrative action as may be necessary to give effect to decisions of the EPC or any sub-committees or advisory groups;
- h) to perform such other functions as may be determined by the EPC from time to time.

### 10. Meetings

10.1 The EPC will meet no less than quarterly and meetings will be aligned where necessary with deadlines for decisions on resources and investment plans.

10.2 Meetings will be held at such times, dates and places as may be notified to the members of the EPC by the Secretary, being such time, place and location as the EPC shall from time to time resolve. Meeting papers will be circulated five clear working days in advance of any meeting. The Chair may choose to accept or reject urgent items that are tabled at any meeting.

10.3 Additional ad hoc meetings may be called by the Secretary, in consultation, where practicable, with the Chair and Vice Chair of the Committee, in response to receipt of a request in writing, which request sets out an urgent item of business within the functions of the EPC, addressed to the Secretary:

- (a) from and signed by two members of the EPC, or
- (b) from the Chief Executive of any of the constituent authorities.

10.4 Urgent, virtual meetings facilitated via teleconference, video conferencing or other remote working methodologies may be called by the Secretary, in consultation, where practicable, with the Chair and Vice Chair of the EPC, in response to receipt of a request in writing, which request sets out an urgent item of business within the functions of the EPC, addressed to the Secretary:



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- (a) from and signed by two members of the EPC; or
- (b) from the Chief Executive of any of the constituent authorities.

Any such virtual meeting must comply with the access to information provisions and enable public access to proceedings.

10.5 The Secretary shall settle the agenda for any meeting of the EPC after consulting, where practicable, the Chair or in their absence the Vice Chair; and shall incorporate in the agenda any items of business and any reports submitted by:

- (a) the Chief Executive of any of the constituent authorities;
- (b) the Chief Finance Officer to any of the constituent authorities;
- (c) the Monitoring Officer to any of the constituent authorities;
- (d) the officer responsible for economic development at any of the constituent authorities; or
- (e) any two Members of the EPC.

10.6 The EPC shall, unless the person presiding at the meeting or the EPC determines otherwise in respect of that meeting, conduct its business in accordance with the procedure rules set out in paragraph 13 below.

### 11. Access to Information

11.1 Meetings of the EPC will be held in public except where confidential or exempt information, as defined in the Local Government Act 1972, is being discussed.

11.2 These rules do not affect any more specific rights to information contained elsewhere under the law.

11.3 The Secretary will ensure that the relevant legislation relating to access to information is complied with. Each constituent authority is to co-operate with the Secretary in fulfilling any requirements.

11.4 Any Freedom of Information or Subject Access Requests received by the EPC should be directed to the relevant constituent authority(s) for that authority to deal with in the usual way, taking account of the relevant legislation. Where the request relates to information held by two or more constituent authorities, they will liaise with each other before replying to the request.

### 12. Attendance at meetings

12.1 The Chair may invite any person, whether a member or officer of one of the constituent authorities or a third party, to attend the meeting and speak on any matter before the EPC.

12.2 Third parties may be invited to attend the EPC on a standing basis following a unanimous vote of those present and voting.

12.3 Where agenda items require independent experts or speakers, the Officer or

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authority proposing the agenda item should indicate this to the Secretary and provide the Secretary with details of who is required to attend and in what capacity. The participation of independent experts or speakers in EPC meetings will be subject to the discretion of the Chair.

### 13. Procedure Rules

#### 13.1 Attendance

13.1.1 At every meeting, it shall be the responsibility of each member to enter their name on an attendance record provided by the Secretary from which attendance at the meeting will be recorded.

#### 13.2 Order of Business

13.2.1 Subject to paragraph 13.2.2, the order of business at each meeting of the EPC will be:

- i. Apologies for absence
- ii. Declarations of interests
- iii. Approve as a correct record and sign the minutes of the last meeting
- iv. Matters set out in the agenda for the meeting which will clearly indicate which are key decisions and which are not
- v. Matters on the agenda for the meeting which, in the opinion of the Secretary are likely to be considered in the absence of the press and public

13.2.2 The person presiding at the meeting may vary the order of business at the meeting.

#### 13.3 Disclosable Pecuniary Interests

13.3.1 If a Member is aware that he/she has a disclosable pecuniary interest in any matter to be considered at the meeting, the Member must withdraw from the room where the meeting considering the business is being held:

- (a) in the case where paragraph 13.3.2 below applies, immediately after making representations, answering questions or giving evidence;
- (b) in any other case, wherever it becomes apparent that the business is being considered at that meeting;
- (c) unless the Member has obtained a dispensation from their own authority's Standards Committee or Monitoring Officer. Such dispensation to be notified to the Secretary prior to the commencement of the meeting.

13.3.2 Where a member has a disclosable pecuniary interest in any business of the EPC, the Member may attend the meeting (or a sub –committee or advisory group of the committee) but only for the purpose of making representations, answering questions or giving evidence relating to the business, provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise.

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### **13.4 Minutes**

13.4.1 There will be no discussion or motion made in respect of the minutes other than except as to their accuracy. If no such question is raised or if it is raised then as soon as it has been disposed of, the Chair shall sign the minutes.

### **13.5 Rules of Debate**

#### **13.5.1 Respect for the Chair**

A Member wishing to speak shall address the Chair and direct their comments to the question being discussed. The Chair shall decide the order in which to take representations from members wishing to speak and shall decide all questions of order. Their ruling upon all such questions or upon matters arising in debate shall be final and shall not be open to discussion.

#### **13.5.2 Motions / Amendments**

A motion or amendment shall not be discussed unless it has been proposed and seconded. When a motion is under debate no other motion shall be moved except the following:

- i. To amend the motion
- ii. To adjourn the meeting
- iii. To adjourn the debate or consideration of the item
- iv. To proceed to the next business
- v. That the question now be put
- vi. That a member be not further heard or do leave the meeting
- vii. To exclude the press and public under Section 100A of the Local Government Act 1972

### **13.6 Conduct of Members**

13.6.1 Members of the EPC will be subject to their own authority's Code of Conduct.

## **14. Application to Sub-Committees**

14.1 The procedure rules and also the Access to Information provisions set out at paragraph 11 shall apply to meetings of any sub-committees of the EPC.

## **15. Scrutiny of decisions**

15.1 Each constituent authority which operates executive arrangements will be able to scrutinise the decisions of the EPC in accordance with that constituent authority's overview and scrutiny arrangements.

## **16. Winding up of the EPC**

16.1 The EPC may be wound up immediately by a unanimous vote of all constituent authorities.

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### **17. Amendment of this Constitution**

17.1 This Constitution can only be amended by resolution of each of the constituent authorities.

## COUNCIL MEETING - 12 FEBRUARY 2019

### KINGS CLIPSTONE NEIGHBOURHOOD PLAN

#### **1.0 Purpose of Report**

- 1.1 To advise the Council of the result of the Kings Clipstone Neighbourhood Plan referendum and to seek approval from the Council for the 'making' of the Plan.

#### **2.0 Background Information**

- 2.1 Kings Clipstone Neighbourhood Area was designated in June 2014. Since then, the Parish Council has been working on their Neighbourhood Plan with the assistance of District Council Planning Officers. The first stage of public consultation was carried out on a draft Plan in October and November 2017. Following consideration of responses, this was developed into the version submitted to the District Council in August 2018.
- 2.2 The Kings Clipstone Design Guide was produced as part of the Neighbourhood Plan. It is intended to assist in the preparation of planning applications and to encourage development proposals that reinforce local distinctiveness. The Design Guide examines the way in which the character of Kings Clipstone is shaped by its setting and history and also looks at different character areas in the village.
- 2.3 Once it was established that the Plan met the necessary legal and procedural requirements, it was put out to consultation. Copies of the Plan and the Design Guide were made available on the District Council's and the Parish Council's websites, at the District Council's offices and at local libraries between 29 August and 12 October 2018. The District Council also consulted parties contacted by the Parish Council at the draft consultation stage.
- 2.4 During this consultation period the District Council considered its own response to the Plan. Under the delegated authority granted by Economic Development Committee, Planning Policy Officers suggested a small number of amendments to the Plan and one to the Design Guide, to boost conformity with District and national policy and aid implementation.
- 2.5 An independent Planning Inspector was appointed to examine the Plan. A total of sixteen responses to the consultation were received, including the District Councils. The responses were submitted to the examiner on 17 October 2018, along with the submission version of the Plan, the Kings Clipstone Design Guide and supporting documents.
- 2.6 The examination was carried out by written representation and the Inspector concluded that subject to her recommended modifications, the Plan met the basic conditions in the Town & Country Planning Act 1990. It was therefore recommended that the Plan, as modified, should proceed to referendum. The meeting of the Full Council on 11 December 2018 authorised the Chief Executive, acting as Counting Officer, to arrange the referendum for 31 January 2019.

### **3.0 'Making' the Kings Clipstone Neighbourhood Plan**

- 3.1 Council are advised that the Neighbourhood Planning Act 2017 has amended section 38 (subsection 3) of the Planning & Compulsory Purchase Act 2004 (Development Plan). Through these revisions, where more than half of those voting in its referendum have voted in favour of the Plan, then it comes into force as part of the statutory Development Plan and so can be used in the determination of planning applications within the neighbourhood area from that point forward. Where a Neighbourhood Plan is successful at referendum then the Council must proceed to formally 'make' the plan within 8 weeks of the referendum, thus confirming that it has come into force.
- 3.2 There are a narrow range of circumstances under which the Council could elect to not 'make' a Plan. These are where the making of the Plan would breach, or would otherwise be incompatible with, any EU obligation or any of the Convention rights (within the meaning of the Human Rights Act 1998). Where the Council decides that a Plan should not be made then it ceases to form part of the Development Plan.
- 3.3 With the Examiner's recommended modifications the Kings Clipstone Neighbourhood Plan meets the basic conditions set out in paragraph 8(2) of Schedule 4B of the Town & Country Planning Act 1990, is compatible with EU obligations and the Convention rights and complies with relevant provisions made by or under Section 38A and B of the Planning & Compulsory Purchase Act 2004 (as amended).
- 3.4 The referendum was held on Thursday, 31 January 2019 and posed the question, 'Do you want Newark & Sherwood District Council to use the Neighbourhood Plan for Kings Clipstone to help it decide planning applications in the neighbourhood area?' The outcome was a 'yes' vote of 97 and a 'no' vote of 16, with 1 rejected (representing a turnout of 42%).
- 3.5 The Neighbourhood Plan and its preparation, have been assessed and are not considered to breach or be otherwise incompatible with any EU obligation or any of the Convention rights (within the meaning of the Human rights Act 1998).

### **4.0 Financial Implications**

- 4.1 There are no costs associated with 'making' the Kings Clipstone Neighbourhood Plan. Costs already incurred in producing the Plan and carrying out the referendum are covered by funds received from central government.

### **5.0 RECOMMENDATIONS that:**

- a) the report be noted; and**
- b) the Council 'make' the referendum version of the Kings Clipstone Neighbourhood Plan confirming that it forms part of the Development Plan for Newark & Sherwood District.**

## Background Papers

The referendum version of the Kings Clipstone Neighbourhood Plan  
The Kings Clipstone Design Guide  
The Kings Clipstone Parish Neighbourhood Plan Examiner's Report

Available at: <http://www.newark-sherwooddc.gov.uk/planningpolicy/neighbourhoodplanning/>

For further information please contact Adrian Allenbury on extension 5862.

