



*Castle House
Great North Road
Newark
NG24 1BY*

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

Monday, 4 October 2021

Chairman: Councillor Mrs P Rainbow
Vice-Chairman: Councillor Mrs S Saddington

To all Members of the Council

MEETING: Full Council

DATE: Tuesday, 12 October 2021 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

AGENDA

	<u>Page Nos.</u>
1. Apologies for absence	
2. Minutes from the meeting held on 13 July 2021	5 - 21
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 Council and Public (if any)	
In accordance with Rule No. 14.1 Councillor P. Peacock has submitted the following question to Council: “This year, as in all recent years, we have witnessed an increased number of instances of extreme weather causing death and destruction in all continents of the world. One particular instance of extreme weather occurred in British Columbia when temperatures reached 49.5 degrees Celsius causing a 195% increase in sudden deaths and increased numbers of wildfires which led to public and emergency services to be stretched to breaking point. Whole communities were overcome by the effects of extreme heat without being aware of the danger. There is little reason to suppose that such circumstances could not occur in the UK, so my question is what lessons can be learnt from the experience of British Columbia by the Council in terms of responding to keep residents of the district safe and ensuring that our services and those of our local emergency services are not overwhelmed in such circumstances?”	
8. In accordance with Rule No. 10 to receive the presentation or the debating of any Petitions from Members of the Council (if any)	
9. London Road Car Park	22 - 37
10. Treasury Management Outturn Report 2020/21	38 - 44
11. Audit & Accounts Committee Annual Report	45 - 49
12. Members Independent Remuneration Panel	50 - 52
13. Appointment of Representative on Outside Bodies - Southwell Leisure Centre Trust	53

14.	The Nottingham and Nottinghamshire Compact	54 - 57
15.	Notices of Motion (if any)	

In accordance with Rule No. 13.1, Councillor P. Peacock will move and Councillor Mrs D. Cumberlidge will second a motion to the following effect:

“The Council notes that:

- The ‘uplift’ to Universal Credit of £20 per week (£86.67 per month) is scheduled to end on 6 October 2021;
- The latest figures show that 5.9 million people in the United Kingdom claim Universal Credit, up from 3 million claimants before the Covid pandemic;
- Nationally the withdrawal of the ‘uplift’ will affect six in every ten single parent families and that 40% of all claimants are in work;
- Here in Newark and Sherwood 9045 people currently claim Universal Credit, before the COVID pandemic that number was 4363, a rise of 107%;
- Currently Newark and Sherwood District Council has 2056 claims for Council Tax support from Universal Credit Claimants, before the Covid pandemic that number was 1330, a rise of 55%; and
- Current price inflation, food shortages and increasing energy bills disproportionately affect those on the lowest incomes in Newark and Sherwood and the United Kingdom as a whole.

Therefore, Newark and Sherwood District Council shall write to the Prime Minister urging that the £20 ‘uplift’ in Universal Credit be maintained/re-instated to enable Universal Credit claimants to adapt to the recent increased costs of living.”

16.	Minutes for Noting	
(a)	Policy & Finance Committee - 23 September 2021	58 - 71
(b)	Economic Development Committee - 8 September 2021	72 - 79
(c)	Homes & Communities Committee - 13 September 2021	80 - 88
(d)	Leisure & Environment Committee - 21 September 2021	89 - 99
(e)	General Purposes Committee - 2 September 2021	100 - 103
(f)	Licensing Committee - 2 September 2021	104 - 107
(g)	Audit & Accounts Committee - 29 September 2021	108 - 111
(h)	Planning Committee - 6 July 2021	112 - 116

(i)	Planning Committee - 3 August 2021	117 - 120
(j)	Planning Committee - 7 September 2021	121 - 124
(k)	Shareholder Committee - 14 September 2021	125 - 129
(l)	Councillors Commission - 28 September 2021	130 - 131

17. Exclusion of the Press and Public

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

18.	London Road Car Park - Exempt Appendix	132 - 136
-----	--	-----------

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, 13 July 2021 at 6.00 pm.

PRESENT: Councillor R Blaney, Councillor L Brailsford, Councillor L Brazier, Councillor M Brock, Councillor Mrs B Brooks, Councillor M Brown, Councillor S Carlton, Councillor M Cope, Councillor Mrs R Crowe, Councillor R Crowe, Councillor D Cumberlidge, Councillor Mrs L Dales, Councillor Mrs M Dobson, Councillor K Girling, Councillor L Goff, Councillor S Haynes, Councillor Mrs R Holloway, Councillor R Jackson, Councillor J Kellas, Councillor B Loughton, Councillor J Lee, Councillor D Lloyd, Councillor Mrs S Michael, Councillor N Mison, Councillor P Peacock, Councillor Mrs S Saddington, Councillor M Skinner, Councillor T Smith, Councillor I Walker, Councillor K Walker, Councillor T Wendels, Councillor R White, Councillor Wildgust and Councillor Mrs Y Woodhead

APOLOGIES FOR ABSENCE: Councillor Mrs K Arnold, Councillor P Harris, Councillor Mrs L Hurst, Councillor N Mitchell and Councillor Mrs P Rainbow

Prior to the transaction of business the Council stood in silence in memory of the former Chairman, Kenneth Fletcher.

12 ELECTION OF VICE-CHAIRMAN OF THE COUNCIL FOR 2021/22

Councillor Mrs S Michael moved and Councillor I Walker seconded that Councillor Mrs S Saddington be elected Vice-Chairman of Newark & Sherwood District Council for the remainder of the 2021/22 municipal year.

AGREED (unanimously) that Councillor Mrs S Saddington be elected Vice-Chairman of Newark & Sherwood District Council for the 2021/22 municipal year.

(Councillor Mrs S Saddington signed the Declaration of Acceptance of Office and received the Vice-Chairman's Chain of Office).

In the absence of the Chairman, Councillor Mrs Saddington as the newly elected Vice-Chairman, chaired the remainder of the meeting.

13 MINUTES FROM THE MEETING HELD ON 4 MAY 2021

AGREED that that minutes of the meeting held on 4 May 2021 be approved as a correct record and signed by the Chairman.

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

There were no declarations of interest and the Council noted the interests previously declared by members in Agenda Item No. 20 – Minutes for Noting.

15 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. The Vice-Chairman advised that the meeting was being streamed live.

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

The Vice-Chairman welcomed the three new Members to the Council (Tim Wildgust, Simon Haynes and Jack Kellas) following the recent by-elections for the Boughton and Bridge Wards.

The Chief Executive advised that further to the Motion agreed at the last meeting of the Council in respect of remote meetings, a reply had been received from Mark Spencer MP in which he stated: "I disagree with the need for the continuation of remote meetings. Having served on two local authorities and now in the House of Commons I understand the value of personal contact with colleagues. Such personal connections and face to face interaction delivers better results, better governance and better policy making."

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

Councillor D Lloyd, as Leader of the Council, advised Members that a report would be taken to the Policy & Finance Committee in September, to seek funding to undertake remedial measures to prevent reoccurring instances of illegal encampments on play areas and open spaces in Newark. He added that the Council would work with communities across the District to consider the most appropriate measures required for those sites identified as being at risk from such encampments.

Councillor R Jackson, as Chairman of the Leisure & Environment Committee, informed the Council that the Dukeries swimming pool was now open, following an official opening ceremony attended by former Olympic Swimmer Rebecca Adlington. He advised that there had already been an uptake in memberships following the opening.

Councillor T Wendels, as Chairman of the Homes & Communities Committee, informed the Council of a recent urgency decision taken following grant funding by the Home Office and Ministry of Defence, to resettle two Afghan families in the District who had supported the UK in Afghanistan and were now at increased risk as NATO forces withdrew from the area.

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

The Council considered the report of the Chief Executive concerning the allocation of seats on Committees to Political Groups, as required by Council Procedure Rule No. 17.6, following the recent by-elections for Boughton and Bridge Wards.

Section 15 of the Local Government and Housing Act 1989 required the Council to consider the political composition of the Council. This Act, together with the Local Government (Committees and Political Groups) Regulations 1990, required the Council to allocate seats on committees on a proportional basis in accordance with the number of seats held on the Council by each political group. The political composition and allocation of seats was effectively deferred at the Annual Meeting held on 4 May 2021 given the vacancies on the Council at that time. The proposed allocation of seats was set out in Appendix A to the report.

AGREED (unanimously) that the allocation of seats to Political Groups (as set out in Appendix A to these minutes) be approved.

19 APPOINTMENTS FOR 2021/22

The Council considered the report of the Chief Executive which sought to make the appointments of the Leader and Deputy Leader of the Council, Chairmen and Vice Chairmen of Committees, Major Opposition Spokespersons, Members and Substitute Members to Committees.

AGREED (unanimously) that the appointments as set out in the schedule, at Appendix B to these minutes, be approved.

20 APPOINTMENT OF REPRESENTATIVES ON OUTSIDE BODIES AND COUNCIL OWNED COMPANIES

The Council considered the report of the Chief Executive which sought to make appointments to outside bodies for the 2021/22 municipal year. The Municipal General Charity, and the Patient and Public Engagement Committee for the two mid Nottinghamshire Clinical Commissioning Groups had been removed from the schedule as representation on these bodies was no longer required.

AGREED (unanimously) that the appointments of representatives on outside bodies for 2021/22, as set out in the schedule at Appendix C to these minutes, be approved.

21 RULE NO. 4.8 - APPOINTMENT OF A PANEL

The Council considered the report of the Chief Executive concerning Council Procedure Rule No. 4.8, which required Council to appoint a panel of at least four Members in order to be in a position to call an Extraordinary Meeting of the Council should the offices of the Chairman and Vice-Chairman of the Council be vacant, or if both the Chairman and Vice-Chairman were unable to act for any reason.

AGREED (unanimously) that the Leader of the Council, Deputy Leader of the Council, together with the Leaders of the Labour and Liberal Democrat Groups be appointed to the Panel established in accordance with Council Procedure Rule No. 4.8.

22 APPOINTMENT OF NON -VOTING INDEPENDENT MEMBER ON THE AUDIT & ACCOUNTS COMMITTEE AND EXTRAORDINARY MEETING OF THE COMMITTEE

The Council considered the report of the Deputy Chief Executive, concerning the appointment of Stuart Turner as a non-voting independent member of the Audit & Accounts Committee, and to consider an additional meeting of the Committee in September 2021 to facilitate the approval of the Statement of Accounts for 2020/21.

The Audit & Accounts Committee had recommended the co-option of a non-voting independent member to the Full Council earlier in the year. Following a recruitment process, it was considered that Stuart Turner had the required knowledge and skills to provide the support and appropriate challenge when scrutinising reports that are considered by the Committee. It was noted that the position would be reviewed annually to ensure that both parties were content to continue with the arrangement.

AGREED (unanimously) that:

- a) the appointment of Stuart Turner to the position of non-voting independent member on the Audit & Accounts Committee be approved; and
- b) an extraordinary meeting of the Audit & Accounts meeting be scheduled for the 22 September 2021.

23 APPOINTMENT OF MONITORING OFFICER

The Council considered the report of the Chief Executive which proposed the appointment of Sue Bearman as the Council's Monitoring Officer. Under Section 5 of the Local Government & Housing Act 1989, the Council had a duty to appoint a Monitoring Officer. The appointment was a matter reserved for Full Council and the Monitoring Officer had a number of statutory duties and responsibilities relating to the Council's constitution and the arrangements for effective governance. The Council's current Monitoring Officer, Karen White, was to retire from the authority at the end of July. Sue Bearman had recently been appointed to the new role of Assistant Director, Legal and Democratic Services and was a qualified solicitor and considered to have the appropriate skills, experience and ability to undertake the role of Monitoring Officer.

The Members expressed their thanks to Karen White for her service to the authority.

AGREED (unanimously) that Sue Bearman be appointed as the Council's Monitoring Officer with effect from 1 August 2021.

(Sue Bearman left the meeting whilst this item was being considered).

24 ADOPTION OF MODEL MEMBER CODE OF CONDUCT

The Council considered the report of the Director – Governance & Organisational Development and Monitoring Officer which invited Members to consider the adoption of the Local Government Association's (LGA) Model Member Code of Conduct. The LGA had developed the Model Code, following consultation with the local government

sector, as a template for Councils to consider adopting in whole and/or with local amendments. The LGA had undertaken to complete a review of the Code annually to ensure that it continues to be fit for purpose, particularly with respect to advances in technology, social media and any relevant changes to legislation.

The differences between the existing Code of Conduct and the new model Code were detailed in the report. There were three obligations in the current code which the Councillors' Commission had recommended be included in the new code. These were set out in the report and incorporated into the proposed new Code. Otherwise the Councillors' Commission had recommended the adoption of the model code as set out.

AGREED (unanimously) that Members approve the adoption of the Member Code of Conduct for the Council, as set out in Appendix A of the report, to apply with immediate effect.

25 'MAKING' THE BULCOTE NEIGHBOURHOOD PLAN

The Council considered the report of the Director - Planning and Growth, which advised Members of the result of the Neighbourhood Plan Referendum for Bulcote and sought to formally adopt the Plan. The referendum was held on 6 May 2021 with the question 'Do you want Newark & Sherwood District Council to use the Neighbourhood Plan for Bulcote to help it decide planning applications in the neighbourhood area?' In total 136 votes were cast, of which 122 were in favour and 14 against.

AGREED (unanimously) that the Council 'make' the Bulcote Neighbourhood Plan, confirming that it forms part of the Development Plan for Newark & Sherwood District.

26 NOTICE OF MOTION

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

"On the 29th of April 2021 the Business, Energy and Industrial Strategy Committee published their investigation into the surplus sharing arrangements between the UK Government and the Mineworkers Pension Scheme.

Since privatisation of the Mineworkers' Pension Scheme in 1994, successive Governments have received 50% of surpluses in the Scheme's value, in return for providing a guarantee that the value of pensions will not decrease. At the time it was expected that the Government would receive approximately £4bn from the arrangement in today's money. However, to date, the Government has received £4.4bn, and is also due to receive at least another £1.9bn, on top of 50% off any future surpluses. The Government has not paid any funds into the Scheme in return.

Whether or not the Government knew in 1994 that it would disproportionately benefit from the arrangement, and whether all parties thought it was fair at the time, is irrelevant. It is patently clear today that the arrangements have unduly benefited the Government, and it is untenable for the Government to continue to argue that the arrangements remain fair.

Tens of thousands of former mineworkers and their families reside within our district. Newark and Sherwood District Council support their calls for the Government to take seriously and act on the following findings of the Business, Energy and Industrial Strategy Committee:

- “The Government hands the £1.2bn it is due to receive from the Investment Reserve back to miners, and sets out its proposals for how and when this will be administered in response to this report”.
- “Governments should not be in the business of profiting from mineworkers’ pensions. We are therefore disappointed by the Government’s argument that the 1994 agreement is a success because the public purse has had strong returns from it. The Government is not a corporate entity driven by profit-motives and should not view the miners’ pensions as an opportunity to derive income”.
- “The Government’s guarantee is important, has contributed to the success of the Scheme, and has benefitted Scheme members. However, we are not convinced by the Government’s argument that its entitlement to 50% of surpluses is proportionate to the relatively low degree of risk it actually faces in practice. The number of Scheme members and the relative size of the fund has fallen significantly since 1994. Yet, the Government’s ‘price’ for the guarantee has not been adjusted to reflect that fact. With no formal period review mechanism built into the agreement, pension members remain tied to an expensive arrangement”.
- “With the benefit of hindsight, it is clear that the Government has already profited greatly from the Scheme. The Government must acknowledge that continuation of the arrangements in their current form deserves a review and a better outcome for pensions should be found. The current arrangements should be replaced with a revised agreement in which the Government is only entitled to a share of surpluses if the Scheme falls into deficit, and the Government has to provide funds. In that event, the Government should be entitled to 50% of future surpluses up to the total value of the funds it has provided to make up any shortfall. Such an arrangement takes account of the vast funds the Government has received thus far and the significant reduction in the risk it faces, and would ensure that neither party will be out of pocket in future”.
- “Given that the Scheme has continued to produce strong returns despite the 2008 Financial Crisis and the COVID-19 pandemic, there is little reason to believe the Government will be required to pay into the Scheme before it is wound-up. Even if, in extremis, the Government is required to financially contribute at some point in the future, realistically its contribution will not come close to the (at least) £6.3bn it is currently due to receive in total”.

In supporting these findings Newark and Sherwood District Council will write to the Chancellor of the Exchequer asking him to act immediately to the findings of the Business, Energy and Industrial Strategy Committee and implement/respond to their recommendations.”

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

- 27 MINUTES FOR NOTING
- 27a POLICY & FINANCE COMMITTEE - 24 JUNE 2021
- 27b ECONOMIC DEVELOPMENT COMMITTEE - 16 JUNE 2021
- 27c HOMES & COMMUNITIES COMMITTEE - 7 JUNE 2021
- 27d LEISURE & ENVIRONMENT COMMITTEE - 22 JUNE 2021
- 27e GENERAL PURPOSES COMMITTEE - 10 JUNE 2021
- 27f LICENSING COMMITTEE - 10 JUNE 2021
- 27g AUDIT & ACCOUNTS COMMITTEE - 21 APRIL 2021
- 27h PLANNING COMMITTEE - 27 APRIL 2021
- 27i PLANNING COMMITTEE - 1 JUNE 2021
- 27j COUNCILLORS COMMISSION - 28 APRIL 2021

Meeting closed at 7.07 pm.

Chairman

**ALLOCATION OF SEATS TO
POLITICAL GROUPS**

Committee	Conservative	Labour	Liberal Democrats	Independent	Total seats by Committee
Policy & Finance	6	1	0	0	7
Homes & Communities	9	2	1	0	12
Leisure & Environment	9	2	1	0	12
Economic Development	9	2	0	1	12
Planning Committee	11	3	1	0	15
General Purposes#	10	3	1	1	15
Licensing#	10	3	1	1	15
Audit & Accounts Committee	5	1	0	0	6
Shareholder Committee	4	1	0	0	5
Board of Gilstrap Trustees	4	1	0	0	5
Mansfield & District Crematorium Joint Committee*	3	0	0	0	3
Total seats by Group	80	19	5	3	107

* (includes other local authority members)

Note – the Independent Member on the Council indicated she did not wish to take a seat on the Licensing & General Purposes Committees, so this place was given to the controlling Group

MEMBERS APPOINTMENTS – 2021/22

COUNCIL

Chairman of the Council	Councillor Penny Rainbow
Vice Chairman of the Council	Councillor Sue Saddington
Leader of the Council*	Councillor David Lloyd
Deputy Leader of the Council*	Councillor Keith Girling

CONSERVATIVE GROUP

Leader	Councillor David Lloyd
Deputy Leader	Councillor Keith Girling

LABOUR GROUP

Leader	Councillor Paul Peacock
Deputy Leader	Councillor Neal Mitchell

LIBERAL DEMOCRAT GROUP

Leader	Councillor Peter Harris
--------	-------------------------

- * Council Procedure Rule 17.7 provides that the Leader of the Council will be appointed ex-officio as a member of the Economic Development, Homes & Communities and Leisure & Environment Committees and will be entitled to attend and speak at those Committees. He will not be entitled to vote unless expressly appointed as a voting member of the Committee.

The Deputy Leader will be entitled to attend the Economic Development, Homes & Communities and Leisure & Environment Committees in an ex-officio capacity in the absence of the Leader except where the Deputy Leader is already a member of that Committee.

MEMBERSHIP OF COMMITTEES

<u>POLICY & FINANCE COMMITTEE</u>			
CONSERVATIVE	LABOUR	LIBERAL DEMOCRATS	INDEPENDENT
1. Keith Girling (VC)	1. Paul Peacock*		
2. Rhona Holloway			
3. Roger Jackson			
4. David Lloyd (C)			
5. Tim Wendels			
6. Ronnie White			
SUBSTITUTES	SUBSTITUTE		
1. Mathew Skinner	1. Neal Mitchell		
2. Neill Mison			
<u>HOMES & COMMUNITIES COMMITTEE</u>			
CONSERVATIVE	LABOUR	LIBERAL DEMOCRATS	INDEPENDENT
1. Betty Brooks	1. Kath Arnold*	1. Malcolm Brock	
2. Scott Carlton	2. Laurence Goff		
3. Robert Crowe			
4. Linda Dales			
5. Simon Haynes			
6. Rhona Holloway (VC)			
7. John Lee			
8. Tim Wendels (C)			
9. Tim Wildgust			
SUBSTITUTES	SUBSTITUTES	SUBSTITUTE	
1. Jack Kellas	1. Neal Mitchell	1. Peter Harris	
2. Sylvia Michael	2. Paul Peacock		
<u>LEISURE & ENVIRONMENT COMMITTEE</u>			
CONSERVATIVE	LABOUR	LIBERAL DEMOCRATS	INDEPENDENT
1. Louis Brailsford	1. Yvonne Woodhead*	1. Peter Harris	
2. Scott Carlton	2. Donna Cumberlidge		
3. Max Cope			
4. Lydia Hurst			
5. Roger Jackson (C)			
6. Jack Kellas			
7. Bruce Laughton			
8. John Lee			
9. Neill Mison (VC)			
SUBSTITUTES	SUBSTITUTES	SUBSTITUTE	
1. Tom Smith	1. Laurence Goff	1. Malcolm Brock	
2. Tim Wildgust	2. Neal Mitchell		
<u>ECONOMIC DEVELOPMENT COMMITTEE</u>			
CONSERVATIVE	LABOUR	LIBERAL DEMOCRATS	INDEPENDENT
1. Roger Blaney	1. Neal Mitchell*		1. Maureen Dobson
2. Louis Brailsford	2. Lee Brazier		
3. Rita Crowe			
4. Keith Girling (C)			
5. Neill Mison			
6. Penny Rainbow (VC)			
7. Mathew Skinner			
8. Tom Smith			
9. Ronnie White			
SUBSTITUTES	SUBSTITUTES		
1. Simon Haynes	1. Donna Cumberlidge		
2. Keith Walker	2. Yvonne Woodhead		

PLANNING COMMITTEE			
CONSERVATIVE	LABOUR	LIBERAL DEMOCRATS	INDEPENDENT
1. Roger Blaney (C)	1. Lee Brazier	1. Malcolm Brock	
2. Robert Crowe	2. Laurence Goff		
3. Linda Dales (VC)	3. Yvonne Woodhead		
4. Rhona Holloway			
5. Penny Rainbow			
6. Sue Saddington			
7. Mathew Skinner			
8. Tom Smith			
9. Ivor Walker			
10. Keith Walker			
11. Tim Wildgust			
LICENSING COMMITTEE			
CONSERVATIVE	LABOUR	LIBERAL DEMOCRATS	INDEPENDENT
1. Betty Brooks	1. Kath Arnold	1. Peter Harris	
2. Scott Carlton	2. Lee Brazier		
3. Max Cope	3. Yvonne Woodhead		
4. Rita Crowe (C)			
5. Roger Jackson			
6. Sylvia Michael			
7. Sue Saddington			
8. Ivor Walker			
9. Keith Walker			
10. Ronnie White (VC)			
11. Tim Wildgust			
GENERAL PURPOSES COMMITTEE			
CONSERVATIVE	LABOUR	LIBERAL DEMOCRATS	INDEPENDENT
1. Betty Brooks	1. Kath Arnold	1. Peter Harris	
2. Scott Carlton	2. Lee Brazier		
3. Max Cope	3. Yvonne Woodhead		
4. Rita Crowe (C)			
5. Roger Jackson			
6. Sylvia Michael			
7. Sue Saddington			
8. Ivor Walker			
9. Keith Walker			
10. Ronnie White (VC)			
11. Tim Wildgust			
AUDIT & ACCOUNTS COMMITTEE			
CONSERVATIVE	LABOUR	LIBERAL DEMOCRATS	INDEPENDENT
1. Betty Brooks	1. Donna Cumberlidge		
2. Michael Brown			
3. Robert Crowe			
4. John Lee			
5. Sylvia Michael (C)			
SHAREHOLDER COMMITTEE			
CONSERVATIVE	LABOUR	LIBERAL DEMOCRATS	INDEPENDENT
1. Louis Brailsford	1. Paul Peacock		
2. Max Cope			
3. Simon Haynes			
4. David Lloyd (C)			

<u>MANSFIELD AND DISTRICT CREMATORIUM JOINT COMMITTEE</u>			
CONSERVATIVE	LABOUR	LIBERAL DEMOCRATS	INDEPENDENT
1. Lydia Hurst			
2. Tom Smith			
3. Tim Wildgust			
<u>BOARD OF TRUSTEES OF THE GILSTRAP CHARITY AND W.E. KNIGHT TRUST#^</u>			
CONSERVATIVE	LABOUR	LIBERAL DEMOCRATS	INDEPENDENT
1. Max Cope	1. Laurence Goff		
2. Rita Crowe (C)			
3. Keith Girling			
4. Simon Haynes			
<u>COUNCILLORS' COMMISSION#</u>			
CONSERVATIVE	LABOUR	LIBERAL DEMOCRATS	INDEPENDENT
1. Roger Blaney (C)	1. Paul Peacock	1. Peter Harris	
2. Rita Crowe			
3. Linda Dales			
4. Lydia Hurst			
5. Jack Kellas			
<u>INVESTMENT ADVISORY BOARD#</u>			
CONSERVATIVE	LABOUR	LIBERAL DEMOCRATS	INDEPENDENT
1. Roger Blaney	1. Neal Mitchell		
2. Mathew Skinner			
<u>GOVERNANCE REVIEW WORKING PARTY#</u>			
CONSERVATIVE	LABOUR	LIBERAL DEMOCRATS	INDEPENDENT
1. Roger Blaney	1. Yvonne Woodhead		
2. Keith Girling			
3. Rhona Holloway			
4. David Lloyd			
5. Sylvia Michael			

Notes:

1. C = Chairman
2. VC = Vice-Chairman
- # The Councillors' Commission, Investment Advisory Board and Governance Review Working Party do not need to reflect political balance
- * Major Opposition Group Spokesperson
- ^ To comprise of Members representing the Newark Wards with the other Newark Ward Members to be co-opted as non-voting members

LEADER/DEPUTY LEADER APPOINTMENTS

Title of Organisation	Political Split				Representation until May 2022	Purpose of Organisation	Role of Council Members on Body / Member Comments	Relevant Committee
	Con	Lab	LD	Ind				
East Midlands Councils (1 & substitute)	1				Cllr Roger Blaney (Cllr David Lloyd)	To promote local government in the East Midlands to deliver better outcomes for people living and working in the region.	Meeting has no decision making powers.	Policy & Finance
LGA – General Assembly (1)	1				Cllr David Lloyd	Key element of the LGA – acts as the ‘parliament’ for local government. Once a year conference covers a wide range of topics connected with local governance.	All member authorities are entitled to a minimum of one vote and to appoint at least one representative to the General Assembly. Voting and representation at the General Assembly is on the basis set out in the Constitution.	Policy & Finance