Matt Lamb  
Director - Growth & Regeneration

## NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of **Policy & Finance Committee** held in the Civic Suite, Castle House, Great North Road, Newark, Notts NG24 1BY on Thursday, 24 January 2019 at 6.00 pm.

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

Councillor B Laughton, Councillor P Peacock, Councillor D Staples,  
Councillor T Wendels and Councillor R Blaney (substitute for Councillor  
R Jackson)

IN ATTENDANCE: Councillor Mrs P Rainbow

APOLOGIES FOR ABSENCE: Councillor R Jackson

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

Councillor T Wendels declared an interest in the exempt Agenda Item No. 15 – Southwell Leisure Centre Trust – given he was a Trustee.

Councillor Mrs P Rainbow declared an interest in the exempt Agenda Item No. 14 – Land at Quibell’s Lane, Newark.

### 65 DECLARATIONS OF INTENTION TO RECORD THE MEETING

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

### 66 MINUTES OF THE PREVIOUS MEETING

The minutes from the meeting held on 29 November 2018 were agreed as a correct record and signed by the Chairman.

### 67 FORWARD PLAN OF POLICY & FINANCE ITEMS

The Committee noted the Forward Plan items to be considered by the Committee over the next 12 months.

### 68 GARDEN WASTE BUSINESS CASE

The Business Managers for Commercialisation & Major Projects and Transport & Waste Services presented a report which provided a business case for bringing the garden waste service back to an in-house provision. The current collection arrangement was delivered in partnership with Rushcliffe Borough Council and Mansfield District Council and had been operating since 2014. The garden waste service currently had 11,500 customers and operated a mixed delivery approach within the District.

In June 2018 the Leisure & Environment Committee resolved to transfer the  
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administration for the garden waste scheme from Rushcliffe Borough Council to an in-house provision and that officers should develop a business case detailing the option of bringing the garden waste service back to an in-house provision. This subsequent business case considering the option of bringing all garden waste services back to an in-house provision was attached as Appendix A to the report. It was noted that any transfer to an in-house provision would generate a surplus for the Council; improve the customer experience; establish some of the infrastructure required if a national mandated garden waste service for all households with gardens was legislated following government consultation as part of the National Waste Strategy; and give the Council greater autonomy over the service.

When considering the business case, the Committee sought clarification that leasing the additional required collection vehicles would not be more cost effective than purchasing outright a had been proposed.

The Leisure & Environment Committee considered the garden waste business case at their meeting held on 22 January 2019 and recommended approval of it being brought back in-house.

AGREED (unanimously) that:

- (a) the preferred option as set out in the business case (bringing the garden waste service back in-house) be approved and added into the revenue budget in 2019/20 and built into the base budget for future budgets; and
- (b) the capital costs of £450,000 be added to the Capital Programme in 2019/20 for the purchase of the new collection vehicles and the additional bins all to be financed by borrowing, subject to the alternative of leasing the two collection vehicles not being cheaper than outright purchase.

#### Reason for Decision

To approve the preferred option for bringing the garden waste service back in-house.

#### 69 NOTTINGHAM COMMUNITY HOUSING ASSOCIATION - TRANSFER OF TITLE PROPERTIES

The Business Manager – Housing Strategy & Development presented a report which sought approval to transfer the title of properties registered in the name of the District Council to Nottingham Community Housing Association (NCHA).

The Council, in the 1980's, provided loans to NCHA combined with Housing Corporation funding to develop new build social housing in the District. Until the loans were re-paid by NCHA the Council retained a charge on the properties. The Council provided such a loan to develop 19 properties at Bellmond Close, Lilac Close, Sycamore Close and Bailey Road, Newark and the loan was paid back in full in early 2004. A schedule of these properties was set out at Appendix A. On repayment of the loan it was standard practice to return the Title Deeds for the properties to NCHA in order for them to transfer title with the Land Registry. The Council sent the Title Deeds to NCHA for all 19 properties in April 2005. However, it had recently been

established that NCHA could not trace receipt of the Title Deeds and so the properties were still registered in the District Council's name.

AGREED (unanimously) that the Council enter into a transfer of the 19 listed properties (identified at Appendix A to the report) for the nominal sum of £1.

Reason for Decision

To transfer the legal title of properties (detailed in Appendix A) currently registered to the District Council to Nottingham Community Housing Association.

70 POLICY & FINANCE COMMITTEE REVENUE BUDGET 2019/20

The Business Manager – Financial Services 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 2019/20. A summary of the Committee by Service Team was provided at Appendix A, together with a summary at subjective level for the whole Committee at Appendix B. A schedule of proposed levels of fees and charges pertaining to the Committee were given at Appendix C.

The current draft budget showed an increase in 2019/20. Direct service expenditure and income excluding deferred and capital charges, and all central services recharges currently showed an overall increase of £171,430 against the 2018/19 budget. This was an increase of 4.43%. The report showed the major variances between 2018/19 and 2019/20.

The Committee questioned whether more information in respect of the budget process was required in the form of the in-year outturn figures but it was noted that this would require specific changes to the agreed Budget Strategy which was presented to the Committee on an annual basis in September.

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 21 February 2019 for inclusion in the overall Council budget; and
- (b) the scales of fees and charges as shown at Appendix C to the report be recommended to Policy & Finance Committee at its meeting on 21 February 2019 and Council on 7 March 2019.

Reason for Decision

To ensure that the final budget proposals and the level of fees and charges for 2019/20 are recommended to Policy & Finance Committee on 21 February 2019.

71 HOUSING REVENUE ACCOUNT BUDGET AND RENT SETTING 2019/20

The Business Manager - Financial Services presented a report in relation to the Housing Revenue Account Budget and rent setting for 2019/20. The report showed the actual outturn of the Housing Revenue Account for the year 2017/18; examined the proposed income and expenditure on the Housing Revenue Account for 2019/20; 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 2020/21 to 2022/23.

The report also made recommendations to set rent levels and service charges with effect from April 2019 and sought to determine charges for garage rents, plots and garage ports and housing support service charges.

In respect of the annual management fee payable to Newark and Sherwood Homes in accordance with the Management Agreement it was reported that this was still to be formally agreed with Newark & Sherwood Homes.

The setting of the Housing Revenue Account budget and the approval of rent levels would be presented to the Full Council Meeting in February 2019 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 2019/20 budget process and medium term financial plan 2020/21 to 2022/23. 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 2019/20. The cumulative impact of the 1% rent reduction had been factored onto the HRA Business Plan and was reflected in the proposed budget.

It was also noted that in 2019/20, 53 Mondays fall in the financial year which had created further issues which required consideration. In light of this the budget had been prepared with rent for 52 weeks which had also been factored into the HRA Business Plan.

AGREED (unanimously) that the following recommendations be made to Council at its meeting on 12 February 2019:

- i. the Housing Revenue Account budget for 2019/2020 be approved;
- ii. delegated authority be given to the Director of Governance and Organisational Development to agree the Management and Maintenance Fee with Newark and Sherwood Homes which was to be included within the Housing Revenue Account budget for 2019/20;

- iii. additional payments for the management of Gladstone House be made to Newark and Sherwood Homes;
- iv. the rent of all properties in the Housing Revenue Account, as at 31 March 2019, be decreased by 1% in accordance with Welfare Reform and Works Act;
- v. the rent on temporary accommodation be increased by CPI plus 1% (3.4% from 1 April 2019);
- vi. that all services charges and support charges should be increased by CPI plus 1% (3.4%) with effect from April 2019; and
- vii. that garage, garage plot and garage port rents are increased by 3.4% in line with CPI + 1% with effect from 1st April 2019.

Reason for Decision

To advise Members of the proposed HRA budget for 2019/2020, the rent levels, garage rent, garage plots, garage ports and Housing Support Service Charge levels and for all to be recommended to Full Council.

72 BUSINESS RATES - NEW RETAIL DISCRETIONARY RATES RELIEF

The Business Manager – Revenues & Benefits presented a report which sought adoption of a proposed new Business Retail Rates Relief Scheme for the 2019/20 and 2020/21. The Government announced on 29 October 2018 that it would provide business rates relief of up to one third to all occupied retail properties with a rateable value of £51,000 or less in each of the years 2019/20 and 2020/21. As this measure was for two years only the government would reimburse local authorities that use their discretionary relief powers to grant relief. It was for individual local billing authorities to adopt a local scheme and decide in each individual case when to grant relief.

Properties that were occupied with a rateable value of £51,000 or less, which were wholly or mainly being used as shops, restaurants, cafes and drinking establishments would qualify for relief. The report set out a broad but not inclusive list of those businesses which would qualify. Equally the report identified the types of properties that would not qualify as they were being used for the provision of services such as banking and medical.

AGREED (unanimously) that the proposed new Business Retail Rates Relief Scheme for the 2019/20 and 2020/21 financial years be adopted.

Reason for Decision

To establish a local business rates retail relief scheme for the financial years 2019/20 and 2020/21.

73 URGENCY ITEM - HOUSING MANAGEMENT SERVICE REVIEW - APPOINTMENT OF FINANCIAL CONSULTANT

The Committee noted the decision to approve the appointment of Savills to undertake an analysis of relevant financial and other information to support the delivery of the review project.

AGREED (unanimously) that the urgency item be noted.

Reason for Decision

To deliver the review work within the proposed timeframe.

74 URGENCY ITEM - APPOINTMENT OF DIRECTOR OF GROWTH AND REGENERATION

The Committee noted the decision to constitute a Chief Officers Appointment's Panel to appoint the Director – Growth & Regeneration.

AGREED (unanimously) that the urgency item be noted.

Reason for Decision

To enable the implementation of the revised management structure.

75 EXCLUSION OF THE PRESS AND PUBLIC

That, under section 100A (4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involved the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A of the Act.

76 LAND AT QUIBELL'S LANE, NEWARK

The Committee considered the exempt report presented by the Director – Governance & Organisational Development regarding land at Quibell's Lane, Newark.

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

77 SOUTHWELL LEISURE CENTRE TRUST

The Committee considered the exempt report of the Director – Communities & Environment regarding the Southwell Leisure Centre Trust.

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

78 THE BUTTERMARKET, NEWARK - UPDATE

The Committee considered the exempt report presented by the Business Manager – Planning Development regarding the Buttermarket, Newark.

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

Meeting closed at 7.35 pm.

Chairman

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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## NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of **Economic Development Committee** held in the Civic Suite, Castle House, Great North Road, Newark, Notts NG24 1BY on Wednesday, 16 January 2019 at 6.00 pm.

PRESENT: Councillor K Girling (Chairman)

Councillor R Blaney, Councillor Mrs R Crowe, Councillor J Lee, Councillor N Mitchell, Councillor P Peacock, Councillor T Wendels, Councillor Mrs Y Woodhead, Councillor M Cope and Councillor K Walker

IN ATTENDANCE: Councillor P Duncan

APOLOGIES FOR ABSENCE: Councillor Mrs P Rainbow (Vice-Chairman), Councillor T Roberts (Committee Member) and Councillor F Taylor (Committee Member)

### 42 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.

### 43 DECLARATION OF INTENTION TO RECORD MEETING

NOTED that the Council would undertake an audio recording of the meeting.

### 44 MINUTES OF PREVIOUS MEETING

AGREED (unanimously) that the Minutes of the meeting held on 21 November 2018 be agreed as a correct record and signed by the Chairman.

### 45 ECONOMIC DEVELOPMENT COMMITTEE REVENUE BUDGET 2019/20

The Committee considered the report of the Business Manager – Financial Services in relation to the budget and scales of fees and charges for those areas falling under the remit of the Economic Development Committee for 2019/2020.

The report set out that the budget and medium term financial plan had been developed to reflect, in financial form, the corporate priorities of the Council. Paragraph 3.0 of the report provided the Committee with the major variances between the 2018/2019 and 2019/2020 budgets. These included: Heritage, Culture & Visitors; Private Estates; Vicar Water Park; Sconce & Devon Park; Promotion of Tourism; Growth Technical Support; Development Management; Newark Beacon; Bilsthorpe Workshops; Jubilee Bridge; Boughton Advance Factory; Sherwood Forest Craft Centre; Development Company; Economic Growth; Parking Services Admin; Surface Car Parks Newark; Newark Lorry Park; Other Properties and Workshops Voids; Growth Investment Fund; and Grounds Maintenance. The level of fees and charges were contained within Appendix C to the report.



In considering the report a Member of the Committee commented on a number of budget entries. With specific reference to the Newark Lorry Park, he queried whether when all the works had been completed the new tariff could be introduced during the year and not have to wait until the budget setting for 2020/2021. Members agreed that they would not wish to wait for a 12 month period before the increase tariff was introduced.

In relation to Heritage, Culture & Visitors a Member queried whether it was possible to have a separation of the budget in order that Members could be informed as to the allocation of the monies to each constituent part. It was agreed that this would be provided to Members.

In response to whether the reasons for the increase in budgets noted on the Subjective Summary, specifically: repairs and maintenance; catering; and ICT was due to the changes at the Beacon Centre, the Business Manager confirmed that he would advise Members accordingly.

AGREED (unanimously) that:

- (a) the final Committee budget, as shown at Appendix A to the report, be recommended to Policy & Finance Committee at their meeting to be held on 21 February 2019 for inclusion in the overall Council budget; and
- (b) the scale of fees and charges, as shown at Appendix C to the report, be recommended to Policy & Finance Committee at their meeting to be held on 21 February 2019 and Council on 7 March 2019.

#### 46 DESTINATION MANAGEMENT PLANS - SOUTHWELL AND SHERWOOD FOREST

The Committee considered the report of the Director – Communities & Environment (formerly Director – Customers) which sought to provide Members with the draft Destination Management Plans for Southwell and Sherwood Forest.

The report set out that national data suggested that the economic impact of the visitor economy is worth around £260m to the District economy per annum. It was noted that the Plan was a shared statement of intent to manage a destination over a stated period of time, articulating the roles of the different stakeholders and identifying clear actions that they would take and where appropriate the apportionment of resources. The Plans for Southwell and Sherwood Forest took account of the differences in the levels of maturity of destination management and provided a recommendation for each of the District's three destination brands: Newark; Southwell and Sherwood Forest. The key proposals for the two plans were reported in paragraphs 3.2 and 3.3 of the report.

In considering the report Members made a number of comments. They queried whether it was possible to have sight of any specific actions or outcomes arising from the Plans. The Business Manager – Tourism advised that it was intended to send the information out to Members. Members also commented that the Council did not seem to take full advantage of Robin Hood as a tourist attraction. The Business Manager advised that it was hoped that it would be made a key priority in the Plans.

Members stated that the Sherwood Forest Plan presented a good tourist offer on the Sherwood Visitor Centre site but that other areas of interest also needed to be included. In order to do that, Members suggested that work with 'experts' be undertaken. Members agreed that visitors to the Sherwood Forest Visitors Centre needed to be directed to other tourist facilities in Southwell and Newark. Members also agreed with the comments contained within the Plans in relation to accommodation provision.

Members commented that the proposed two year closure of Nottingham Castle should be taken advantage of. It was reported that the train line ran from Lincoln to Nottingham and had been called the Castle Line with the new operators of the line being keen to increase the amount of tourists using the facility. It was noted that the majority of tourists to the Sherwood Forest area were there for recreational and leisure with Southwell and Newark visitors being there for culture and heritage. All Members agreed that there needed to be a cross fertilisation between the three Plans. It was noted that National Trust attractions received visitors from outside the District and the East Midlands region as being a member of the National Trust allowed them to gain entry free of charge. It was suggested that National Trust facilities within the District should be utilised to direct visitors to the Council's own attractions.

Members queried whether it was possible to advertise the District's attractions on trains and in stations. Members were advised that it was possible but there would be a cost implication. Consideration would need to be given as to whether the cost of doing so would be value for money. The Business Manager advised that 80% of visitors travelled by car but encouragement to travel by train could be given and that this was being explored by the new East Coast Mainline operators.

In summary the Chairman advised that the language used to get the tourism message out to visitors was very important. He added that every opportunity must be exploited and that individuals with a vision of how to enhance the tourist offer should be invited to attend the proposed Southwell Tourism Partnership and the Strategic Tourism Management Group for the Sherwood Forest Plan.

AGREED (unanimously) that the Committee approve, in principle, the draft Destination management Plans for Southwell and Sherwood Forest, subject to further discussion and refinement with key stakeholders.

#### 47 VISITOR MARKET RESEARCH PROJECT

The Committee considered the report of the Director – Communities & Environment (formerly the Director – Customers) which sought to provide Members with a summary of the 2018 Visitor Market Research Project. It was reported that the research had been commissioned to improve knowledge of the visitor experience, develop an understanding of who visitors were and what they felt about their experiences. A programme of qualitative market research with an external agency was undertaken between May and September 2018 with the methodology being face to face interviews with visitors at difference locations. These included three key events: Pikes & Plunder; Robin Hood Festival; and Gate to Southwell. A smaller online survey of visitors and non-visitors was also undertaken. Paragraph 3.0 of the report provided Members with statistical information and the proposals arising from the

research. The report also sought Members' onward recommendation to the Policy & Finance Committee for additional funding of £15k per year for the Promotion of Tourism from 2019/20 onwards.

In considering the report Members agreed that it provided useful information as to the experience of visitors and would help to inform the further development of the Destination Management Plans. Members also agreed that the effective communication of the Council's offer would be paramount to developing and improving the visitor experience. Members queried how members of the public searched for tourist information within the District. In response the Business Manager – Tourism advised that it was online either organically or paid for. However, the Council did not feature high up the results on a search engine and this warranted further investigation. He added that the improvement of the website would be a priority followed by paid for searches around key activities. A report to Committee in March 2019 would update Members as to progress made. Members stated that there were too many different sites offering tourist attractions and suggested that all parties would be better served if their sites and events were under a single website. In response, the Business Manager agreed adding that partnership working was the key to strategic development.

In relation to printed information, the Business Manager advised that visitors would pick up paper leaflets at any attraction they visited and not from a formal standalone Tourist Information Centre (TIC). It was suggested that every venue was a TIC and that opportunity to increase the amount of information placed within them should be taken.

AGREED (unanimously) that:

- (a) the findings of the 2018 Visitor Market Research Project be noted;
- (b) the additional funding required in the sum of £15,000 per year be included in the Promotion of Tourism budget from 2019/2010 onwards be recommended to the Policy & Finance Committee;
- (c) given its importance as the most widely used source for information about Newark & Sherwood prior to visit, a report on the development of the district-wide visitor online experience be presented to the March 2019 meeting of the Committee; and
- (d) the recommended actions from the forthcoming Destination Management Plans for Sherwood Forest and Southwell be considered in light of the above findings of the 2018 Visitor Market Research Project.

#### 48 LDF UPDATE

The Committee considered the report of the Director – Growth & Regeneration which sought to update Members on the progress of the various elements of the Local Development Framework (LDF) contained within the Local Development Scheme (LDS) timetable and to propose an approach to deal with the delay to the Inspector's Report.

The report set out that the current LDS was adopted in September 2018 together with the anticipated timetable for the Amended Core Strategy. It was reported that following contact with the Planning Inspector in November 2018 it was apparent that receipt of the report for fact-checking would be significantly delayed due to other work commitments at the Planning Inspectorate, the consequences of which were reported in paragraphs 2.3 and 2.4. The proposed approach to further plan Review work was reported with the potential consequences arising from when the Inspector's report was received.

In considering the report Members agreed that once the Inspector's Report was received, a letter of complaint should be forwarded to the Planning Inspectorate in relation to the unacceptable length of time it had taken. It was also suggested that the letter state that the Council did not wish for the same Inspector to be assigned to any future inspections of planning documentation.

AGREED (unanimously) that:

- (a) progress towards meeting the timetable of the adopted Local Development Scheme be noted;
- (b) in the event that the Inspector's Report was received at the end of January/early February the District Council consult on an Issues Report on the Allocations & Development Management element of the Plan Review; and
- (c) delegated authority be given to the Director – Growth & Regeneration to prepare an Issues Report for public consultation with the Local Development Framework Task Group (which includes the Chairman of the Economic Development Committee) and the Opposition Spokesman.

49 FORWARD PLAN (FEBRUARY 2019 TO JANUARY 2020)

AGREED the Forward Plan of the Economic Development Committee from February 2019 to January 2020 and that the following items be added:

- (i) Opportunity to Bid for a High Street Fund.
- (ii) Night Time Economy Strategy (to include Southwell and Ollerton)

50 EXCLUSION OF THE PRESS AND PUBLIC

AGREED that under section 100A(4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involved the likely disclosure of exempt information as defined in Paragraphs 3 of part 1 of Schedule 12A of the Act.

51 RUMBLES CAFE UPDATE

The Committee considered the exempt report of the Director – Resources/Deputy Chief Executive in relation to the current leases with the Rumbles Catering Project.

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

Meeting closed at 8.25 pm.

Chairman

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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## NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of **Homes & Communities Committee** held in the Civic Suite, Castle House, Great North Road, Newark, Notts NG24 1BY on Monday, 14 January 2019 at 6.00 pm.

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

Councillor Mrs B Brooks, Councillor Mrs C Brooks, Councillor Mrs I Brown, Councillor Mrs S Michael, Councillor N Mison, Councillor N Mitchell and Councillor Mrs P Rainbow

IN ATTENDANCE: Councillor P Duncan

APOLOGIES FOR ABSENCE: Councillor M Buttery (Committee Member), Councillor Mrs S Saddington (Committee Member) and Councillor Mrs S Soar (Committee Member)

39 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.

40 DECLARATION OF ANY INTENTION TO RECORD THE MEETING

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

41 MINUTES OF MEETING HELD ON 5 NOVEMBER 2018

AGREED (unanimously) that the Minutes of the meeting held on 5 November 2018 be approved as a correct record and signed by the Chairman.

42 GLADSTONE HOUSE - EXTRA CARE SCHEME UPDATE

The Committee considered the joint report of the Director – Governance & Organisational Development (formerly Director – Safety) (NSDC) and the Director – Newark and Sherwood Homes which sought to provide Members with a review of the operation of the Gladstone House Extra Care Scheme since it opened in April 2018.