LOCAL BODIES

Title of Organisation	Political Split				Representation until May 2020	Purpose of Organisation	Role of Council Members on Body / Member Comments	Relevant Committee
	Con	Lab	Ind	LD				
Southwell Leisure Centre Trustees (6)	6				Bruce Ashworth Cllr Roger Blaney Paul Handley David Martin Cllr Penny Rainbow Cllr Tim Wendels	To manage the Centre (a registered charity) in accordance with its Scheme of Administration.	Appointed members become Trustees with a duty of care to the Trust. They provide links with the Leisure Services Committee who provide the 'deficit' grant aid.	Leisure & Environment
Trent Valley Drainage Board (4)	4				Cllr Linda Dales Cllr Sylvia Michael Cllr Ivor Walker Cllr Keith Walker	Land drainage and flood risk management.	Represent the interests of Drainage Rate Payers in the formulation of policy.	Leisure & Environment
Board of Trustees for the Rumbles Catering Project (2)	2				Cllr Keith Girling Representative from Devon Ward Cllr Scott Carlton Representative from Edwinstowe & Clipstone Ward		Observer status for District Council appointees	Economic Development

OTHER BODIES

Title of Organisation	Political Split				Representation until May 2020	Purpose of Organisation	Role of Council Members on Body / Member Comments	Relevant Committee
	Con	Lab	Ind	LD				
Newark & Sherwood Community and Voluntary Service (1)	1				Cllr Lydia Hurst	Infrastructure organisation supporting the voluntary and community sector.	To bring experience, enthusiasm, skills and ideas into formulating policies which will be put into practice by CVS staff. Opportunities to be involved in recruitment and selection of CVS staff when vacancies arise.	Leisure & Environment
Nottinghamshire Health and Wellbeing Board (Nottinghamshire County Council) (1 & substitute)	1				Cllr Neill Mison (Cllr Linda Dales)	To oversee and review health and wellbeing issues within the County.	Currently the District Council has one member on this Committee.	Leisure & Environment
Nottinghamshire Police and Crime Panel (1)	1				Cllr Scott Carlton	To oversee the work of the Police and Crime Commissioner for Nottinghamshire.	Panel comprises of representatives from all the local authorities in Nottinghamshire.	Homes & Communities

Rural Community Action – Nottinghamshire (1) <i>(formerly known as Notts. Rural Community Council Executive Committee)</i>		1			Cllr Paul Peacock	To work with all key stakeholders to identify rural needs in Nottinghamshire.	Trustee	Policy & Finance
Sherwood and Newark Citizens Advice Bureau (2)	2				Cllr Betty Brooks Cllr Penny Rainbow	To provide free, independent, confidential and impartial advice to everyone on their rights and responsibilities across the District.	Council representatives appointed as observers only	Homes & Communities
Sherwood Forest Hospitals NHS Foundation Trust (1)	1				Cllr Linda Dales	The main acute hospitals trust providing healthcare services for people in and around Mansfield, Ashfield, Newark, Sherwood and parts of Derbyshire and Lincolnshire.	To represent views of the Council, advise on the strategic direction of the Trust, oversee the development of the membership body and help to ensure that local health priorities are met.	Leisure & Environment
Upper Witham Internal Drainage Board (1)	1				Cllr Linda Dales	Land drainage and flood protection in low lying areas of the District Council.	To maintain a liaison between the Council, the public and the Board in the areas covered.	Leisure & Environment

Newark and Sherwood District Council Owned Companies

Title of Organisation	Representation	Purpose of Organisation	Role of Council Members on Body/Member Comments	Relevant Committee
Active4Today Limited (3 Board Members)	Cllr. Scott Carlton (Con) Cllr. Keith Girling (Con) Cllr. Mathew Skinner (Con) Appointments to May 2023	Wholly owned Council company set up to manage the Council's leisure and sports development services		Leisure & Environment
Arkwood Developments Board of Directors (1 elected Member as Board Member)	Cllr Tim Wendels (Con)	Wholly owned Council Development Company to support the Council's Commercial and Investment Plans		Shareholder Committee

COUNCIL MEETING - 12 OCTOBER 2021

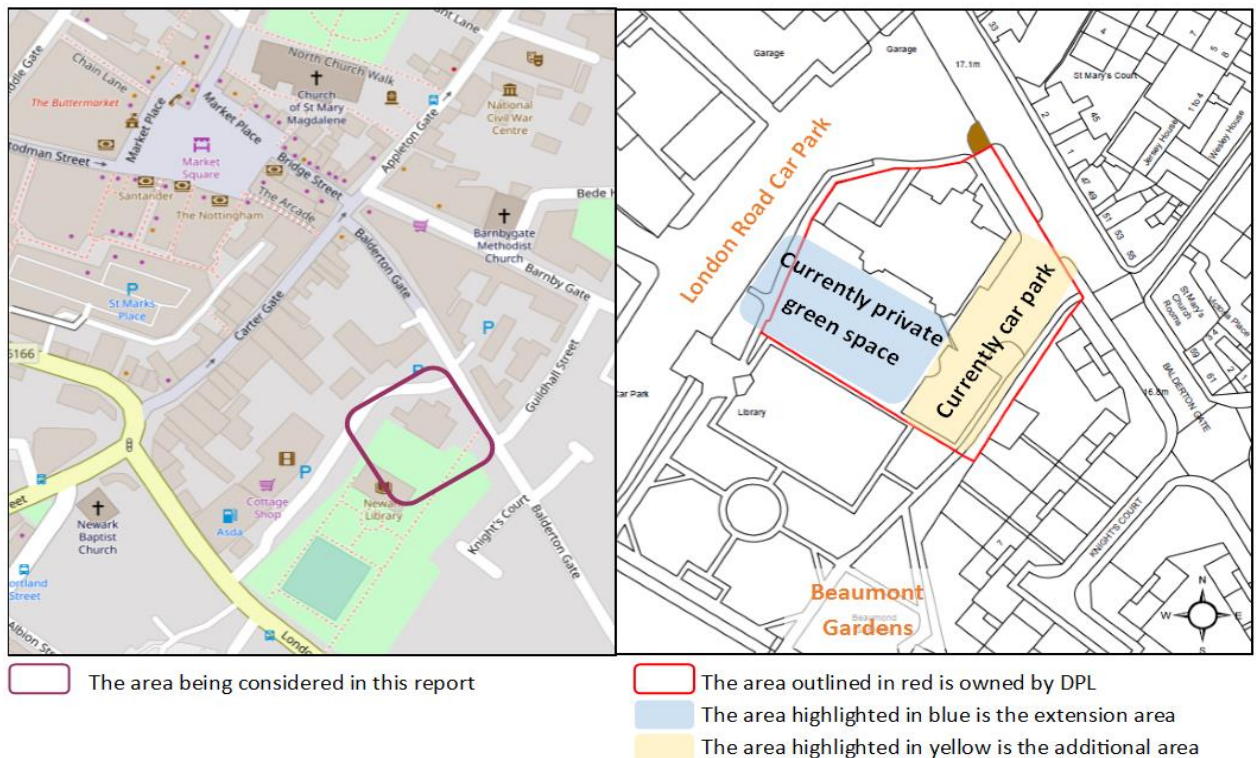
LONDON ROAD CAR PARK

1.0 Purpose of Report

- 1.1 To update Members on the London Road Car Park extension scheme, including a range of potential future options moving forward.
- 1.2 Members will be aware that this matter was presented to the Policy & Finance Committee on 23rd September 2021. Following the receipt of late information it was resolved to refer this item to Full Council for a debate and decision. For completeness, this report contains new information with respect to Option A, a new Option E (which reflects that received late prior to the Policy & Finance Committee), and a correction to table 2 which contains errors from the originally published version. An Exempt Appendix including the confidential information was also provide to the Members.

2.0 Background

- 2.1 A review of the London Road Car Park extension scheme was requested in response to a petition presented to Full Council on 7 March 2019 entitled 'help to halt plans to turn a town centre garden into a car park.' This report presents to members options following this review.
- 2.2 *Fig One: A map of the area/s in question below:*



Timeline

- 2.2 Following a period of marketing the Council sold the former Municipal Buildings and its associated green space to Datch Properties Ltd. (DPL) on 1 November 2016 for £450,000.
- 2.3 The current London Road Car Park has 163 car parking bays. 149 of these 163 bays are chargeable car parking spaces plus 12 disabled bays. Two bays are assigned to the Royal Air Force Association (RAFA) club and there is one motorcycle bay (not a full bay). The net income between April 2019 and March 2020 from this car park was £284,996.89
- 2.4 The Council had, up until 2019 also been running the car park next to the former Municipal Buildings, known as the London Road Annex (consisting of 28 spaces surrounding the building, the area in yellow on figure one) on a 50-50 profit share basis with DPL. This secured circa £15k of income for the Council per annum as exemplified by the £30,791.26 net income between April 2018 and March 2019 (with £15,395.63 less cost of that income being paid to DPL as a result of the 50-50 profit share arrangement).
- 2.5 During the operation of the London Road Annex, DPL approached the Council to suggest an extension to the London Road car park utilising existing green space between the former Municipal Buildings and Library (the area highlighted in blue in figure one above). The proposals for this extension were presented to Policy & Finance Committee on 30 November 2017 which consisted of a 25 year lease, started on 22 January 2019, for the land at £30k per annum (following a 2 year lease-free period) together with indicative construction costs of £115k for the provision of 36 additional spaces. This proposal was forecast to generate expected additional income of £59k per annum; hence, the Council would generate an additional £29k net income per annum. For awareness, the proposed scheme would create 36 spaces, but only 31 net additional spaces due to the loss of spaces on entry to the site via London Road Car Park.
- 2.6 The Committee unanimously approved the recommendation and the relevant budgets were added into the Capital Programme and revenue budgets accordingly.
- 2.7 The agreement for the lease obliges the Council to (once planning permission had been granted) develop the land into a car park.
- 2.8 Following the grant of planning permission for the car park extension at the Planning Committee in November 2018 (8 votes for, 5 votes against and 1 abstention) lease terms were finalised with DPL.
- 2.9 The lease for this land which includes the creation of a car park was signed between the Council and DPL on 22 January 2019. This lease requires the Council to:
 1. Create the car park at its expense after grant of permission.
 2. After a rent free period of 2 years to pay to DPL, or any successor in title, £30,000 per annum for a minimum period of 25 years (regardless of whether or not the land has been developed as a car park).
- 2.10 The lease explicitly states that the first opportunity the Council has to break the lease is after 15 years with a 6 months' notice. This means the Council is tied to the current arrangements until January 2034, unless an alternative is negotiated.

Background Information and Data – Use and Income of the London Road Car Park

- 2.11 Across the Council's car parks there has been an 1.79% increase in parking income between 2019 and 2020, indicating an increase in the number of cars/trips to park in Newark (on the basis that parking tariffs have remained the same since 2017). The impact of the Covid Pandemic in March 2020 and lasting through to June 2021 has made any assessment of car park usage impracticable due to the nature of the lockdown effecting the town centre economy. Therefore, this review can only consider data and information up to March 2020.

Table 1

Parking Tariffs 2020/21			
Inner Town		Outer Town	
30 min	£0.50		
1 hour	£1.00	1 hour	£1.00
2 hours	£1.50	2 hours	£1.50
2-3 hours	£2.50	2-4 hours	£2.00
3-4 hours	£4.50	4- 5hours	£2.50
Over 4 hours	£7.50	Over 5 hours	£3.00
After 6pm	£1.00	After 6pm	Free

Table 2

Car Parking Income - NSDC Car Parks Comparison 2017 – 2021					
		2017-2018	2018-2019	2019-2020	2020-2021
Inner Town	London Road (163 spaces)	£292,982.91	£283,426.45	£284,996.89	£65,961.78
	London Road Annex (28 spaces)	£27,169.52	£30,791.26	£34,587.57	£336.66
	Town Wharf (60 spaces)	£108,583.98	£102,069.98	£89,552.30	£20,366.51
	Appleton Gate (59 spaces)	£85,117.02	£85,369.43	£82,316.97	£29,386.93
Outer Town	Riverside Arena (135 spaces)	£80,403.72	£79,246.04	£82,146.55	£19,021.69
	Riverside (219 spaces)	£78,214.38	£78,402.18	£84,602.11	£19,021.69 £15,271.81
	Livestock Market/Castle House (103 spaces)	£30,690.39	£78,819.55	£93,112.50	£10,801.93
TOTAL INCOME	Total for NSDC Parking	£703,161.92	£738,124.89	£751,314.89	£164,897.18 £161,147.31
	Income Increase / decrease		£34,962.97	£13,190.00	- £586,417.71 £590,767.58
	Percentage Increase / decrease		4.97%	1.79%	-78.05% -78.54%
	Note: The parking tariff has remained consistent throughout.				
	The London Road Car Parks accounts for 38% to 42% of the total usage/income of the town centre car parks				

- Figures updated following an error in the previously published report presented to the Policy & Finance Committee on 23 September 2021.

Table 3

CAR PARK	LONDON ROAD AND LONDON ROAD ANNEX CAR PARK TICKETS SOLD		% Increase / decrease from previous year	LONDON ROAD AND LONDON ROAD ANNEX CAR PARK TICKETS SOLD		% Increase / decrease from previous year	LONDON ROAD AND LONDON ROAD ANNEX CAR PARK TICKETS SOLD		% Increase / decrease from previous year
	2017 - 2018	2018 - 2019		2018 - 2019	2019 - 2020		2019 - 2020	2020 - 2021	
London Road Car Park	189878	227432	19.78%	227432	196392	-13.6%	196392	169831	-13.5%
London Road Annex	20438	22090	8.08%	22090	21161	-4.2%	21161	20701	-2.2%
London Road Car Park Total	210316	249522	18.64%	249522	217553	-12.8%	217553	190532	-12.4%

- 2.12 This is similarly reflected in the 19.8% increase in the number of tickets purchased at London Road overall between 2018 and 2019. However, this has reduced in 2019/20. There has been an 8.08% increase in parking in the London Road Annex during 2018/19. The increase in the use of the Annex demonstrates that visitors were, prior to the Pandemic, using the overflow car park more frequently.
- 2.13 The planning permission allowed the formation of 36 additional spaces at London Road Car Park. The actual net gain is actually 31 spaces, as there is loss of spaces due to access to the site from the existing London Road Car Park.
- 2.14 As part of this review the Council commissioned an independent count of the London Road and Annex car parks in autumn 2019. This review noted the number of available spaces at half-hourly intervals throughout the day. A mix of term time, school holidays, weekdays, and weekends was used as part of an overall sample. The review did not have regard to driver behaviour in terms of whether a space may appear 'tight' to manoeuvre into. On both weekends and weekdays, between 10.30am and 3pm, typical usage resulted in the car park being 60-70% full at any one time.
- 2.15 It is clear that the London Road car parks remain the busiest in terms of ticket sales and overall income.
- 2.16 **Representations**
- 2.17 Members will be aware of the petition presented to Full Council in 2019. Since that time a number of additional representations have been made by Members of the public and other organisations raising objections to plans to continue with implementing the car park extension.

- 2.18 It is understood that Members have received representations directly. This report captured representations received direct, including any which have been provided to Officers by members of the Committee.
- 2.19 Representations to date are captured below. Any received prior to the Council meeting (provided they are received prior to 12 noon on 12 October) will be circulated in full to all Members.
- 2.20 At the time of writing 81 objections have been received, 22 of which have been via the local MP. These build upon the 1,700 signatory petition previously reported to Full Council in 2019. Concerns raised include:
- Any assessment of 'value for money' should acknowledge that trees and green space are of 'value' which cannot be monetarised but which are more important in this case than simply the financial implications of not implementing the car park
 - Newark has very little open space, particularly in the town centre and the little which it has should be protected
 - The trees to be removed have been there for many years, could be there for many more years and have significant carbon capture that would be lost if they were removed
 - Any replacement trees would take decades to establish and make anywhere close a contribution in visual and carbon terms
 - The loss of the green space and trees will detrimentally and irreversibly affect the setting of the Municipal buildings and the wider area
 - There is no need for additional car parking for the town and even if there were there would be more appropriate sites available to provide expanded car parking for the town
- 2.21 DPL have also written to all Members outlining chronology, context, and history from a DPL perspective. The representations made confirm that DPL have presented a range of options, some of which have been withdrawn given the sale of the former Municipal Buildings to JAJ Developments (Directors – Mr J Derry & Mr A Derry). Other options which remain available are presented below.

3.0 Wider Context

- 3.1 The Newark Town Investment Plan and NSDC Economic Growth Strategy 2021-2026 include objectives that seek to repurpose town centre properties for residential use, and to increase footfall, dwell time and spend in the town. Newark will see a population increase over the coming years (9080 new homes by 2033) as a growing town, and it is appropriate to ensure that the infrastructure is suitable and utilised within the Town. It is also worth noting that the Municipal Buildings adjoining the site, which had remained vacant for over 3 years, have now been developed into residential apartments.
- 3.2 It is clear, as a matter of fact and law, that the Council remains in a contractual position where it is required to implement a car park on the land. There are ways in which the Council can negotiate its release from this contractual position should it consider this appropriate. To aid debate and discussion Members are presented with a range of options, however each of these alternative options involve additional costs to the Council. The financial, legal, and other consequences of each option are explored in section 4 below.

However, before considering these options, the following relevant factors should be borne in mind:

3.2.1 What level of demand is there, or is there likely to be? Demand has shown to rise between years April 2017 to 31 March 2020. However due to the Pandemic in 2020 the data has shown a significant reduction in usage. This anomaly should be discounted, however it will be important to monitor and evaluate the impacts of shopper trends post pandemic through to 2025. As data has shown income and ticket, sales at London Road have increased year on year identifying it as an accessible location that is well used. Even during the pandemic, the car park on London Road maintained the trend of accounting for 40% of the total usage of town centre car parks.

3.2.2 What do our communities want from our car parks? In July 2020, the Community Consultation for the Town Investment Plan received a good response rate. On reviewing the data and responses it is worth noting at figure 5.1 'What people want to see more of' that approximately 60% of respondents wanted more car parking with only 10% stating they would like to see less. The key words in responses to the question on existing car parking included; 'Poor,' 'free,' 'more,' and 'better.'

3.2.3 Parking & Movement Strategy. In late 2019, there was an intent to develop a Parking and Movement Strategy as part of the development of the Newark Town Investment Plan. Consultants were tasked to undertake the Town Investment Plan in January 2020 and to provide a town wide review of appropriate interventions to best make a transformation impact on the town. This included but was not limited to car parking and movement. In November 2020, formal consultation also took place on the proposed A46 Newark northern bypass. Due to the nature of the pandemic, Officers received advice from transport consultants in the development of the Town Investment Plan that a study would be abnormal until such time that national restrictions are lifted and a more accurate assessment could be established. Moreover, it is necessary and appropriate to develop the Towns Fund projects and understand their impacts and influence on movements as part of developing future movement, spaces, and wayfinding strategies for the Town.

3.3 As part of the submitted petition to Full Council residents have made clear an expectation that any review of whether the Council should proceed with the London Road car park extension should involve a holistic analysis of all car parking within the town, specifically the volume of vacant spaces at various times and days. It is argued that additional car parking is not required if spaces are available in town centre car parks elsewhere. In the disputed event that spaces are unavailable at London Road it has been argued that additional car parking space should be provided for elsewhere rather than at London Road, or dealt with by alternative interventions such as promotion and provision of sustainable means of transport. A wider review of all car parks has not been undertaken in this instance. Should the Council choose not to build the car park extension it does not automatically follow that spaces on other car parks will be utilised. It is clear that London Road remains the busiest in terms of ticket sales and overall income.

This review has given regard to the following important facts:

- 3.4 **Legal Position:** Under the terms of the Agreement for Lease, signed on 22 January 2019, the Council is obliged to carry out the works to create the car park. The Council are unable unilaterally to break from the 25 year lease obligations, which include the payment of £30,000 rent per annum (after the initial two year rent free period) for 23 years from 2021. The first opportunity to break the contract is in January 2034. The Council are able to seek a negotiated surrender of the Lease, however the terms of this surrender or 'buy-out' will depend on the negotiating positions of both parties and the other opportunities open to DPL. Most landlords will require a premium to compensate them for the loss of an assured income stream over 23 years. In any event, planning permission for a car park will still exist and be capable of implementation given that planning permission runs with the land and not with the applicant. The only way to secure full control would be to negotiate a freehold purchase.
- 3.5 **The Annex:** The 50-50 profit share on the annex has not been continued since the sale of the Municipal Buildings, which have been awarded planning permission for residential development. This development is near completion with a number of the flats sold with allocated parking spaces. The Council made an in principle offer (subject to member approval) to lease the additional land owned by DPL in January 2021 through the Council's s151 Officer, however this offer was rejected by DPL.
- 3.6 **Loss of Green Space approved:** In the car-parking scheme approved by Planning Committee in November 2018, it was clear that the four trees (detailed further at paragraph 3.8) would be removed, in addition to the grassed areas. Replacement planting includes four Rowan trees to be planted around the car park, a new hedgerow to be planted on the southern side and approximately additional 16 new trees to be planted in suitable nearby green space. This is a total of 20 trees in all, a net increase of 16. Further, there is also potential to install and create new cycle infrastructure on the site with funds received as part of the Town Fund.
- 3.7 **Planning Permission:** In November 2018, Planning permission was granted for the creation of a car park on the site, and this permission will lapse in November 2021. There are a number of options with this: 1) The Council allows this to lapse and seeks to secure new planning permission. This has the risk of not being approved, which will inevitably lead to the risk of repayment of the full capital value of the lease by DPL of the remaining term of the lease. 2) The Council undertakes a minimal start on site that adheres to the following with regard to work started for a planning permission to be kept active:
- (a) Any work of construction in the course of the erection of a building;
 - (b) The digging of a trench which is to contain the foundations, or part of the foundations, of a building;
 - (c) The laying of any underground main or pipe to the foundations, or part of the foundations, of a building or to any such trench as is mentioned in paragraph (b);
 - (d) Any operation in the course of laying out or constructing a road or part of a road;
 - (e) Any change in the use of any land, which constitutes material development.

It is recommended that work is undertaken on site under one or more of these points before November 2021 to ensure the planning permission does not lapse.

- 3.8 An arboriculture assessment and tree survey was undertaken as part of the planning application for the car park extension. The report highlights a number of minor defects to the affected trees. The four trees to be removed as part of the approved scheme are:

1. Sycamore, category B, identified as 'moderate' quality with an estimated remaining life expectancy of at least 20 years.
2. Sycamore, category A (tree to be preserved in option C) identified as 'high' quality with an estimated remaining life expectancy of at least 40 years.
3. Common Lime, category A, identified as 'high' quality with an estimated remaining life expectancy of at least 40 years.
4. False Acacia, category B, identified as 'moderate' quality with an estimated remaining life expectancy of at least 20 years.

4.0 Options Appraisal

4.1 The review that has been undertaken in response to the petition has covered the background to, and the reasons for, the original decision made in 2017 as well as the review of town centre car parks referred to above. In addition, considerable effort has gone into reviewing a wide range of options that are an alternative to the original decision. These options are set out below:-

- a) Seek to enter into negotiations to buy back the Land;
- b) Implement the scheme which has planning permission (implement the 'Approved Extension' including the associated tree removal);
- c) Implement a revised scheme (implement the 'Approved Extension' but retain one tree nearest the Municipal Building) subject to planning permission
- d) Do nothing and provide a car park at some point prior to the end of the current lease.
- e) Enter into a new lease and retain the land as open space

4.2 Indicative costs/additional revenue generated for each option are captured in the table below. The expected Income represents the estimated additional income after the lease payment has been made over the remaining 22-year term of the lease (as the council is already in it's third year of the lease). This modelling does not assume any increase in the ticket value over that term or an increase in ongoing revenue maintenance costs, nor does it assume any annual fluctuations to behaviour. Hence, the total cost column represents the additional expected income over the lease less the capital cost required. Actual receipts from the London Road Car park during 2019/20 (the last full year of consumption) have been used to approximate the annual value of an individual chargeable bay, which has then been extrapolated over the additional chargeable bays in each of the scenarios below.

Table 4

Option	Additional Chargeable Bays where income is received by NSDC	Capital Spend Required (estimate)	Lease Cost (per annum)	Estimated Additional NET Income (per annum)	Expected Income over Lease	Total Cost +Surplus or - Deficit (minus lease & capital spend)
A*	0	£675,000	0	0	0	£675,000 -£600,000
B	■	■	■	■	■	+£153,102

C**	■	■	■	■	■	-£51,872
D	■	■	■	■	■	-£690,000 + Capital costs of implementing car park (plus inflation)*** & ****
E	0	£0	£25,000	£0	£0	-£750,000****

* This represents the landowners expectation for freehold purchase price.

** Large Tree at Municipal Building retained

*** Estimated as not procured

**** In option D & E no cost has been provided for maintaining the trees or greenspace

An un-redacted version of Table 4 is provided at the Exempt Appendix.

4.3 Option A: Buy out of the Lease/ Purchase the Freehold interest of the Land

4.4 The Council is unable to unilaterally break from the lease obligations. Accordingly, this option would require the Council to seek a negotiated surrender or 'buy-out' from DPL. The lease term runs to 2044 and has break options in favour of the Council in 2034 and 2039. However, there would be little incentive for DPL to agree to a surrender of the lease as the £30,000 per annum is effectively guaranteed by the Council and the council is under obligation to provide a car park before the end of the 20 remaining period of the 25 year lease term. This represents a significant value to DPL. The surrender payment would therefore be significant – perhaps up to the number of years, (22 years), remaining in the lease i.e. £660,000.

4.5 For the avoidance of doubt a decision of this Council to 'buy-out' the lease would not mean that the car parking extension would not take place. A planning permission runs with the land and not with the applicant. Consequently DPL could implement the car parking (with another provider) to secure an income. In such circumstances, the greenspace and trees would be lost in any event.