The report set out the background to the decision to build and provide the facility and how the scheme was run. It provided information as to the Co-Operation Agreement between the District Council and Nottinghamshire County Council (NCC) and that Newark and Sherwood Homes provided the housing management and repairs service to all the units. Paragraph 3 of the report provided the Committee with information as to the operation; utilisation; community facilities and costs at the facility.

The Group Manager – Strategic Commissioning (NCC) was in attendance at the meeting and advised Members as to the County's role at the facility. She advised that not all of the 40 units that the County had nomination rights to were occupied.

of the tenants initially placed at the facility had complex needs and unfortunately it had not been possible for those needs to be met. Subsequently the placement criteria had been amended and it was now believed that an appropriate mix of tenants were in residence. This, in turn, had led to a significant reduction in the needs that warranted assistance from the facility's staff. The Group Manager also confirmed that a review of costs would be undertaken following the facility having been operational for a full 12 months. In response to a query raised about the availability of apartments used as assessment units for patients being discharged from hospital, the Group Manager confirmed that the County had 8 such units available at the facility.

A Member raised concerns about the cost of providing some of the community facilities at Gladstone House, i.e. the café and beauty therapy services, and the discrepancy between the costs originally estimated and the actual income being received for these services. In response, the Director (NSH) advised that the costs were being kept under review.

In considering the County Council's number of voids Members queried what initiatives were being formulated to improve on this. The Group Manager advised that the changes already made to the placement criteria was making a positive difference in reducing the number of voids, but also that a 'culture change' was needed to persuade older people to consider a move to supported accommodation earlier, in preparation for when they required it, rather than waiting until a crisis arose that required their immediate rehousing. She explained that there was much evidence to demonstrate that this approach was key to helping people to sustain independent living in their own homes longer, before needing residential care.

In summing up, the Chairman commented that the Committee were fully supportive of the facility and would continue its role as a 'critical friend' in order to assist with its continued success.

AGREED (unanimously) that the information provided as part of the operational review of Gladstone House be noted.

#### 43 HOMES & COMMUNITIES REVENUE BUDGET 2019/20

The Committee considered the report of the Business Manager – Financial Services in relation to the budget and scales of fees and charges for those areas falling under the remit of the Homes & Communities Committee for 2019/2020.

The report set out that the budget and medium term financial plan had been developed to reflect, in financial form, the corporate priorities of the Council. Paragraph 3.0 of the report provided the Committee with the major variances between the 2018/2019 and 2019/2020 budgets. These included: Housing Options; Strategic Housing; ICT; Payment & Receipts; Customer Services; Licensing Administration; Community Safety, ASB, Domestic Violence & Emergency Planning; CCTV; Energy & Home Support; and Grants & Concessions. The level of fees and charges were contained within Appendix C to the report.



In considering the report Members asked a number of questions about specific entries in the Committee's budget. These were in relation to the Community Hub Services provided at the Southwell Library; Housing Options; and ICT. The Director – Governance & Organisational Development and Business Manager provided Members with the information requested.

The Deputy Leader of the Council stated that the revised way of budget reporting was to be welcomed as it simplified the process and removed any uncertainty. Members agreed that they would wish to have sight of budget reports earlier in the Committee cycle and that they should be included on the Committee's Forward Plan.

AGREED (unanimously) that:

- (a) the final Committee budget shown at Appendix A to the report be recommended to the Policy & Finance Committee at its meeting to be held on 21 February 2019 for inclusion in the overall Council budget; and
- (b) the scale of fees and charges as shown at Appendix C to the report be recommended to the Policy & Finance Committee at its meeting to be held on 21 February 2019 and Council on 7 March 2019.

#### 44 FIRE SAFETY - JOINT WORKING AGREEMENT

The Committee considered the report of the Director – Governance & Organisational Development (formerly Director – Safety) which sought to advise Members of the changes to Fire Safety Regulation and Enforcement as introduced by the Nottinghamshire Housing Authorities and Nottingham Fire & Rescue Services (NFRS) Joint Working Agreement. The report sought the approval of Members to adopt the enforcement strategy.

The report set out that the sometimes complex enforcement of the Housing Act 2004 and the Regulatory Reform (Fire Safety) Order 2005 placed on both Local Housing Authorities and Fire & Rescue Authorities had prompted the establishment of a joint working party which had been tasked with exploring opportunities to revise existing working practices. This had led to the development of the Nottinghamshire Joint Working Agreement, the purpose of which was to deliver Safer Communities by the adoption of a robust, effective and consistent approach to the regulation of fire safety across Nottinghamshire. Paragraph 3.0 of the report advised the Committee of the proposals for consideration.

In considering the report a Member sought clarification on which authority had responsibility for Housing In Multiple Occupation (HIMO), specifically 5 storeys and below. The Assistant Business Manager – Environmental Health advised that the Local Housing Authority would take the lead with mandatory consultation with the Nottingham Fire & Rescue Service (NFRS). This was to ensure a single point of contact.

Members noted that paragraph 2.4 of the report referred to an innovative trial of a national data sharing case management system (ECINS) and queried whether the findings of the trial could be reported back to Committee. The Assistant Business Manager confirmed that the results would be shared with the Committee.

Members raised concerns about residents of HIMOs being able to evacuate their building should there be a fire as was the case in the Grenfell fire in 2017. It was noted that issues of these type would be raised with the NFRS. The Assistant Business Manager confirmed that one of the first stages of the agreement would be to launch the agreement at a strategic and officer level to give confidence in its effectiveness. She also confirmed that the ECINS was fundamental to its success.

AGREED (unanimously) that:

- (a) the adoption of the Joint Working Agreement for Nottinghamshire Housing Authorities and Nottingham Fire & Rescue Services be approved;
- (b) the trial of the ECINS database for cases relating to vulnerable people at risk of fires within their home be supported; and
- (c) the data sharing agreement to facilitate the sharing and processing of information in accordance with the General Data Protection Regulations be approved.

#### 45 NEWARK AND SHERWOOD HOMES - ANNUAL DELIVERY PLAN

The Committee considered the report of the Director – Governance & Organisational Development (formerly Director – Safety) which sought Members’ approval for the adoption of the Annual Delivery Plan with Newark and Sherwood Homes (the Company) for the financial year covering 2019/2020.

The report set out that the Management Agreement was the overarching legal agreement between the Council and the Company and that one of its requirements was that an Annual Delivery Plan was formulated and agreed. The Delivery Plan detailed the main activities, standards or targets of the Company’s operations for each financial year set against the Council’s strategic priorities, its housing vision and outcomes and the need to sustain a viable Housing Revenue Account Business Plan. The final draft Delivery Plan for 2019/2020 was attached as Appendix A to the report and had been approved by its Board for submission to the Council for its consideration. In presenting the report the Director suggested that Members may wish to consider two further topics for inclusion in the list of main activities, these being: procurement (jointly with the Council if appropriate); and the review of temporary accommodation, a report on which was due to be presented to Committee in March 2019).

In considering the report a Member suggested that he would wish to see inclusion of how Newark & Sherwood District Council and Newark and Sherwood Homes would respond to severe weather conditions, citing the issues that residents of De Lacy Court had experienced the previous year. In response, other Members advised that

Nottinghamshire County Council had a register of vulnerable areas where a team of operatives could be deployed in such circumstances to assist with the clearing of the highway. It was also noted that some County Councillors had used their individually allocated fund to purchase grit bins for residents in such areas.

A Member raised the issue of current vacant units at the Seven Hills Sheltered Accommodation and whether this was due to them not being fit for purpose. The Director confirmed that the 13 units had been previously decommissioned as they had not been required. However, circumstances had now changed and these would be referred to in the aforementioned temporary accommodation report coming to Committee in March 2019.

AGREED (with 8 votes for and 1 abstention) that the 2019/2020 draft Annual Delivery Plan for the Council's housing company, Newark and Sherwood Homes, be approved for implementation, subject to the inclusion of Procurement and Review of Temporary Accommodation in the main activities.

#### 46 PUBLIC SPACE CCTV UPDATE

The Committee considered the report of the Director – Governance & Organisational Development (formerly Director – Safety) which sought to provide Members with an update on the current and future issues facing the public space CCTV system within the District.

The report provided details of relevant legislation; governance; assets held; stakeholders involvement; performance; finances; and the future risks and opportunities with the proposals for Edwinstowe and Winthorpe Road being listed in paragraph 3.0 of the report.

In considering the report Members noted that there were only currently 4 re-deployable cameras available and queried whether this was sufficient. In response the Business Manager advised that their primary use was to deter anti-social behaviour (ASB). If incidents of ASB were identified in a specific area the cameras were installed for a period of 6 months. There were cost implications for their use in relation to installation and the transfer of the data.

The report referred to the proposals for the installation of a camera in Edwinstowe following receipt of a petition handed into the Council in October 2018. The Local Ward Member, also a Member of the Committee, advised that the Parish Council was working with local businesses and the Police in the area most affected. However, she noted that it was difficult to measure what type of ASB the installation of a camera would deter.

The Deputy Leader of the Council stated that partnership working with Nottinghamshire County Council had resulted in the cost of installing mounting columns being reduced. Whilst still expensive, the cost was considerably lower than previously. He advised that the Leader of the Council was keen that the use of CCTV would further enhance the Council's Cleaner, Safer, Greener Strategy. He added that specific cameras were being purchased that enabled vehicle number plate recognition

and suggested that, if possible, Members would benefit from a visit to the CCTV control room, adding that this would enable them to see first-hand how the system worked. They would then be well placed to inform their constituents on the functions and capabilities of the service.

In considering whether the use of CCTV acted as a deterrent, a Member of the Committee confirmed, that in her opinion, it did have that affect. A camera had been removed from Winthorpe Road, since which there had been an increase in crime.

AGREED (unanimously) that:

- (a) the current situation with CCTV provision in the District as set out in the report be noted;
- (b) in relation to the provision of CCTV in Edwinstowe, a fixed CCTV camera, viewed directly from the Control Room, should be installed as detailed in option (a) of 3.7 of the report; and
- (c) a response on the preferred approach to CCTV provision be considered for the Winthorpe Road area once the petition had been completed and received by the Council.

#### 47 ENERGY COMPANY OBLIGATION FLEXIBLE ELIGIBILITY FUNDING OPPORTUNITY

The Committee considered the report of the Director – Governance & Organisational Development (formerly Director – Safety) which sought to inform the Members of a feasibility study currently being undertaken to determine the viability of a programme of works to attract funding to support new gas connections and first time central heating systems to approximately 100 fuel poor private sector dwellings within the District.

The report set out who were the main organisations involved in the study, these being: Affordable Warmth Solutions, Cadent (Gas Network Operator), local authorities and energy companies and the obligations on each of them. Paragraphs 3.0 and 4.0 of the report set out respectively the proposal and implications for the Council with the risks being identified in paragraph 5.0.

In considering the report the Members agreed that it was extremely positive and that they would wish to see other areas identified that may also benefit from the funding, if possible.

AGREED (unanimously) that:

- (a) the contents of the report be noted;
- (b) should the feasibility study prove viable, the Council's involvement in the scheme be supported; and
- (c) the intention to submit a Warm Homes Fund bid be supported.

48 ROUGH SLEEPER ESTIMATE 2018

The Committee considered the report of the Director – Governance & Organisational Development (formerly Director – Safety) which sought to inform Members of the 2018 Annual Rough Sleeper Estimate as requested by the Ministry for Housing Communities & Local Government for the District. The report also sought to update Members on the current funding opportunities linked to the Government’s Rough Sleeper Strategy published in August 2018.

The report set out that the Council had chosen to carry out an evidence based estimate on 12 November 2018 with the methodology for this being set out in paragraph 2.6 together with a note of the other organisations who had supported the Council. It was reported that a total of five rough sleepers had been identified which was in line with previous years.

In considering the report Members asked which areas of the District the five individuals had been identified in. They were advised that the majority were located in Newark but that Officers were aware of individuals in the Clipstone area. The Business Manager – Housing, Health & Community Relations advised that Officers were aware that those identified did travel between local authority areas but that the five were mostly located in the District.

Members agreed that the relatively low number of rough sleepers for the area was due to the intervention work undertaken by Officers of the Council who were to be congratulated for their efforts.

AGREED (unanimously) that support be given to the Council’s proactive approach of bidding for funds announced through the various funding streams linked to the Government’s Rough Sleepers Strategy, with financial contributions being made from the Council’s Homelessness Prevention Fund Reserve.

49 HOMELESS REVIEW FINDINGS

The Committee considered the report of the Director – Governance & Organisational Development (formerly Director – Safety) which sought to inform Members as to the current review of homelessness in the District and to outline the initial themes emerging from the review that would shape the new Homelessness Strategy 2019/2023.

The report set out that the Homelessness Act 2002 required local authorities to conduct a review of homelessness and to produce a Homelessness Strategy which set out how homelessness would be tackled in each area. It was noted that the current review would be undertaken jointly with Mansfield and Ashfield District Councils. Paragraph 3.0 of the report set out the methodology for the review with the key themes being set out in paragraph 3.3.

In considering the report a Member queried whether the decommissioned units at Seven Hills would become available again in the future. In response, the Committee were advised that that specific issue would be included in the report to the March meeting of the Committee.

AGREED (unanimously) that the emerging themes from the Homelessness Review and how it would shape the new Homelessness Strategy 2019/2023 be noted.

50 CUSTOMER COMMENTS UPDATE

The Committee considered the report of the Director – Communities & Environment (formerly Director – Customers) which sought to inform Members of the type of customer comments received by the Council.

The report provided a brief outline of the Customer Feedback procedure and gave details on different type of comments. Paragraph 3.0 of the report set out the three stage complaints procedure and gave a summary of the numbers and service areas that comments had been received about between 1 April and 30 November 2018.

In considering the report Members agreed that the low number of customer comments received reflected well on the Council and its performance. Members queried whether it was possible to benchmark the statistics against other comparable local authorities. The Business Manager – Customer Services & Communications advised that this was difficult as each local authority had a different methodology of logging comments received.

It was noted that the business unit for which the majority of comments were received was Waste Management. Members agreed that residents needed more information as to what was and was not acceptable when it came to recycling their household waste.

AGREED (unanimously) that the report be noted.

51 HEALTH & SAFETY UPDATE - VIOLENT INCIDENTS

The Committee considered the report of the Director – Governance & Organisational Development (formerly Director – Safety) which sought to inform Members as to the number of violent and potentially violent incidents affecting the Council and its partners' staff.

Paragraph 3.0 of the report provided a table showing a breakdown of the incidents recorded at Castle House between February and November 2018. It also advised that a sign was now displayed in the reception area advising visitors that aggressive behaviour towards staff was not acceptable. It was also reported that the reception area at Castle House was comprehensively covered by both internal and external CCTV which had proved useful in establishing circumstances after allegations had been disputed by those accused of acting in a violent or aggressive manner.

In considering the report Members queried what, if any, was the follow on action should any visitor warrant an intervention by the Customer Care Officers (CCO). The Business Manager – Customer Services & Communications advised that the CCOs dealt with the security of the building and that the majority of their costs were met by the Department of Work & Pensions (DWP). The Council had a zero tolerance to drugs and alcohol but the partner organisations dealt daily with individuals who had

chaotic lives. If an incident occurred the CCO would then make a decision on whether service provision would be withdrawn. It was reported that only two individuals had been banned from the premises since it had opened and that this had been due to their aggressive behaviour towards the Council's partner organisations.

The Business Manager – Community Safety advised that Officers of the Council had visited an individual's home address, with the Police, to deliver a letter advising that their behaviour was unacceptable. The Deputy Leader of the Council noted that the Council had a corporate responsibility to ensure that staff were safe from harm. The Director reassured Members that the safety of staff was taken extremely seriously and that any individuals who displayed aggression would be entered into the Council's 'At Risk' Register. She added that should the incident be serious enough to warrant a ban from the premises, the individual in question was given information as to how they could continue to access services e.g. via telephone.

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

52 FORWARD PLAN (FEBRUARY 2019 TO JANUARY 2020)

AGREED that the following addition be made to the Forward Plan for the Homes & Communities Committee between 1 February 2019 and 30 January 2020:

September 2019 – Update on Fire Safety Joint Working Agreement

53 EXCLUSION OF THE PRESS AND PUBLIC

That, under section 100A (4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involved the likely disclosure of exempt information as defined in Paragraphs 1, 2, 3 and 7 of part 1 of Schedule 12A of the Act.

None

Meeting closed at 7.50 pm.

Chairman

## NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of **Leisure & Environment Committee** held in the Civic Suite, Castle House, Great North Road, Newark, Notts, NG24 1BY on Tuesday, 22 January 2019 at 6.00 pm.

### PRESENT:

Councillor N Mison (Vice-Chairman)

Councillor M Cope, Councillor Mrs R Crowe, Councillor Mrs L Hurst, Councillor D Staples, Councillor Mrs L Tift, Councillor K Walker, Councillor T Wendels, Councillor Mrs Y Woodhead, Councillor P Peacock and Councillor I Walker

### IN ATTENDANCE:

APOLOGIES FOR ABSENCE: Councillor R Jackson (Chairman) and Councillor Mrs A Truswell (Committee Member)

### 36 CHAIRMAN

Due to the apology for absence from the Leisure & Environment Committee Chairman - Councillor R Jackson, Councillor N Mison – Vice Chairman took the Chair for the duration of the meeting.

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

Councillor T Wendels declared a personal interest in Agenda Items No. 6 – Active4Today Final Business Plan and Item No. 14 – Southwell Leisure Centre Trust, as he is a Southwell Leisure Centre Trustee.

### 38 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.

### 39 MINUTES OF PREVIOUS MEETING

AGREED that the Minutes of the meeting held on 13 November 2018, be approved as a correct record and signed by the Chairman.

### 40 NEWARK AND SHERWOOD CLINICAL COMMISSIONING GROUP PRESENTATION

An update presentation was provided by the Newark and Sherwood Clinical Commissioning Group (CCG). Amanda Sullivan – Accountable Officer and Andrea Brown – Associate Director Commissioning attended the meeting.

Following the presentation a question and answer session ensued as follows:

A Member commented on a CCG Annual General Meeting (AGM) he had attended



about a year ago which had indicated that the CCG had been asked to save a significant amount of money and asked whether that was still the case.

Amanda Sullivan confirmed that in 2017/18 the CCG had an 8% efficiency challenge. The CCG delivered a 6% saving across Nottinghamshire. This was regarded as the upper end of what was achievable without disrupting service delivery. This year the CCG had been asked to make a 5% saving which was the upper end of normal in the NHS. The Growth coming into the CCG would be invested into mental health. Investment into GP networks would also be undertaken.

A Member commented on one of the priorities from Ministers was prevention rather than treatment. In reality money had been spent on treatment and there was never any money available for prevention.

Amanda Sullivan confirmed that they had recognised that investing money in treatment and not in prevention was not a sustainable place to be and that there was not a significant amount of money for prevention. It was commented that alcohol had been selected as a preventative criteria and there was concerted focus on alcohol. The key priority was joint working and hospitals would do more on that.

A Member commented on the alcohol preventative partnership work that had been established in Ollerton and was keen for the Council to support that preventative agenda. Other Members reiterated that the Council had a role to play.

A Member asked how the CCG would inform the community about the services they provided.

Amanda Sullivan confirmed that work was required regarding informing the public about where services would be provided. It was confirmed that the Council's publication 'Voice' had been used to advertise the CCG services and local advertisements, local meetings and social networks had also been used to advertise their work. It was reported that in the next few days there would be a face book campaign regarding the use of 111 rather than going to the Accident and Emergency department (A&E). This campaign was being produced nationally. It was confirmed that the CCG needed to do more work regarding this. The opportunity to work in partnership with the Council was considered imperative as there was greater power in joint working.

A Member commented on prevention and felt that there was a gap regarding dental care. There had been issues within the district regarding the closure of dental practices and concern was raised regarding children not being able to secure regular dental checks.

Amanda Sullivan commented that dental services were less visible and accessible. She commented on the Andrea Leadsom (MP) reform and confirmed that the CCG did not have power over dentists or pharmacists, which was part of primary care. How the services could be linked together was being explored.

A Member commented that nothing had been reported regarding drug abuse and whether that was a separate issue. There had been a reduced service for type 2

diabetic support. Clarification was also sought regarding the terminology used in the draft Health and Wellbeing Partnership Plan regarding unpaid carers.

Amanda Sullivan confirmed that the Substance Misuse Services was undertaken by the County and was closely linked to mental health. They were looking at how they could commission those to work together more. Diabetes support, a diabetes training programme had been commissioned. It was confirmed that this was also an area for joint working.

Work undertaken around carer's was undertaken jointly with Nottinghamshire County Council and there was a pooled budget around carer's. It was reported that this was linked in with community assets and peer support.

A Member commented that the health chart displayed in the presentation was a picture of Ollerton & Boughton and a lot of those health issues could be found with residents of Ollerton & Boughton, including a lower life expectancy etc. Joint work had been undertaken by the Council, CCG and Ollerton and Boughton Town Council and a feasibility study had been commissioned. It was commented on the value and need for that work to be moved forward. The concept was sharing costs, making money go further and understanding what the public needed from the health service.

Amanda Sullivan confirmed that she recognised the health challenges in that area and the CCG had a responsibility to work with the Council and Town Council on those.

A Member sought clarification regarding recruitment of the NHS workforce and commented that the district had suffered trying to recruit GP's nationally. He felt that this area was getting worse and questioned why recruitment was not being addressed.

Andrea Brown confirmed that the supply of the workforce for Nottinghamshire was well placed through trainee doctor positions being successfully filled. Trainee doctors were being supported with incentives to retain them in the Mansfield and Ashfield practices. It was reported that a number of international graduates had secured sponsorships for training programmes. For the wider work force, work was being undertaken regarding how Nurses could be trained to qualify in practices and there were action plans in place for that. Support for GP's through physician and nursing associates was also discussed to release the GP's time and also for the local community to think about alternative ways to seek medical advice.

The Chairman thanked the CCG representatives for their informative presentation and for attending the meeting.

AGREED that the presentation be noted.