4.6 It is recommended that lease buy-out is not appropriate.

4.7 The Council could instead seek to negotiate the freehold acquisition of the site. Officers have asked the landowner, and were initially informed, as reported on the P&F agenda that the asking price is £675,000. This was amended to £650,000 24 hours before the P&F meeting. Following Policy and Finance Committee meeting on 27 September, Officers went back to the landowner and asked for the "best and final offer". At the time of publication of this agenda the landowner has responded by reducing the price further to **£600,000 "on the condition that the sale proceeded in a timely fashion"**. In August 2021, Officers instructed a professional valuation that stated the site ■■■■■. If the land was to be retained as open space it would be worth a negligible value with little market demand for such a use.

4.8 Option B: Do the scheme as proposed (including removal of trees)

- 4.9 The Council is obliged under the terms of the lease to construct the car park before the lease comes to an end, subject to planning permission being granted. Permission was granted in November 2018.
- 4.10 The planning permission includes the removal of the trees from the site and represents a net gain in car parking provision under the Councils management creating 31 spaces.
- 4.11 London Road car park is one of the most popular car parks serving the town centre – this has been demonstrated through an increase in ticket sales.
- 4.12 The estimated additional income from this option is [REDACTED] This option results in a **net gain of £153,102** over the remaining term of the lease as shown in the table above over the remaining period of the lease.
- 4.13 Whilst the car parking survey shows capacity within the existing car park, growth forecasts for the town up to 2033 and the very clear aspirations that visitor numbers and ‘dwell time’ in the town centre will continue to increase (linked to the Town Investment Plan, Community Plan, Economic Growth Strategy and Destination Management Plan for Newark) demonstrates the need for extra spaces. On this basis, implementing the scheme as already approved is legitimate. This is also in accordance with the terms of the lease the Council have already committed to.
- 4.14 As stated in 4.9, the Council have a legal obligation to construct the car park and pay DPL a rent of £30,000 per annum under the terms of the lease, which commenced on 22nd January 2019.
- 4.15 This option generates the maximum net income return to the Council, provides the maximum number of additional spaces, has planning permission and if not implemented would put the Council in breach of a legally binding agreement with DPL. On review of the current lease the Council does not have to build the car park before 2043, however this is not recommended as costs for development will increase, and no income will have been generated to offset the continued lease charge.
- 4.16 Option C: Do the scheme as proposed, but retain one tree nearest the Municipal Building:**
- 4.17 This option would complete the scheme as approved but retain the largest tree nearest the Municipal Building. However, this would not amount to carrying out the works in full as per the lease.
- 4.18 This option would still remove a number of trees and as with Option B, would create a period of potentially adverse public response.
- 4.19 The number of spaces created would be 27. The net income generated would be proportionately reduced although the headline rent payable to DPL would remain the same.
- 4.20 This option would create a “one in, one out” approach to the car park, as it is not an approved access with the Highways Department at Nottinghamshire County Council stating

this is not satisfactory. This has a range of secondary issues including, bottlenecking within the car park, and the potential reduction and loss of 3 spaces.

- 4.21 Option C generates an estimated annual income of [REDACTED] after deducting the annual rental payment to DPL (option B generates an estimated annual income of [REDACTED]). This option results in a **net loss of £51,872** as shown in the table above over the remaining period of the lease.
- 4.22 This option would require a new planning permission and procurement exercise (**with associated costs**), which would extend the delivery time by 6-9 months. The risk is that the existing planning application lapses in November 2021 before this can be implemented and DPL seek compensation for the full value of the site should a new planning application not be approved. **This cost could be in excess of £30k x 22 years = £660,000.**
- 4.23 Officers recommend there is no real tangible benefit to pursuing this option in favour of Option B as this option C would create a period of potential adverse publicity with the loss of three trees, and would not amount to carrying out the works in full as per the lease. 4.23
- 4.24 Option D: Do nothing and provide car park back at 2044.**
- 4.25 The Council could also choose not to implement the Car Park construction until the end of the lease period. This is not recommended as the lease cost of £30,000 per annum would be ongoing until the term ends and the Council will be required to build the car park at the end of the lease. This would have the detrimental effect of **costing £660,000 in lease costs** over the remaining term of the lease with no income over that period, **and increased capital costs at end of lease period** which, given inflation data from 1999-2021 would equate to a minimum 56% increase on capital costs in comparison to 2021 when implemented in 2043. There would also be on-going revenue costs over the period of the remaining 22 year term in maintaining the green space
- 4.26 It is not recommended that this option D is pursued on the basis of costs and likely outcome that the car park, which has planning permission, will be implemented in any event without a freehold purchase. Moreover, the policy landscape in 2043/4 is unknown and may affect the ability implement the car park and satisfy its lease obligations.

Option E: Enter into a new lease and retain the land as open space

- 4.26.1 On 22 September 2021, DPL, via their legal representatives, proposed an alternative lease arrangement to the one presently in place. The proposed terms are that the Council lease the land for **30 (instead of the remaining 22 years) at a rent of £25,000 (instead of £30,000) per annum. This would mean a total cost over the lease term of 750,000 as opposed to the cost of £660,000 over the remaining 22 years of the lease.** Under this proposal, there would be no obligation to develop the land into a car park and therefore would be able to remain as public open space.
- 4.26.1 It is not recommended that this option is pursued on the basis that it would cost the Council more in rent overall, without any ability to generate income to offset against the cost of the lease. Moreover, the Council would be required to undertake management and maintenance of the space for the lease period. This option does not represent value for money for the tax payer.

4.27 Alternative Options no longer available.

For completeness, a number of options which have been discounted on the basis of discussions with the landowner and their legal representatives are also here:

- 4.28 Officers have reviewed other options for developing further or alternative car parking via Baldertongate. This has included the provision of public and residents car parking (the latter for occupiers of the former Municipal buildings), the possibility of relocating disabled parking bays from the exiting London Road car park, and the ability to install a 'bank' of EV parking spaces.
- 4.29 All such options are reliant on the availability of the additional land via Baldertongate, which is no longer available as confirmed by the landowner and their legal representatives.
- 4.30 The landlord originally proposed an alternative option upon which access is given via Baldertongate with a rear car parking being developed to allow for some additional car parking spaces without removal of 2 trees.
- 4.31 Under this option there would be an additional 6 spaces created and access to the remaining 13 spaces that the Council cannot access at present would be opened. This would create a total of 19 spaces.
- 4.32 The Car Park Manager advised that with this approach, the expected incomes generated per annum per space would be reduced from approximately [REDACTED] per space to approximately [REDACTED] per space due to the proximity for access and services, and a capital outlay would be required to create the new spaces. This has been estimated at [REDACTED]. The estimated additional net income that could therefore be generated would be [REDACTED] less than the lease payment the Council makes per annum to DPL.
- 4.33 Under this option the landlord would seek that 15 spaces would be designated for the owners of the flats and that a 'land swap' to the rear of the site could be undertaken for residents parking so that the spaces to the front of the property immediately adjacent to Baldertongate could be made for car park users.
- 4.34 This option is estimated to generate income of approximately [REDACTED] per annum, which will not cover the cost of the lease, and would therefore lose the Council in excess of £216k over the life of the lease.
- 4.35 This option would not have been recommended by officers. In any case, in late August 2021, the Landlord has responded that access via Baldertongate is not available and that this offer was time limited requiring a decision in June 2021.

5.0 Recommended Option

- 5.1 The recommended option is option B i.e. to develop the car park as per the scheme approved by Planning Committee (including the removal of the trees).
- 5.2 The Council have entered into a legally binding agreement, which requires the construction of a new car park accessed from the Council's existing London Road car park. It is

considered that the costs associated with “buying out” the Council’s obligations would be wholly disproportionate to the taxpayer by way of a surrender payment or to buy back the freehold.

- 5.3 Furthermore, the existing lease does not include a rent review clause and therefore under the terms of that lease the rent is fixed for the 25-year term.
- 5.4 Having carefully considered options relating to the subject site in isolation as well as increasing the car parking area by including the adjacent “yellow” land, it is clear that all variations of the scheme include the removal of all or some of the trees.
- 5.5 The economic and commercial benefits which the delivery of this scheme will bring to the wider town centre have been considered against the loss of green space and the understandable concerns raised by members of the public. On balance, as the loss of green space can be offset by the tree planting scheme set out in the report, it is considered that the originally proposed scheme should proceed as planned.
- 5.6 The financial viability assessments all point towards the consented scheme; Option B as providing best value to the Council with this option also:
- Allowing the site to become income generating in the shortest time period and offsetting the rent payments due to DPL which came into effect as from 22nd January 2020.
 - Deliver additional car parking in a popular shopper car park location, which will help protect the vitality and viability of the town centre.
- 5.7 A procurement process was initiated in April 2021 to ascertain what the updated costs would be for undertaking option B. The tender documentation stated a maximum budget of £150,000. The procurement process was completed in July 2021 and the lowest price tender received was [REDACTED]. This tender price is held until 1 October 2021.
- 5.8 A proposed timeline for the implementation plan, should option B be approved, is shown in the table below. This timeline is predicated on the works necessary to ensure that the existing planning permission is complied with, being completed by the end of November.

Table 5

Implementation Plan	
Milestone	Deadline
Award of Tender for contractor	September 30th 2021
Preparation works on site	October 2021
Works commence on site (estimated 7 week build)	November 2021
Re-launch of extended and improved site	March 2022

6.0 Equalities Implications

- 6.1 The London Road Car Park has Disabled Parking Accreditation in recognition of its accessibility: www.dpaccreditation.org.uk/about-the-dpa/about-the-dpa. Any approved option will also provide for additional disabled parking.

7.0 Financial Implications (FIN21-22/4006)

- 7.1 Of the original £115,000 capital budget, approved at 30 November 2017, for the extension to London Road car park, £7,593 has already been incurred on scoping and planning works carried out in 2018/19. Therefore, in 2020/21 there is a remaining Capital Budget available of £107,407. Should the scheme not go ahead based on the original approval this £7,593, would be abortive and need to be charged to the general fund revenue account.

- 7.2 Should the decision be to not implement the currently approved scheme and buy back the land without implementing a car park, the Council would need to add this to the Capital Programme and remove the existing scheme.

- 7.3 The purchase would need to be funded through the Change Management Reserve. As per paragraph 4.7, the external valuation of the site as a car park is estimated at [REDACTED]. Annual additional income receivable based on the currently approved scheme of a car park would be forfeited and there would be, currently unquantifiable, costs in relation to the upkeep and maintenance of the green space. [REDACTED]

[REDACTED] There would be no income generation with this option.

- 7.4 Should the decision be to implement the scheme as is, [REDACTED]
[REDACTED] to be funded by
[REDACTED] borrowing (MRP) [REDACTED]
This would be charged to the revenue account over the remaining 22 years of the lease.
[REDACTED]

- 7.5 Should the decision be to implement the reduced scheme, [REDACTED]
[REDACTED] to be funded by
[REDACTED] borrowing (MRP) [REDACTED]
[REDACTED] This would
be charged to the revenue account over the remaining 22 years of the lease.
[REDACTED]

- 7.6 Should the decision be to not implement the currently approved scheme and do nothing, the Council would be committed to the £30,000 annual lease payments over the remaining

22 years of the lease; a total of £660,000. In addition to this, there would be unquantifiable costs in relation to the upkeep and maintenance of the green space. At the end of the lease term, the Council would be required to implement the Car Park as per the lease agreement at an estimated cost of [REDACTED] There would be no income generation under this option.

- 7.7 Should the decision be to enter into a new lease and keep the land as green space, the Council would be committed to the £25,000 annual lease payments over the new 30 year term of the lease. This would total £750,000 over the term of the new lease, meaning a total outlay of £780,000 when included with the £30,000 incurred in the current financial year. In addition to this, there would be unquantifiable costs in relation to the upkeep and maintenance of the green space for the term of the lease. There would be no income generation under this option.

8.0 Comments of the Section 151 Officer

- 8.1 As set out in the report, the former Municipal Buildings and its associated green space was sold by the council to Datch Properties Ltd (DPL) on 1 November 2016 for £450,000.
- 8.2 On 22 January 2019, the council entered into a contractually binding 25 year lease for the land highlighted in blue in the diagram shown in section 1.3 of this report. The terms of the lease include an annual rent payment of £30,000 per annum, to commence after an initial rent free period of 2 years. The first payment, therefore, became due and was paid to the land owner on 22 January 2021. The only reason for entering into the lease was to construct a car park that would extend the availability of car parking on the existing London Road car park and to generate revenue that would exceed the annual rental cost of £30,000. The requirement to build a car park on this site was therefore included as a legal requirement in the lease.
- 8.3 This report includes options in addition to the approved scheme to remove the trees on site and build the car park and the financial implications of each of these options are summarised in the table in section 4.2 with more detail given in the Financial Implications in section 7. As stated in the report, three of these options are not viable as these would involve additional significant costs to the taxpayers of the district. These options are (a) do nothing and (b) buy out of the lease/purchase the freehold, (c) enter into a new lease with revised terms of £25,000 per annum over 30 years without the obligation to develop a car park.

(a) The option to do nothing has no merit as the council would continue to pay £30,000 per annum for the remaining 22 years (£690,000 in total, including the payment already made), continue to incur costs in maintaining the site and then have to build a car park anyway at the end of the lease term at an estimated cost of around [REDACTED] (based on current cost of construction inflated to the end of the lease term. Without any income contribution from a car park the whole cost of **£690,000 would be borne by the residents of the district**. As an approximation, in council tax terms, this equates to **3,791 average Band D properties**.