#### 41 ACTIVE4TODAY - FINAL BUSINESS PLAN

The Committee considered the report presented by the Community Projects Manager and Managing Director – Active4Today, which presented the Active4Today Business Plan 2019/20, the Three Year Pricing Strategy 2019-22 and an update on the Company's latest quarterly performance.

Members discussed the impact on the capital reserves from the withdrawal of swimming lessons from Wellow House School. It was reported that 59 child memberships had transferred to Newark and Southwell, whilst 94 memberships had been cancelled. It was confirmed that other venues had been pursued to try and provide a facility to keep the swimming lessons available to customers; however these facilities were either not suitable, or not available.

The payment options to customers were also confirmed which clarified that fixed memberships were not the only type of payment scheme on offer.

Clarification was sought regarding whether the construction of the modular swimming pool could be brought forward. The Managing Director-Active4Today confirmed that a timetable had been produced and the one year plan for completion was a realistic timescale.

A Member commented on the activity data for the leisure centres and felt that it was unacceptable that the data had been undermined due to system failure. The Managing Director – Active4Today confirmed that the problem was a high priority for both the Council’s ICT business unit and Active4Today and it was hoped that the current issues would be resolved shortly; the estimated timescale for the resolution was March 2019.

The pricing structure was discussed and the premier membership was queried as this was not included in the pricing structure. It was confirmed that the premier membership was for a trial basis, which offered one to one training. The pricing structure provided the membership and pay and play prices of the core offer available.

Members also sought clarification regarding the maps provided within the report and how the postcodes had been allocated providing areas of deprivation. It was confirmed that the red dots represented the areas of deprivation based on IMD data aligned to areas of lower levels of physical activity as identified in the Physical Activity and Sport Plan. These locations would be priority areas in respect of increasing levels of participation and it was clarified that residents living in those areas of deprivation would also need to provide evidence that they were eligible for a concession.

AGREED (with 10 votes For and 1 Abstention) that:

- (a) the Active4Today Business Plan 2019/20 be approved;
- (b) in principle the Three Year Pricing Strategy 2019-22, subject to annual approval of the Active4Today Business Plan be approved;
- (c) Quarter 3 performance be noted;
- (d) Active4Today presents its 2018/19 outturn report to the June Committee meeting with its full year financial position in order that the Committee can form judgements on the

appropriateness of the management fee payable in 2019/20;  
and

- (e) the impact of the loss of swimming pool time at Wellow House School and the anticipated reduction in income that will need to be closely monitored by Active4Today and the Council be noted and reported back to Committee.

#### 42 LEISURE & ENVIRONMENT COMMITTEE REVENUE BUDGET 2019/2020

The Committee considered the report presented by the Business Manager Financial Services in relation to the budget and scales of fees and charges for those areas falling under the remit of the Leisure & Environment Committee for 2019/20.

The current draft budget showed an increase in 2019/20. Direct service expenditure and income excluding deferred and capital charges and all central services recharges currently showed an overall increase of £250,580 against 2018/19 budget. This was an increase of 7.42%.

Staffing costs of £3.289m accounted for approximately 61% of the gross service budget (excluding housing benefits, capital and central recharges). Significant budget savings, therefore, could not be achieved in this committee budget without affecting staffing levels. Major variances between 2018/19 and 2019/20 were detailed within the report.

The level of fees and charges had been considered by officers within the framework set out in the Corporate Charging Policy. Proposals for increases in fees and charges were appended to the report for consideration and recommendation to the 21 February 2019 Policy & Finance Committee and 7 March 2019 Council.

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 21 February 2019 for inclusion in the overall council budget; and
- (b) the scales of fees and charges as shown at Appendix C to the report be recommended to Policy & Finance Committee at its meeting on 21 February 2019 and Council on 7 March 2019.

#### 43 COMMERCIALS PROJECT - GARDEN WASTE BUSINESS CASE

The Committee considered the report presented by the Business Manager Commercialisation and Major Projects and the Business Manager Transport and Waste Services, which presented the business case for bringing the Garden Waste service back to an in house provision. The report sought a recommendation to the Policy and Finance Committee, that committee recommend the preferred option in the business case.

The preferred option was to transfer all of the garden waste service to an in house provision. The reasons for the preferred option and the impact of the National Waste Strategy were detailed within the report. The recent government document 'Our Waste, Our Resources: A Strategy for England' was noted, which established a commitment to consult on universal food waste collections and the provision of free garden waste services for all households with a garden.

Members confirmed that the purchase of the existing bins being provided by Mansfield and Rushcliffe Council's made sense but asked if consideration could be given to providing a sticker with Newark and Sherwood District Council to cover the Mansfield District Council or Rushcliffe Borough Council identification on the bins which would assist in avoiding confusion as to the service provider. It was confirmed that consideration would be given to this but the Business Manager Transport and Waste Services cautioned the practicality as a large sticker on the front of the bin could-be scratched off over time when being lifted on to the wagon.

A Member also asked if the timetable for collection for the year could also be provided as a sticker and placed on the bin lids to make the collection times clearer for residents. It was confirmed that this could be considered as part of the text on the labels that were sent out annually.

AGREED (unanimously) that:

- (a) the Committee recommends to the Policy & Finance Committee the preferred option as set out in the business case (bringing the garden waste service back in house) is added into the revenue budget in 2019/20 and built into the base budget for further budgets; and
- (b) the Committee recommends to the Policy & Finance Committee that capital costs of £450k be added to the Capital Programme in 2019/20 for the purchase of new collection vehicles and additional bins.

#### 44 AUTHORISATION OF OFFICERS

The Committee considered the report presented by the Business Manager Environmental Health and Licensing, which sought to review and update the formal authorisation of officer's dealing with enforcement matters within the Communities and Environment Directorate. The report also sought to authorise additional posts to carry out enforcement action, strengthening the Council's ability to take enforcement action, where appropriate, to deliver the objectives of the Council's Cleaner Safer Greener priorities.

AGREED (unanimously) that:

- (a) Officers listed in Paragraphs 4.2, 4.5 and 4.7 within the report be authorised to act on behalf of the council under the legislation and subsequent revisions to that legislation, listed in paragraph 4.3, 4.6 and 4.8 of the report; and

- (b) authorised Officers be indemnified as set out in paragraph 4.9 of the report.

45 HAWTONVILLE COMMUNITY CENTRE MANAGEMENT PROGRESS REPORT

The Committee considered the report presented by the Community Projects Manager which provided Members with an update report in respect of Hawtonville Community Centre and the progress being made following the transfer of the management of the centre to Reach Learning Disability (RLD). RLD was a local charity supporting vulnerable adults in Newark and Sherwood, through the granting of a three year tenancy agreement. Approval was also sought for the RLD to utilise the first floor rooms at the centre and the current tenancy agreement be amended to reflect that proposal.

Members sought clarification regarding whether the Council paid the repairs and renewals for this building. It was confirmed that the building remained a Council asset and major repairs were undertaken by the Council. Clarification was also sought regarding whether this Centre would be transferred through devolution to Newark Town Council or the Charity which had already happened with some of the Council's community centres and village halls in the district. It was confirmed that the Council had adopted an asset transfer policy some time ago and a transfer would be possible under this policy if the Council felt this would be appropriate in the case of the Hawtonville Community Centre at some point in the future.

AGREED (unanimously) that:

- (a) the content of the progress report detailing activities and services delivered to the community to date be noted; and
- (b) the proposal to offer RLD the upstairs space for use by Reach Care to run conterminously with the current three year tenancy agreement be approved.

46 LEISURE & ENVIRONMENT COMMITTEE FORWARD PLAN (FEBRUARY 2019 TO JANUARY 2020)

The Leisure and Environment Committee Forward Plan was provided for Member information. Members were encouraged to submit any areas of work they wanted to address for the forthcoming year.

NOTED the Forward Plan.

47 HEALTH & WELLBEING

The Leisure & Environment Committee Chairman informed the Committee that he had attended a Health and Wellbeing meeting since the last meeting of the Leisure and Environment Committee, which had discussed joint strategic needs assessments. The minutes of that meeting would be circulated to Members of the Committee.

The Business Manager Housing, Health & Community Relations informed Members of a draft document entitled 'Newark and Sherwood Health and Wellbeing Partnership Plan 2019-2022' to highlight that the partnership was beginning to create joint ownership around a vision and set of priorities which had been tabled for Member information and comments. The final version which would include an action plan for delivery would be considered at the 19 March 2019 Leisure & Environment Committee.

48 EXCLUSION OF THE PRESS AND PUBLIC

That, under section 100A (4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involved the likely disclosure of exempt information as defined in Paragraph 3 of part 1 of Schedule 12A of the Act.

49 SOUTHWELL LEISURE CENTRE TRUST

The Committee considered the report presented by the Director – Customers, which sought changes at Southwell Leisure Centre Trust.

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

Meeting closed at 8.39 pm.

Chairman

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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## NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of **Shareholder Committee** held in the Room S1/S2, Castle House on Tuesday, 23 October 2018 at 10.00 am.

PRESENT: Councillor D Payne and Councillor D Staples

APOLOGIES FOR ABSENCE: Councillor D Lloyd (Chairman), Councillor P Handley and Councillor P Peacock

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

There were no declarations of interest.

8 DECLARATIONS OF ANY INTENTIONS TO RECORD THE MEETING

There were no declarations of intention to record the meeting.

9 MINUTES OF PREVIOUS MEETING

AGREED (unanimously) that the minutes of the meeting held on 29 March 2018 be approved as a correct record and signed by the Acting Chairman.

10 COMPANY PROGRESS REPORT

The Committee considered the report presented by the Policy & Projects Officer which set out the progress of Arkwood Developments Ltd. business activities.

The report set out the remit of the company and provided a full report of its progress together with key activities. In relation to paragraph 3.3, officers clarified that an external recruitment agency had been engaged to undertake the recruitment and appointment of the Non-Executive Director and would also be engaged to assist in the recruitment and appointment of the Managing Director. However, the intention was that day to day human resources matters would be carried out by the Council's Human Resources Team.

AGREED (unanimously) that:

- (a) the content of the reported be noted;
- (b) the provision of human resources services to Arkwood Developments Ltd. reflect the original intention as set out in the business case with routine human resources matters being dealt with by the Council's Human Resources Team but with specialist external human resources advice being sought where necessary and appropriate; and
- (c) the drawdown of £100,00 from the allocated budget be noted.

11 RISK MANAGEMENT PROFILE

The Committee considered the report presented by the Policy & Projects Officer which provided Members with the risk management profile for Arkwood Developments Ltd. The profile was developed in accordance with the Council's risk management process and it was produced in conjunction with the Council's Safety & Risk Management Officer. Paragraph 3.2 of the report set out the five main areas of risk with the full profile being attached as an appendix to the report.

In considering the report Members noted the importance of recognising the risks. A Member queried whether the recently announced changes to the HRA funding and market changes in house building had been assessed and included. In response, Officers advised that the recent specific changes had not been included at this stage but the profile would be regularly updated.

The Council's Director – Resources, who was in attendance at the meeting, stated that he was there in a dual capacity, acting also as the interim Managing Director for Arkwood Developments Ltd. He commented that the market had changed, noting that this was not just in relation to house prices. He stated that construction costs had also been affected and that there was a shortage of skilled workers such as brick layers and also a shortage of construction materials. He stated that, when appointed, the Non-Executive Director and Managing Director of Arkwood Developments Ltd. would bring with them their expertise and that the Business Case would be reviewed, revised and brought back to both the Shareholder Committee and the Company for approval. He reiterated that the Risk Register would be under constant review.

AGREED (unanimously) that the report be noted.

12 EXCLUSION OF PRESS AND PUBLIC

AGREED (unanimously) that under Section 100(A) of the Local Government Act 1972, the press and public be excluded from the meeting during discussion of this item of business on the grounds that it involves 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 outweighs the public interest in disclosing the information.

13 APPOINTMENT LETTER AND STATEMENT OF TERMS OF EMPLOYMENT - MANAGING DIRECTOR

The Committee considered the exempt report presented by the Policy & Projects Officer in relation to the appointment letter and terms and conditions of employment for the Managing Director of Arkwood Developments Ltd.

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

14 APPOINTMENT OF NON-EXECUTIVE DIRECTOR

The Committee considered the report presented by the Policy & Projects Officer which sought Members' approval for the appointment of Mark Stevenson to the post of Non-Executive Director and the terms and conditions of the post to Arkwood Developments Ltd.

Paragraph 3.0 of the report set out the remit of the Non-Executive Director and that the post was for a fixed period of 2 years. The appointment constituted a 'contract for services'.

It was noted that the Chairman of the Shareholder Committee had been involved with the recruitment of Mr. Stevenson with the Chief Executive advising that his working background enabled him to know, in detail, how the development industry carried out their operations.

AGREED (unanimously) that:

- (a) the appointment of Mark Stevenson to the post of Non-Executive Director to Arkwood Developments Ltd. be approved; and
- (b) the terms and conditions of appointment of the Non-Executive Director of Arkwood Developments Ltd., as set out in the report, be approved.

Meeting closed at 10.40 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, 15 January 2019 at 4.00 pm.

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

Councillor R Blaney, Councillor Mrs C Brooks, Councillor B Crowe,  
Councillor Mrs M Dobson, Councillor P Duncan, Councillor J Lee,  
Councillor Mrs P Rainbow, Councillor F Taylor, Councillor Mrs L Tift,  
Councillor I Walker, Councillor B Wells and Councillor Mrs Y Woodhead

APOLOGIES FOR ABSENCE: Councillor Mrs K Arnold (Committee Member)

### 160 DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

Councillor F. Taylor declared Personal Interests in agenda Item No. 6 – The New Ritz, 127 Mansfield Road, Clipstone (18/01435/FUL) and Item No. 17 – Gibbet Wood, Brown Wood Lane, Thorney (18/01671/FUL) as he was known to the applicants.

Councillors Mrs M. Dobson and D.R Payne declared a Personal Interest in agenda Item No. 14 – Land to the Rear of 112-118 High Street, Collingham (18/01863/FUL) as they were known to the parents of the applicant.

Councillors D.R. Payne, I. Walker and B. Wells declared Personal Interests in Agenda Item No. 17 – Gibbet Wood, Brown Wood Lane, Thorney (18/01671/FUL) as they were known to the father of the applicant due to service as Members of the Trent Valley Internal Drainage Board.

### 161 DECLARATION OF ANY INTENTIONS TO RECORD THE MEETING

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

### 162 MINUTES OF THE PREVIOUS MEETING

The Committee considered the minutes of the meeting held on 4 December 2018 and proposed an amendment to Minute No. 155 – Highfields School, London Road, Balderton, Newark (17/00357/FULM & 16/01134/FULM). The minute should read in the paragraphs starting Appeal A and Appeal B unacceptable scheme in planning terms and not acceptable scheme.

Minute No. 140 – Declarations of Interests by Members and Officers, Councillor D R Payne also declared a Personal Interest in agenda item No. 14 – Land to the Rear of 112 – 118 High Street, Collingham, as he was known to the parents of the applicant.

AGREED (unanimously) that subject to the above amendments the minutes of the meeting held on 4 December 2018 be approved as a correct record and signed by the Chairman.

163 ORDER OF BUSINESS

With the agreement of the Committee, the Chairman changed the order of business and Agenda item 11 was taken after Item 5. Item 17 was taken after item 9. The agenda resumed its stated order thereafter.

The Committee was also informed that Agenda items 13 – Balderton Hydro Pool, Gilbert Way, Fernwood (18/02125/FUL) and item 14 –item 14 Marlock Chase, Station Road, Fiskerton (18/01925/FUL) had been withdrawn from the agenda at the applicant's request.

164 SITE OF THE BEARINGS, BOWBRIDGE ROAD, NEWARK ON TRENT (18/00973/FULM)

The Committee considered the report of the Business Manager Growth & Regeneration, following a site inspection, which sought the erection of 62 residential dwellings including new vehicular access road and removal of eight TPO trees (TPO N313).

Councillor M Skinner representing Newark Town Council spoke against the application in accordance with the views of Newark Town Council as contained within the report.

A schedule of communication was tabled at the meeting which detailed correspondence received after the Agenda was published from the agent. He had advised that the number sequencing was incorrect for the conditions.

Members considered the application and were pleased with the mix and density of houses on the site. The busy main road in front of the site was discussed and the need for the waiting restriction and double yellow lines from the hospital entrance to the fish and chip shop was raised. The Business Manager confirmed that condition 14 dealt with the traffic management works. Concern was raised regarding the two parking courts and it was questioned whether the northern one was needed as houses could be moved forward and car parking provided to the rear of the development. It was felt that there were far too many vehicles to be parked at the front of the development. It was agreed that the Officers and Applicant could address this proposal.

A Member commented on the viability available and whether the results of a hearing currently taking place could be used in support of securing full viability compliance. The Business Manager confirmed that there was material difference in that case and that on the basis that in this case the scheme would significantly over-provide for one of the much needed contributions in the form of affordable housing, a matter which could be weighed in an overall planning balance.

Members also raised concern regarding the residents car park being used by the public and how that would be enforced. The Business Manager confirmed that the car park would not be part of the adopted highway and would be managed by the registered provider who was the applicants for the scheme.

AGREED (unanimously) that full planning permission be granted subject to the

following:

- (i) the conditions contained within the report;
- (ii) discussion on the movement of the parking areas prior to issuing the decision;
- (iii) the signing and sealing of a S106 Planning Agreement to secure:
  - (a) 100% affordable housing provision;
  - (b) Contribution to Education of £148,915; and
  - (c) Maintenance of the communal landscape areas in perpetuity by the Registered Provider.

165 40 WINTHORPE ROAD, NEWARK ON TRENT, NOTTINGHAMSHIRE (18/02080/FUL)

The Committee considered the report of the Business Manager Growth & Regeneration, following a site visit, which sought full planning permission for the demolition of the existing dwelling and the erection of two pairs of semi-detached market dwellings.

Councillor M Skinner 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 whilst some Members considered the proposal acceptable and felt the developer had listened to the previous objections, other Members felt that the scheme did not go far enough to address the previous refusal of over development of the plot with over reliance of hard standing.

A vote was taken for approval and lost with 4 votes For, 9 votes Against and 1 Abstention.

AGREED (with 11 votes For, 1 vote Against and 2 Abstentions) that contrary to Officer recommendation planning permission be refused on the grounds that the amended scheme did not go far enough to address the previous reasons for refusal of over development of the plot with over reliance on hard standing.

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

<b>Councillor</b>	<b>Vote</b>
Mrs K. Arnold	Absent
R.V. Blaney	For
Mrs A.C. Brooks	For
R.A. Crowe	For
Mrs M. Dobson	For
P. Duncan	Abstention
G.P. Handley	For
J. Lee	For
D.R. Payne	For
Mrs P. Rainbow	For

F. Taylor	Abstention
Mrs L.M.J. Tift	For
I. Walker	For
B. Wells	Against
Mrs Y. Woodhead	For

166 THE NEW RITZ, 127 MANSFIELD ROAD, CLIPSTONE, NG21 9AA (18/01435/FUL)

The Committee considered the report of the Business Manager Growth & Regeneration, following a site inspection, which sought planning permission for the construction of a three storey block of eight flats on this cleared site.

Members considered the application and the local Ward Member commented on the loss of the previous cinema building which had a distinctive Art Deco facade. The proposed Art Deco design did not replicate the previous cinema. Concern was raised regarding the size of the flats. It was commented that the plot would be better suited for much needed retail units. Car parking was raised as an issue as it was felt that the car parking spaces provided to the rear of the proposal would not be used and that the residents would use the car parking available in front of the neighbouring children's nursery, which would cause parking issues for that business. Concern was raised regarding the Bridleway running through the site and the importance that the Bridleway be kept at the width of three metres and open.

Members sought clarification regarding whether the car parking arrangements could be conditioned. The Business Manager confirmed that the neighbouring Nursery owned the car park in front of the business and the car parking could not be conditioned. An Environmental Management plan could be included into the conditions regarding the management of the building process.

*(Councillor F Taylor was not present for the entire Officer presentation and did not take part in the vote).*

A vote was taken to refuse planning permission and lost, with 4 votes For and 9 votes Against.

AGREED (with 9 votes For, 4 Against) that planning permission be approved subject to the conditions and reasons contained within the report.

167 LAND AT CLIPSTONE DRIVE, CLIPSTONE, NOTTINGHAMSHIRE (18/01861/FULM (MAJOR))

The Committee considered the report of the Business Manager Growth & Regeneration, following a site inspection, which sought a substitution of plots 138 – 268 (in relation to planning application 16/00139/RMAM and 12/00966/OUTM) with plots 301 – 422, a total of 131 to be substituted with 122 plots and the associated infrastructure.

Councillor P. Peacock Local Ward Member Edwinstowe & Clipstone spoke against the application on the grounds that the single road in and out of the estate given the size of the estate was inappropriate. There was not enough car parking on the estate, including parking on the pavements and the narrow roads. It was reported that an

accident had recently occurred on the road leading into the estate which had resulted in the road being closed with no access or egress for residents for some time. There were no retail/community facilities on the estate or public transport. The children's play park previously agreed two years ago had still not been provided. The Section 106 monies promised through a previous application had been reduced with an £8,000 loss to the community. Concern was also raised regarding the Estate Management fees that were being paid and may be increased each year. The lack of affordable housing was also raised and the need to challenge business viability, with only 4% being provided by this application.

Members considered the application and reiterated what the local Ward Member had reported regarding no community facilities; children's play areas or open green space.

The Business Manager confirmed that whilst retail units had been requested there were no enforcement procedures available to make the developer provide retail units.

Members sought clarification regarding the enforcement of the play area before further planning permission be granted. The Business Manager confirmed that a breach of contract would be pursued regarding the Section 106 agreement and enforcement action would be taken. It was advised that this application had to be considered on its own merits. It was also reported that discussions with local Ward Members and Clipstone Parish Council had taken place regarding securing another entrance to the site, but there were no current proposals.

Members sought clarification regarding whether the houses and the proposed scheme were larger than the previous scheme and whether an increased contribution should be provided. The Business Manager confirmed that he would check the square footage of the houses and if lower would seek the contribution as set out in the report, if larger would pro-rata the contribution on the square footage.