(b) The option to purchase the land also has no merit. The land owner has proposed a revised price for the land of **£600,000** and the council's independent valuation has suggested a value of [REDACTED] based on use of the land as a car park. There are two fundamental issues with pursuing this option:

- i. The whole of the demise; municipal buildings and the green space was sold by the council in November 2016 for £450,000. The purchaser then sold the municipal buildings to a related party for £375,000. These buildings are currently being developed as apartments which will generate a further development profit for the owner. This option presented here now is for the council to buy back the remaining green space for [REDACTED] **£600,000.** [REDACTED] **This additional cost will be borne by the residents of the district.** As an approximation, the cost of **£600,000**, in council tax terms equates to **3,297 average Band D properties.**
- ii. As stated above, the valuation of [REDACTED] is based on the use of the land as a car park and not as green space; yet the intent is to use it as green space – otherwise the council would be developing it as a car park under the terms of the current lease. Therefore, if the council are to consider purchasing the land then it should be doing so at a value commensurate to its use as green space.

(c) The option to enter a new lease for 30 years at 25 years, also has no merit as this option, like the option to purchase the freehold, will cost the residents of the district a total of **£750,000** over the term of the lease with no income to offset against this cost. As an approximation, the cost of **£750,000**, in council tax terms equates to **4,121 average Band D properties.**

- 8.6 In making their decision, members will need to take into consideration all of the information presented in this report including the monetary and non-monetary value for money arguments that have been presented. However, a key consideration has to be the financial impact of the decision on all of our 121,421 residents and therefore in my professional opinion, members should approve the officers' recommendation to proceed with the approved scheme to build out the car park and discharge the contractual obligation as per the existing lease with Datch Property Services Limited.

9.0 RECOMMENDATIONS that:

- a) **Members approve progression of recommended option B;**
- b) **irrespective of the preferred option, Members approve an initial start on site to meet the requirements of the planning permission being maintained by November 2021 in the interests of retaining the current planning permission; and**
- c) **in the event that Members approve recommendation b), that the capital budget is [REDACTED] funded by [REDACTED] borrowing in order to complete the works, and provide for additional tree planting and landscaping as set out in option B.**

Background Papers

Nil.

For further information, please contact Neil Cuttall on Ext. 5842

Matthew Lamb - Director - Planning & Growth

COUNCIL MEETING – 12 OCTOBER 2021

TREASURY MANAGEMENT OUTTURN REPORT 2020/21

1.0 Purpose of Report

- 1.1. The purpose of this report is to give the Council the opportunity to review the Annual Treasury Outturn report, which is attached as **Appendix A** to the report.

2.0 Introduction

- 2.1. In January 2010 the Council formally adopted the CIPFA Code of Practice on Treasury Management which requires that the Council receives regular reports on its treasury management activities including, as a minimum, an annual strategy and plan in advance of the year, a mid-year review and an annual report after its close.
- 2.2. The Council delegates responsibility for the implementation and regular monitoring of its treasury management policies and practices to the Audit & Accounts Committee and for the execution and administration of treasury management decisions to the Section 151 Officer, who will act in accordance with the Council's policies and practices.
- 2.3. The Treasury Management Strategy Statement for 2020/21 was approved by the Council on 9 March 2020, and the Outturn report is the last report for the financial year, as required by the Code.

3.0 RECOMMENDATION

That the Treasury Outturn position for 2020/21 be noted.

Background Papers

Nil.

For further information please contact Andrew Snape on Ext 5523.

Sanjiv Kohli
Deputy Chief Executive / Director – Resources and Section 151 Officer

ANNUAL TREASURY REPORT 2020/21**1. Background**

- 1.1 This Council is required by regulations issued under the Local Government Act 2003 to produce an annual treasury management review of activities and the actual prudential and treasury indicators for 2020/21. This report meets the requirements of both the CIPFA Code of Practice on Treasury Management, (the Code), and the CIPFA Prudential Code for Capital Finance in Local Authorities, (the Prudential Code).
- 1.2 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.'
- 1.3 Overall responsibility for treasury management remains with the Council. No treasury management activity is without risk; the effective identification and management of risk are integral to the Council's treasury management strategy.

2 Economic Background

- 2.1 **UK. Coronavirus.** The financial year 2020/21 will go down in history as being the year of the pandemic. The first national lockdown in late March 2020 did huge damage to an economy that was unprepared for such an eventuality. This caused an economic downturn that exceeded the one caused by the financial crisis of 2008/09. A short second lockdown in November did relatively little damage but by the time of the third lockdown in January 2021, businesses and individuals had become more resilient in adapting to working in new ways during a three month lockdown so much less damage than was caused than in the first one. The advent of vaccines starting in November 2020, were a game changer. The way in which the UK and US have led the world in implementing a fast programme of vaccination which promises to lead to a return to something approaching normal life during the second half of 2021, has been instrumental in speeding economic recovery and the reopening of the economy. In addition, the household saving rate has been exceptionally high since the first lockdown in March 2020 and so there is plenty of pent-up demand and purchasing power stored up for services in the still-depressed sectors like restaurants, travel and hotels as soon as they reopen. It is therefore expected that the UK economy could recover its pre-pandemic level of economic activity during quarter 1 of 2022.
- 2.2 Both the Government and the Bank of England took rapid action in March 2020 at the height of the crisis to provide support to financial markets to ensure their proper functioning, and to support the economy and to protect jobs.
- 2.3 The **Monetary Policy Committee** cut Bank Rate from 0.75% to 0.25% and then to 0.10% in March 2020 and embarked on a £200bn programme of quantitative easing QE (purchase of gilts so as to reduce borrowing costs throughout the economy by lowering gilt yields). The MPC increased then QE by £100bn in June and by £150bn in November to a total of £895bn. While Bank Rate remained unchanged for the rest of the year, financial markets were concerned that the MPC could cut Bank Rate to a negative rate; this was firmly discounted at the February 2021 MPC meeting when it was established that commercial banks would be

unable to implement negative rates for at least six months – by which time the economy was expected to be making a strong recovery and negative rates would no longer be needed.

- 2.4 **Average inflation targeting.** This was the major change adopted by the Bank of England in terms of implementing its inflation target of 2%. The key addition to the Bank's forward guidance in August was a new phrase in the policy statement, namely that "it does not intend to tighten monetary policy until there is clear evidence that significant progress is being made in eliminating spare capacity and *achieving the 2% target sustainably*". That seems designed to say, in effect, that even if inflation rises to 2% in a couple of years' time, do not expect any action from the MPC to raise Bank Rate – until they can clearly see that level of inflation is going to be persistently above target if it takes no action to raise Bank Rate. This sets a high bar for raising Bank Rate and no increase is expected by March 2024, and possibly for as long as five years. Inflation has been well under 2% during 2020/21; it is expected to briefly peak at just over 2% towards the end of 2021, but this is a temporary short lived factor and so not a concern to the MPC.
- 2.5 **Government support.** The Chancellor has implemented repeated rounds of support to businesses by way of cheap loans and other measures, and has protected jobs by paying for workers to be placed on furlough. This support has come at a huge cost in terms of the Government's budget deficit ballooning in 20/21 and 21/22 so that the Debt to GDP ratio reaches around 100%. The Budget on 3rd March 2021 increased fiscal support to the economy and employment during 2021 and 2022 followed by substantial tax rises in the following three years to help to pay the cost for the pandemic. This will help further to strengthen the economic recovery from the pandemic and to return the government's finances to a balanced budget on a current expenditure and income basis in 2025/26. This will stop the Debt to GDP ratio rising further from 100%. An area of concern, though, is that the government's debt is now twice as sensitive to interest rate rises as before the pandemic due to QE operations substituting fixed long-term debt for floating rate debt; there is, therefore, much incentive for the Government to promote Bank Rate staying low e.g. by using fiscal policy in conjunction with the monetary policy action by the Bank of England to keep inflation from rising too high, and / or by amending the Bank's policy mandate to allow for a higher target for inflation.
- 2.6 **BREXIT.** The final agreement on 24th December 2020 eliminated a significant downside risk for the UK economy. The initial agreement only covered trade so there is further work to be done on the services sector where temporary equivalence has been granted in both directions between the UK and EU; that now needs to be formalised on a permanent basis. There was much disruption to trade in January as form filling has proved to be a formidable barrier to trade. This appears to have eased somewhat since then but is an area that needs further work to ease difficulties, which are still acute in some areas.
- 2.7 **World growth.** World growth was in recession in 2020. Inflation is unlikely to be a problem in most countries for some years due to the creation of excess production capacity and depressed demand caused by the coronavirus crisis.

Local Context

- 3.1 During 2020/21, the Council maintained an under-borrowed position. This meant that the capital borrowing need, (the Capital Financing Requirement), was not fully funded with loan debt, as cash supporting the Council's reserves, balances and cash flow was used as an interim measure. This strategy was prudent as investment returns were low and minimising counterparty risk on placing investments also needed to be considered.
- 3.2 A cost of carry remained during the year on any new long-term borrowing that was not immediately used to finance capital expenditure, as it would have caused a temporary increase in cash balances; this would have incurred a revenue cost – the difference between (higher) borrowing costs and (lower) investment returns.
- 3.3 The policy of avoiding new borrowing by running down spare cash balances, has served well over the last few years. However, this was kept under review to avoid incurring higher borrowing costs in the future when this authority may not be able to avoid new borrowing to finance capital expenditure and/or the refinancing of maturing debt.
- 3.4 The Council's Capital Financing Requirement (CFR) at 31 March 2021 was £138m, while usable reserves and working capital which are the underlying resources available for investment were £62.85m.
- 3.5 The Council has an increasing CFR over the next 2 years of £35m, due to the borrowing requirement of £48.3m (GF £24.7m / HRA £23.6m) for financing the capital programme over the forecast period, if reserve levels permit internal borrowing will be considered. The CFR reduces when Minimum Revenue Provision (MRP) are made and the repayment of debt, over the forecast period there are two loans due for repayment with a combined total value of £6.3m.

3 Borrowing Strategy

3.1 Borrowing Activity in 2020/21

	Balance 1/4/20 £m	New Borrowing £m	Debt Maturing £m	Balance 31/3/21 £m
CFR	132.900			138.162
Short Term Borrowing	8.597	1.697	2.386	10.211
Long Term Borrowing	83.830	7.500	4.026	85.000
Total Borrowing	92.427	9.197	6.412	95.212
Other Long Term Liabilities	0.224	0	0	0.224
Total External Debt	92.651	9.197	6.412	95.436
Increase/(Decrease) in Borrowing £000				(2.785)

- 3.2 The Council's chief objective when borrowing has been to strike an appropriately low risk balance between securing low interest costs and achieving cost certainty over the period for which funds are required, with flexibility to renegotiate loans should the Authority's long-term plans change being a secondary objective.

- 3.3 The Council has an increasing CFR due to the capital programme and an estimated borrowing requirement as determined by the Liability Benchmark, which also takes into account usable reserves and working capital. Having considered the appropriate duration and structure of the Council's borrowing need based on realistic projections, it was decided to take a combination of medium-term borrowing maturity loan during the year, details of which are below.

Long-dated Loans borrowed	Amount £m	Rate %	Term
PWLB	3.000	1.46	17 Years 11 Months
PWLB	4.500	1.55	24 Years 11 Months

- 3.4 **LOBOs:** The Council holds £3.5m of LOBO (Lender's Option Borrower's Option) loans where the lender has the option to propose an increase in the interest rate at set dates, following which the Council has the option to either accept the new rate or to repay the loan at no additional cost. All of the £3.5m of LOBOs had options during the year, none of which were exercised by the lender.
- 3.5 **Debt Rescheduling:** The premium charge for early repayment of PWLB debt remained relatively expensive for the loans in the Council's portfolio and therefore unattractive for debt rescheduling activity. No rescheduling activity was undertaken as a consequence.

4 **Investment Activity**

- 4.1 The Council's investment policy is governed by MHCLG investment guidance, which has been implemented in the annual investment strategy approved by the Council on 9 March 2020. The policy sets out the approach for choosing investment counterparties, and is based on credit ratings provided by the three main credit rating agencies, supplemented by additional market data, (such as rating outlooks, credit default swaps, bank share prices etc.). During 2020/21 the Council's investment balances have ranged between £45.9 and £75.1 million.

	Balance 1/4/20 £m	New Investments £m	Investments Redeemed £m	Balance 31/3/21 £m
Short Term Investments	30.459	204.943	196.132	39.770
Long Term Investments	7.500	0	0	7.500
Total Investments	38.459	204.943	196.132	47.270
Increase/(Decrease) in Investments £000				(8.811)

- 4.2 Security of capital remained the Council's main objective. This was maintained by following the Council's counterparty policy as set out in its Treasury Management Strategy Statement for 2020/21.
- 4.3 Counterparty credit quality is assessed and monitored by Link, the Council's treasury advisors, with reference to credit ratings; credit default swap prices, financial statements, information on potential government support and reports in the quality financial press. Link provide recommendations for suitable counterparties and maximum investment periods.

5 **Compliance with Prudential Indicators**

5.1 The Council can confirm that it has complied with its Prudential Indicators for 2020/21, which were set on 9 March 2020 as part of the Council's Treasury Management Strategy Statement.

5.2 **Interest Rate Exposure:** These indicators allow the Council to manage the extent to which it is exposed to changes in interest rates for both borrowing and investments. The upper limit for variable rate exposure allows for the use of variable rate debt to offset exposure to changes in short-term rates on our portfolio of investments.

	Approved Limit for 2020/21 %	Maximum during 2020/21 £m
<u>Fixed Rate</u>		
Borrowing	100%	99.6%
Investments	75%	35.96%
<i>Compliance with Limit</i>		Yes
<u>Variable Rate</u>		
Borrowing	20%	0.40%
Investments	100%	64.04%
<i>Compliance with Limit</i>		Yes

5.3 **Maturity Structure of Fixed Rate Borrowing.** This indicator is to limit large concentrations of fixed rate debt and control the Council's exposure to refinancing risk.

	Upper Limit %	Fixed Rate Borrowing 31/03/21 £m	Fixed Rate Borrowing 31/3/21 %	Compliance?
Under 12 months	15%	9.800	10%	Yes
12 months to 2 years	15%	6.500	7%	Yes
2 years to 5 years	30%	13.500	14%	Yes
5 years to 10 years	100%	19.177	20%	Yes
10 years and above	100%	45.853	48%	Yes

5.4 **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.

5.5 **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 2020/21; borrowing at its peak was £98.8m.

	Approved Operational Boundary 2020/21 £m	Authorised Limit 2020/21 £m	Actual External Debt 31/03/21 £m
Borrowing	161.491	168.491	95.212
Other Long Term Liabilities	0.400	0.600	0.244
Total	161.891	169.091	95.456

- 5.6 In compliance with the requirements of the CIPFA Code of Practice this report provides members with a summary of the treasury management activity during 2020/21. A prudent approach has been taken in relation to investment activity with priority being given to security and liquidity over yield.
- 5.7 The Council also confirms that during 2020/21 it complied with its Treasury Management Policy Statement and Treasury Management Practices.

COUNCIL MEETING - 12 OCTOBER 2021

AUDIT & ACCOUNTS COMMITTEE ANNUAL REPORT

1.0 Purpose of Report

- 1.1 To inform the Council of the activity undertaken by the Audit & Accounts Committee during the 2020/21 financial year.

2.0 Background Information

- 2.1 The Audit & Accounts Committee considered this report at its meeting on the 29th September 2021.
- 2.2 As part of the bi-annual review of the effectiveness of the Audit Committee which was undertaken during July 2019, an action plan was presented to the Audit and Accounts Committee at the meeting in November 2019. One of the actions identified within that plan was to produce an annual report of the activity of the Audit and Accounts Committee.
- 2.3 Part 2 of the constitution sets out the remit of the Committee which is:
- To approve the Authority's statement of accounts.
 - To review the Council's corporate governance arrangements.
 - To receive reports/presentations from the Council's internal audit manager.
 - To receive and consider the external auditor's opinion and reports.
 - To ensure that there are effective relationships between external and internal audit.
 - Consider the effectiveness and adequacy of the authority's risk management arrangements, the control environment and associated anti-fraud and anti-corruption arrangements.
 - Be satisfied that the authority's assurance statements properly reflect the risk environment and any controls in place to manage it.
 - Ensure effective scrutiny of the Council's Treasury Management Strategy and Policies.

3.0 Activity undertaken during the year

- 3.1 During the year, the Committee discharged its responsibilities as described within the Constitution by:

30 September 2020

- 3.2 Due to the pandemic the meetings during April and July 2020 were cancelled. Due to this the agenda for the meeting on the 30th September 2020 was expanded compared with the usual size.
- 3.3 Assurance Lincolnshire presented their Annual Audit report for the year 2019/20. The report detailed the four areas that the Head of Internal Audit offers an opinion on being:

Governance
Risk
Internal Control

Financial Control

- 3.4 All areas were assessed as Performing Adequately, which meant that the areas of Risk and Financial Control had reduced from the previous year of Performing Well. The main reasons for the downward trends were in relation to the uncertainties of risk around Covid-19 both from a response and recovery perspective around Risk and financial health in respect of Financial Control.
- 3.5 Within the year there had been a 16% increase in low and limited assurance reports compared with the previous year. 78% of the revised plan had been delivered albeit a number of reports were in progress at the 31st March 2020, but due to the pandemic were not completed when the annual report was written. These were however duly completed.
- 3.6 The Treasury Management Outturn report was presented for 2019/20. As the Committee responsible for overseeing the Councils treasury activities, it reviewed the report and noted that no breaches to the approved prudential indicators were made during 2019/20. The report was therefore recommended to Council for approval.
- 3.7 With the April and July meetings cancelled, the External Audit Strategy Memorandum was presented to the committee at this time, for the 2019/20 financial year. This report considered the arrangements for how the Council's external auditors – Mazars, would conclude their Statement of Accounts and Value for Money work. This report was duly noted by the Committee.
- 3.8 The External Auditors audit completion report was also tabled on this agenda as the audit was on-going due to the pandemic. The national deadlines for the approval and publication of the audited financial statements had been reviewed and re-set to 30 November due to the impact of the pandemic.
- 3.9 The Committee were made aware that although the accounts had been audited, final confirmation of an unqualified opinion cannot be concluded until the final report has been commissioned from the external auditors of the Nottinghamshire Pension Fund due to the materiality of the Council's pension liability. Therefore, the conclusions on the Statement of Accounts and Value for Money would be anticipated conclusions and to be finalised in a further report to the November Committee.
- 3.10 Alongside the External Auditors audit completion report, the Committee were presented with the audited draft statement of accounts for the year 2019/20.
- 3.11 The report informed the Committee that the audit had identified only one significant misstatement due to an allowance for 2020/21 financial years' provision against revaluation of the business rates debt being held at 31 March 2020. This debt was not held on the balance sheet at that date therefore the provision would not be held and the Committee were aware that all relevant notes were adjusted for the misstatement.
- 3.12 The Committee also received reports on:
- The Audit and Accounts Committees annual report for the year to March 2020.
 - An Internal Audit progress report to date for the year 2020/21.
 - The results of the fraud risk assessment undertaken during February 2020.

- The Counter-Fraud activities undertaken during November 2019 to August 2020.
- An urgency item relating to a Homes England Compliance Audit Report in respect of the 5-year HRA Development programme.

25 November 2020

- 3.13 The Committee began with a training session provided by Rob Baxter from Link Group, the Council's treasury advisors. This annual training is to ensure that the Committee have the knowledge and skills to effectively challenge and understand the various treasury reports that are presented to them for them to recommend to Council for approval.
- 3.14 The Committee received a supplementary letter to the External Auditors audit completion report, which was presented to the Committee at the 30th September's Committee. This identified that 3 out of the 4 outstanding audit items had been completed with no matters to report, the audit area for Pension was ongoing. This was due to the lateness of the IAS19 assurance letters and the audited financial statements being made available and therefore the Council's external auditors were unable to gain satisfactory assurance over the net pension liability figure within the accounts.
- 3.15 Whilst this is out of the Council's control, the auditors advised the Committee that they were hoping to issue the audit report by the second week of December. This was also impacting on other Councils within Nottinghamshire in the same way.
- 3.16 As a result of the pandemic, and the ongoing uncertainties around local government funding, the Council produced a report on the Going Concern status of the Council.
- 3.17 The concept of a 'going concern' assumes that an authority, its functions and services will continue in operational existence for the foreseeable future. The report was able to conclude in regard to the Council's arrangements and those factors as highlighted in the report, that the Council remained a going concern.
- 3.18 The audited statement of accounts were presented to the Committee for approval post the External Auditors supplementary letter to the audit completion report. Members of the Committee approved the Statement of Accounts, including the Annual Governance Statement.
- 3.19 The Committee considered a report from the Business Manager for Financial Services, summarising the review conducted by Sir Tony Redmond on the arrangements in place to support the transparency and quality of local authority financial reporting and external audit in England.

The review recommended 23 recommendations across a range of areas. Based on the recommendations contained within the report, there would likely be major changes to the financial reporting and external audit framework over the coming years. Officers will continue to monitor the external environment to ensure that if and when these recommendations are approved for use by the relevant organisations, the Council ensures the relevant provisions are in place to accommodate the change.

The Committee then discussed the pros and cons as to recruiting an Independent person to assist the Committee and from this a job description to be prepared and approved prior to

any advertising. A report to be taken to the next Audit & Accounts Committee providing more information for Members to consider.

3.20 The Committee also received reports on:

- Strategic Risk Management.
- Internal Audit progress report to date.
- The mid-year Treasury Management report for the 2020/21 financial year.

3 February 2021

3.21 The Committee received a report on the Internal Audit Plan for the financial year 2021/22. It detailed the planned activity for Internal audit and the focus areas of audit for the 2021/22 financial year. In addition to this report, Assurance Lincolnshire made members aware that a questionnaire would be distributed to Members in order to assess their knowledge as skills in order to populate a training plan.

3.22 The Committee also considered three reports relating to the Council's Treasury and capital activities for the 2021/22 financial year. These were the Treasury Management Strategy, the Investment Strategy and the Capital Strategy. Members noted the content of all of these and recommended to Council for their approval.

3.23 Based on the recommendation by the Committee at the meeting on the 25th November 2020 a report was received in relation to the potential appointment of an Independent Member.

3.24 The report advised that at present there were no statutory requirements on the authority to appoint an Independent Member to the Audit and Accounts Committee.

The NAO had recommended that further work be done by government with local authorities and other stakeholders to examine how the use of independent members on audit committees can be increased. This has also been supplemented by the recommendation by Sir Tony Redmond within his review.

The guidance from CIPFA notes both positive and cautionary reasons for such appointments and decisions of this nature need to take account of each local authority's own circumstances.

The Committee discussed how it would be preferable to have a 4 year cycle in place as is also carried out with the Auditors. This would be included when providing to Council.

3.25 The Committee also received reports on:

- The External Auditors annual audit letter for 2019/20.
- A review of significant governance issues in the Annual Governance Statement.
- Internal Audit progress report to date.

21 April 2021

- 3.26 The Committee received an audit report from Homes England regarding compliance against its grant programme as part of the Council 5-year HRA development programme. The Committee noted its findings.
- 3.27 The Safety and Risk Management Officer presented a report on the status of the 2021/22 Strategic Risk Register. The report provided a table illustrating the significant changes agreed by SLT to the 2021/22 strategic risk register and a table illustrating the current status of all current strategic risks.

Individual groups working through the risks to develop bespoke action plans and reviewing the current risks as well as setting target risks to identify the potential for lowering the risks once the actions are delivered and management controls put in place.

- 3.28 The Committee also received reports on:
- Internal audit progress report to date
 - Statement of Accounting policies for inclusion within the Statement of Accounts 2020/21
 - Counter-Fraud activities between September 2020 and March 2021
 - Fraud Risk Assessment undertaken in February

4.0 Conclusion

- 4.1 As can be seen from the account of the year, the Committee has discharged its responsibilities as per the Constitution.
- 4.2 The Committee has added value to the organisation, by recommending to Council and appointing an Independent member to the committee. This will add skills to the Committee which will benefit the whole organisation as further scrutiny over the reports presented to the committee will be achieved.

5.0 RECOMMENDATION

That the Council notes the activity of the Audit & Accounts Committee within the year.

Background Papers

Agendas and Minutes from Audit & Accounts Committees

For further information please contact Nick Wilson, Business Manager – Financial Services on Ext. 5317

Sanjiv Kohli
Deputy Chief Executive / Director – Resources and Section 151 Officer

COUNCIL MEETING – 12 OCTOBER 2021

MEMBERS INDEPENDENT REMUNERATION PANEL

1.0 Purpose of Report

- 1.1 To enable Members to consider re-convening the Members Independent Remuneration Panel.

2.0 Background Information

- 2.1 The process for determining and setting Members' Allowances for local authorities is set out in the Local Authorities (Members' Allowances) (England) Regulations 2003. These Regulations set out the range of allowances that can be paid to Councillors and the requirement to have an Independent Remuneration Panel to make recommendations to the Council regarding Members' Allowances.
- 2.2 The Panel must consist of at least three people whose purpose is to make recommendations about the allowances paid to elected members. The Council must "have regard" to the Panel's recommendations in setting its scheme. None of the panel members can be a member of the Council or one of its committees or of an authority in respect of which the Panel makes recommendations.
- 2.3 The basic role of the Panel is to make recommendations as to:
- the level of Basic Allowance for all Members
 - the categories of special responsibility for which a Special Responsibility Allowance should be paid and the levels of those allowances
 - as to whether Dependent Carers' allowance should be payable to Members and the amount of such an allowance
 - travelling and subsistence allowances
 - any annual increase
- 2.4 As Members will be aware, the Independent Remuneration Panel report, following their review conducted in late 2020, was submitted to the Full Council at their meeting held on 9 March 2021. The Council approved the recommendations made by the Panel in their report, but resolved not to implement at the current time, given the pandemic, the constraints on public sector pay and the review of the Council's governance arrangements.
- 2.5 At the Annual Council Meeting held on 4 May 2021, the Council resolved to adopt a Leader and Cabinet style of governance with implementation to take effect from May 2022. Since that resolution, the Member Working Group tasked with formulating the detail of how the governance arrangements should operate, have made significant progress in designing a new governance model. This model was submitted to the Councillors' Commission at their meeting held on 28 October 2021 for consideration.
- 2.6 Given the progress made, it is considered that the Independent Remuneration Panel could now be reconvened with a view to writing a further report which would be presented to the Full Council Meeting scheduled for Tuesday 8 March 2022, which would enable a new Scheme of Members Allowances to be adopted as from May 2022 to account for the new governance arrangements.