AGREED (with 10 votes For and 4 votes Against) that:

- (i) planning permission be approved subject to the conditions and reasons contained within the report; and
- (ii) subject to the signing and sealing of a Section 106 Agreement to secure the matters outlined in the Developer Contributions section of the report, save for any uplift in contribution required on a per square metre as opposed to per unit basis; and
- (iii) the Business Manager Growth & Regeneration check whether there was an option to pro-rata the contributions based on sq/m of the dwellings.

168 LAND TO THE REAR OF THE CROFT, GREAT NORTH ROAD, CROMWELL (18/01833/OUT)

The Committee considered the report of the Business Manager Growth & Regeneration, which sought outline planning permission with all matters reserved for the erection of one detached two-storey four bedroom dwelling with garage.

Members considered the application acceptable.



AGREED (with 9 votes For, 4 votes Against and 1 Abstention) that contrary to Officer recommendation outline planning permission be approved subject to reasonable conditions delegated to the Business Manager Growth & Regeneration.

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

<b>Councillor</b>	<b>Vote</b>
Mrs K. Arnold	Absent
R.V. Blaney	For
Mrs A.C. Brooks	Against
R.A. Crowe	For
Mrs M. Dobson	For
P. Duncan	For
G.P. Handley	For
J. Lee	For
D.R. Payne	For
Mrs P. Rainbow	For
F. Taylor	Against
Mrs L.M.J. Tift	Against
I. Walker	For
B. Wells	Against
Mrs Y. Woodhead	Abstention

169 LAND ADJACENT ROEWOOD LODGE, BLEASBY ROAD, THURGARTON (18/02056/FUL)

The Committee considered the report of the Business Manager Growth & Regeneration, which sought full planning permission for the erection of a detached two storey dwelling with a detached double garage. The proposal was an amendment to a previously approved extant application which approved a similar development in a similar position on site.

A schedule of communication was tabled at the meeting which detailed correspondence received after the Agenda was published from the agent regarding a plan showing existing ground and finished floor levels in respect of condition no. 5. The Planning Case Officer recommended that Condition 5 be deleted and the plan details provided by the agent be added into condition 2 for compliance.

Councillor R. Jackson local Ward Member Dover Beck spoke against the application as he considered the proposal very intensive for the size of the plot, which had been the garden to the previous house. Planning permission had been refused in 2015 and it was felt that the applicant was trying to slowly seek consent for the original application considered in 2015. Thurgarton Parish Council had submitted their objection, as they were looking for small two bedroom properties for starter homes or for the elderly to downsize.

Members considered the application and it was felt that whilst the site could accommodate the size of the property proposed, the master bedroom suite would occupy half of the floor space and could be sub divided and the internal arrangements

changed. It was felt that the Thurgarton Neighbourhood Plan was clear and that the prosperous community was seeking to become a more balanced community.

AGREED (unanimously) that contrary to Officer recommendation planning permission be refused for the following reason:

The property was too large compared with the dwelling type required by Thurgarton and not in accordance with Thurgarton Neighbourhood Plan.

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

<b>Councillor</b>	<b>Vote</b>
Mrs K. Arnold	Absent
R.V. Blaney	For
Mrs A.C. Brooks	For
R.A. Crowe	For
Mrs M. Dobson	For
P. Duncan	For
G.P. Handley	For
J. Lee	For
D.R. Payne	For
Mrs P. Rainbow	For
F. Taylor	For
Mrs L.M.J. Tift	For
I. Walker	For
B. Wells	For
Mrs Y. Woodhead	For

170 GIBBET WOOD, BROWN WOOD LANE, THORNEY (18/01671/FUL)

The Committee considered the report of the Business Manager Growth & Regeneration, which sought full planning permission for the erection of a rural workers dwelling in the form of a detached two-storey dwelling located approximately 115m to the SE of the poultry unit it was intended to serve.

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

Councillor Day representing Thorney Parish Council spoke for the siting of the application to be closer to the woodland, in accordance with the views of Thorney Parish Council as contained within the report. The Council's Legal advisor sought clarification from Councillor Day following a comment made that Councillor Day had declared a pecuniary interest at the Thorney Parish Council. Councillor Day confirmed that he was in attendance at the Planning Committee to represent the views of Thorney Parish Council and that he had no financial interest in the application.

Members considered the application and it was commented that the proposed

building should be in close proximity to the agricultural buildings. Agricultural dwellings acted as gatehouses with one access and egress in the event of the site being required to shut down. It was further commented by another Member that the proposed siting was so minor in distance that it would have no impact.

AGREED (with 12 votes For and 2 votes Against) that this item be deferred pending a site visit.

171 COURT COTTAGE, CHAPEL LANE, FARNSFIELD, NG22 8JW (18/02018/FUL)

The Committee considered the report of the Business Manager Growth & Regeneration, following a site visit, which sought full planning permission for the demolition of the existing bungalow and the erection of a detached two storey flat roof dwelling with an attached flat roof garage.

Members considered the application acceptable.

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

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

172 RULE NO. 30 - DURATION OF MEETINGS

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

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

173 LAND TO THE REAR OF 112-118, HIGH STREET, COLLINGHAM (18/01863/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 four bedroom two storey dwelling with an integral garage on the land to the rear of 112-118 High Street, Collingham.

Members considered that the application was not acceptable given the distance to the neighbouring property to the North of the site, which would be 10 metres in distance from the windows.

AGREED (with 12 votes For and 2 votes Against) that full planning permission be refused for the reasons contained within the report with the exception of the reason for refusal in relation to highway safety.

Councillor J Lee left the meeting at this point.

174 BALDERTON HYDRO POOL, GILBERT WAY, FERNWOOD (18/02125/FUL)

The application was withdrawn from the agenda at the applicant's request.

175 MARLOCK CHASE, STATION ROAD, FISKERTON (18/01925/FUL)

The application was withdrawn from the agenda at the applicant's request.

Councillor B Wells left the meeting at this point.

176 FIELD REFERENCE NUMBER 8708, GRAVELLY LANE, FISKERTON (18/02002/FUL)

The Committee considered the report of the Business Manager Growth & Regeneration, which sought an extension to an existing agricultural building for an open fronted three bay hay store.

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

Members considered the application and commented that the large building was being used as a general store and not as an agricultural store. There was no evidence of vehicular movement.

AGREED (with 11 votes For and 1 vote Against) that planning permission be refused for the reason contained within the report.

177 LAND AT NEWARK & NOTTS SHOWGROUND, FOSSE ROAD, WINTHORPE (18/02020/FULM)

The Committee considered the report of the Business Manager Growth & Regeneration, following a site visit which sought full planning permission for the retrospective change of use of the land for a training centre for the construction industry including commercial and agricultural plant and equipment.

Members considered the application and clarification was provided by the Business Manager that the site was not in the open countryside. It was also confirmed that the use would be temporary and the equipment could be moved. Members suggested that temporary three year permission be granted. The Business Manager also confirmed that the access road would be surfaced for the first five metres.

AGREED (unanimously) that temporary planning permission be approved for a term of three years, subject to the conditions contained within the report.

178 LAND OFF ALLENBY ROAD, SOUTHWELL (18/01645/RMAM)

The Committee considered the report of the Business Manager Growth & Regeneration, which sought an application for reserved matters to allow the erection of 67 dwellings and associated public open space, landscaping and infrastructure works in line with the outline approval reference 16/02169/OUTM.

Members considered the application and clarification was provided that the speed

limit of 30 mph would be reduced on the road entering the site. The exiting bus stops would be up graded to 'real time provision'. A Member commented on his disappointment that plots 49 and 50 along Allenby Road had not been deleted. Concern was also raised regarding the maintenance of the rural hedge and an additional condition was suggested regarding the maintenance and height of the hedge.

AGREED (with 9 votes For and 3 Abstentions) that reserved matters approval be granted subject to the conditions contained within the report and an additional condition in respect to the maintenance of the existing hedge.

179 8 PADDOCK CLOSE, EDWINSTOWE (18/02013/FUL)

The Committee considered the report of the Business Manager Growth & Regeneration, following a site visit, which sought an application for the proposed front, rear and side extension with internal alterations, new alternative vehicular access with new drop kerb, the application was a re-submission of 18/00374/FUL.

Members considered the application acceptable; the extension had been reduced from two storeys to one which had alleviated any impact on neighbours.

*(Councillor G.P. Handley was not present for this item).*

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

180 151 KIRKLINGTON ROAD, RAINWORTH (18/01699/FUL)

The Committee considered the report of the Business Manager Growth & Regeneration, following a site visit, which sought a single side extension that would feature a small front projection and a fully hipped pitched roof as well as a porch.

Members considered the application acceptable.

*(Councillor G.P. Handley was not present in the meeting when the presentation and debate took place and returned to the meeting whilst the vote was being taken, but took no part in the vote).*

AGREED (with 10 votes For and 1 Abstention) that full planning permission be approved subject to the conditions contained within the report.

181 LAND ADJACENT BRAMLEY HOUSE, BURNMOOR LANE, EGMANTON (18/02194/FUL)

The Committee considered the report of the Business Manager Growth & Regeneration, which sought planning permission for the erection of a four bedroom dwelling.

A schedule of communication was tabled at the meeting which detailed correspondence received after the Agenda was published from Egmonton Parish

Council.

Members considered the application acceptable subject to the removal of permitted development rights.

AGREED (unanimously) that full planning permission be approved subject to the conditions contained within the report and the removal of permitted development rights.

182 FORMER RUFFORD COLLIERY, RUFFORD COLLIERY LANE, RAINWORTH (18/01966/FUL)

The Committee considered the report of the Business Manager Growth & Regeneration, which sought the variation of condition 4 attached to planning permission 17/00732/FUL to extend the time period from 25 years to 30 years.

A schedule of communication was tabled at the meeting which detailed correspondence received after the Agenda was published from the Planning Case Officer. The first paragraph with the proposal section of the report should be omitted from the report published in the agenda as that did not relate to the application.

Members considered the application acceptable.

AGREED (unanimously) that the variation of condition 4 of planning permission 17/00732/FUL to extend the service life of the plant from 25 years to 30 years be approved, subject to the conditions contained within the report.

183 APPEALS LODGED

AGREED that the report be noted.

184 APPEALS DETERMINED

AGREED that the report be noted.

185 QUARTERLY ENFORCEMENT ACTIVITY UPDATE REPORT

The Committee considered the report of the Business Manager Growth & Regeneration, which presented the quarterly planning enforcement performance for the second quarter of 2018, from 1 October to 31 December 2018. The report provided an update on cases where formal action had been taken. It also provided case studies which showed how the breaches of planning control had been resolved through negotiation.

Members questioned the enforcement action taken place regarding the Balderton Working Men's Club and asked for the conditions regarding that site to be checked, as it was thought that the side of the club should be kept clear of any intervention/fence/foliage.

AGREED (unanimously) that:

- (a) the report be noted; and
- (b) the conditions for the Balderton Working Men's Club to be checked, as it was thought that the side of the club should be kept clear of any intervention/fence/foilage.

186 EXCLUSION OF THE PRESS AND PUBLIC

There were none.

Meeting closed at 7.56 pm.

Chairman