3.0 **Proposals**

Convening the Panel

- 3.1 It is proposed that the same Panel be re-convened to undertake this further review, given the knowledge they acquired and the evidence they gathered during the last process. The Panel comprised of John Shaw who acted as Chairman, and the Council's two Independent Persons, Paul Cox and Sarah Britton. As Chairman, John Shaw has the requisite local government financial background and has sat on Members' Independent Remuneration Panels for North Kesteven District Council.
- 3.2 All three members of the Panel have indicated their willingness to support this further review, and as before, it is considered that they would bring a good and appropriate mix of skills and experience required for the Panel.

Indicative Timetable

- 3.3 An indicative timetable for the review was considered by the Councillors' Commission at their meeting held on 28 September 2021, and this is set out below:

Activity	Time frame
Full Council to approve the convening of the Independent Remuneration Panel	12 October 2021
Re-provide bench marking data and information on the proposed new governance arrangements to be sent to the Panel members	October 2021
Panel to meet with the Statutory Officers – Chief Executive / Section 151 Officer and Monitoring Officer	November 2021
Panel to meet with the Governance Review Member Working Party	November 2021
Chairman of the Panel to draft report and submit to the Council	December 2021
Draft Panel report to be considered by the Councillors' Commission	December 2021
Any comments on the draft Panel report to be considered by the Panel	January 2022
Chairman to submit final report to the Council	February 2022
Full Council to consider and adopt the Final Recommendations on the Members' Allowances Scheme	8 March 2022
New Scheme for Members' Allowances to be implemented	18 May 2022 following Annual Council and implementation of new governance arrangements

Payments to the Panel

- 3.4 When convening the Panel, the Council will need to determine the level of payments to the Panel members. For the last review, payments of £2,000 were agreed for the Chairman and £1,200 for the two further members.

4.0 Equalities Implications

- 4.1 There are no equalities implications that arise from the establishment of the Independent Member Remuneration Panel, however the Panel will need to take into account any relevant equalities implications when undertaking its review of the Members Allowances Scheme.

5.0 Financial Implications – FIN (21-22/4409)

- 5.1 This report proposes that Members consider convening a Members' Independent Remuneration Panel and appropriate payment amounts for Panel members. If a Panel is convened and the Council pays Panel members in line with the previous payments, it is forecasted that there would be spend of up to £5,000 in 2021-22 only. This would be paid for from the Corporate Change Management budget.

8.0 RECOMMENDATIONS that:

- (a) **the Members Allowance Independent Remuneration Panel be reconvened in accordance with section 3 of the report; and**
- (b) **the Council determine an appropriate payment for the Panel members, which will be financed from the Corporate Change Management budget.**

Background Papers

Local Authorities (Members' Allowances) (England) Regulations 2003.

For further information please contact Nigel Hill on Ext 5243

Sue Bearman
Assistant Director – Legal & Democratic Services

COUNCIL MEETING – 12 OCTOBER 2021

APPOINTMENT OF REPRESENTATIVE ON OUTSIDE BODIES – SOUTHWELL LEISURE CENTRE TRUST

1.0 Purpose of Report

- 1.1 To change an appointment on the Southwell Leisure Centre Board of Trustees.

2.0 Background Information

- 2.1 At the Council Meeting held on 13 July 2021, Paul Handley was one of 6 appointed District Council representatives on the Southwell Leisure Centre Trust.
- 2.2 Mr. Handley has now resigned as a Trustee with effect from 16 September 2021.
- 2.3 The Conservative Group have indicated they wish to replace Mr. Handley with Councillor Bruce Laughton.

3.0 RECOMMENDATION

That the replacement of Paul Handley with Councillor Bruce Laughton, as the District Council's representative on the Southwell Leisure Centre Trust, be approved.

Background Papers

Nil

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

John Robinson
Chief Executive

COUNCIL MEETING – 12 OCTOBER 2021

THE NOTTINGHAM AND NOTTINGHAMSHIRE COMPACT

1.0 Purpose of Report

- 1.1 To approve the adoption of the Nottingham and Nottinghamshire Compact.

2.0 Background Information

- 2.1 The Compact (**Appendix A**) has been developed by partners in the Voluntary, Community and Public Sectors and was presented to and approved by the LRF HAG on 20th April 2021 and subsequently adopted by the County Council on 10 June 2021.
- 2.2 The Voluntary and Community Sector (VCS) has been at the heart of the humanitarian response across the City and County throughout the Covid pandemic, helping Public Bodies meet the expectations placed on them by the Government. The VCS has always made a huge contribution to the lives of the local people. The impact of Covid-19 and the response of the VCS to it has further highlighted and amplified the sector's critical role. The sector very quickly mobilised to provide support to our most vulnerable residents at the time they needed it most.
- 2.3 The development of the Compact has been borne out of the new relationships forged during the pandemic and is designed to provide a strong foundation for close collaborative working going forward. The Compact, asks public sector partners and the VCS to commit to a set of shared values and principles which support long-term development of effective partnership working.
- 2.4 To implement the Compact effectively, we are writing to each local authority partner requesting the formal adoption of the Compact, and thereby agreement to follow its principles. This will help to support the development and sustainability of the VCS, whilst publicly demonstrating the value local authority partners place in continuing the collaboration that has been developed.

3.0 Proposals

- 3.1 That the Compact as detailed in Appendix A to the report, is adopted by the District Council.
- 3.2 The Compact was considered by the Policy & Finance Committee at their meeting held on 23 September 2021. The Committee referred the Compact onto Full Council in order to secure the endorsement of all Members.

4.0 Equalities Implications

- 4.1 There are no negative equalities implications with this proposal. The voluntary and community sector engage with those individuals and communities in need of additional support within the district. Therefore, the adoption of the Compact will further strengthen this engagement.

5.0 Digital Implications

5.1 There are no adverse digital implications associated with this proposal.

6.0 Financial Implications (FIN21-22/2249)

6.1 The Council already works with and supports the voluntary and community sector across the district, therefore adopting the Compact will have no additional financial implications.

7.0 Community Plan – Alignment to Objectives

7.1 The adoption of the Nottingham and Nottinghamshire Compact will make a positive contribution to the Council's Community Plan 2020 – 2023 objectives primarily in respect of 'create vibrant and self-sufficient local communities where residents look out for each other and actively contribute to the local area' and 'Improve the health and wellbeing of local residents'.

8.0 RECOMMENDATION

That the Council adopt the Nottingham and Nottinghamshire Compact.

Background Papers

Nil.

For further information please contact Andy Hardy on Extension 5708.

Suzanne Shead
Director – Housing, Health & Wellbeing



THE NOTTINGHAM & NOTTINGHAMSHIRE COMPACT

About the Compact

This document is an agreement between public sector organisations and voluntary and community organisations [VCS] across Nottingham and Nottinghamshire.

This Compact provides the framework for improved partnership working and recognises and supports the contribution that all partners make, underpinned by mutual understanding, trust and respect. It builds on the collaboration and joint working progressed as an emergency response to the Covid-19 pandemic.

It sets out how the public sector and the VCS can get the most out of partnership working by meeting our respective commitments and work together for the benefit of our communities and residents.

Background

The VCS across Nottinghamshire and Nottingham makes a huge contribution and has, as ever, played a critical role during the pandemic. It is important the sector, which provides services and support to those residents who are especially vulnerable to the virus such as older people, disabled people, those with specific health conditions, the homeless and those who are economically disadvantaged, are supported in the longer term.

Strengthening relationships with and across the sector will maximise on opportunities to develop a whole systems approach to supporting the financial health and resilience of the sector ultimately leading to person centred, sustainable services and a longer-term impact on widening health inequalities. Joint and collaborative working will enable the health and social care system to benefit from the expertise and local knowledge of VCS partners and in the short-term enable direct coordinated support to those communities disproportionately affected by the pandemic.

For the purposes of this document the term 'Voluntary and Community Sector' is used to describe voluntary organisations, community groups, the community work of faith groups, and those social enterprises and community interest companies where there is a wider accountability to the public via a board of trustees or membership and all profits are reinvested in their social purpose.

Shared Values & Principles

We propose that these shared values and principles should be used to guide and underpin the long-term development of our working relationships across Nottinghamshire and Nottingham:

- Working as equal partners, the VCS is accepted with parity of esteem by its statutory colleagues and that collaboration across and between the VCS is an important principle. A relationship built on trust, equality and mutual understanding for the achievement of common aims and objectives, will add value to services in Nottinghamshire and Nottingham

- Joint working demands integrity and a willingness to regularly communicate in an accountable, open and honest way
- We will accept the challenges each partner may face and use a strength-based approach to solving problems together
- Accept that LRF partners and the voluntary and community sector have distinct but valuable and complementary roles, in the development and delivery of public policy and services
- Differences of opinion will arise, but we are committed to resolving them in a constructive and respectful manner driven by shared purpose and values and not individual gain
- The independence and diversity of the voluntary and community sector is crucial to the development, delivery and scrutiny of quality services
- Voluntary and community organisations are entitled, regardless of funding sources, to act as advocates in seeking to influence and strengthen public policy
- All partners will be respected and afforded the opportunity to put across their point of view
- We will work in partnership to ensure that minority ethnic and other disadvantaged groups are included in our consultation and policy development processes so that their views are heard, and their concerns acted upon
- We will work collaboratively to ensure that the voices of individuals and groups who face health inequalities are heard within consultation and policy development processes including the co-design and production of services
- We will respect each other's specialisms and expertise
- We will always seek the knowledge and guidance of the community we serve in the redesign of services
- We will work together to maximise the impact of investment in the VCS through a strategic approach to funding which eliminates duplication and targets the needs of local communities to gain the greatest return for the Nottingham and Nottinghamshire pound
- We will accept the value of individual emotional, psychological and interpersonal [soft outcomes] and social benefits in challenging health inequalities and integrate the Social Value Act 2019 in the decisions we make

Implementing the Compact

Implementing this Compact can help partners achieve:

- Equity in relationships
- Informed decisions based on the knowledge of local communities
- More appropriate funding that more closely reflects the needs of users
- Progress towards a more equal society by identifying and tackling inequality and disadvantage
- Value for money

To implement the Compact effectively, public sector and VCS organisations will take steps to ensure that they:

- Are aware of the Compact and its implications for their work
- Incorporate the principles and values of the Compact into their policies and procedures.

Public Document Pack Agenda Item 16a

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, 23 September 2021 at 6.15 pm.

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

Councillor Mrs R Holloway, Councillor R Jackson, Councillor P Peacock,
Councillor T Wendels and Councillor R White

ALSO IN ATTENDANCE: Councillor R. Blaney, Councillor Mrs B. Brooks, Councillor P. Harris,
Councillor J. Lee, Councillor M. Skinner and Councillor Mrs S. Michael.

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

Councillor Mrs R. Holloway declared a Non-Registerable Interest in Agenda Item No. 14 – Payment of Children and Young People Space Contribution to Bilsthorpe Parish Council as a Member of Bilsthorpe Parish Council.

Councillors K. Girling and M. Skinner both declared an Other Registerable Interests in Agenda Item No. 26 – Transfer of Southwell Leisure Centre, as Directors of Active4Today.

Councillor T. Wendels declared an Other Registerable Interest in Agenda Item No. 26 - Transfer of Southwell Leisure Centre, as a District Council appointed Trustee of Southwell Leisure Centre.

Councillor D. Lloyd advised of his reasons for not taking in the meeting during consideration of Agenda Item No. 18 – London Road Car Park, which was taken as the first item of business.

Councillor K. Girling chaired the meeting until after consideration of the London Road Car Park report.

249 DECLARATIONS OF INTENTION TO RECORD THE MEETING

The Vice-Chairman advised that the proceedings were being audio recorded and live streamed by the Council.

250 MINUTES OF THE MEETING HELD ON 24 JUNE 2021

The minutes from the meeting held on 24 June 2021 were agreed as a correct record and signed by the Chairman.

251 LONDON ROAD CAR PARK

The Director - Planning and Growth presented a report concerning a review of the London Road Car Park extension scheme which was requested in response to a petition presented to the Full Council on 7 March 2019. The report referred to four options open to the Council in respect of the scheme. However, when presenting the report the Director – Planning & Growth advised that an approach had been made by the solicitors acting for Datch Properties Limited, who now owned the site, which revised the terms in relation to the first option set out in the report, and a further proposal for a new or revised lease for a 30 year term at £25k per annum which would not require a car park to be built on the green space.

The Committee agreed that this was a significant proposal and therefore further time was necessary to consider the new information which was being reported.

AGREED (unanimously) that in light of the new information which was reported to the Committee, the item be deferred for consideration by the Full Council at their next meeting to be held on 12 October 2021.

Reason for Decision

To enable full consideration of the new information that was reported to the Committee.

252 FORWARD PLAN OF POLICY & FINANCE ITEMS

Councillor D. Lloyd joined the meeting at this point in the proceedings.

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

253 RECONSTITUTION OF WORKING PARTIES / TASK & FINISH GROUPS

The Committee considered the report of the Chief Executive which sought to reconvene the Working Parties and Task & Finish Groups established by the Policy & Finance Committee.

AGREED (unanimous) that:

- (a) the Working Parties/Task & Finish Groups set out in the appendix to the report be reconvened; and
- (b) Councillors S. Haynes, J. Kellas and T. Wildgust be appointed as the additional three Conservative Group Members on the Member Development Task & Finish Group; and
- (c) Councillor Girling be appointed as the Policy & Finance Committee representative on the Local Development Framework Task Group.

Reason for Decision

To reconvene the appropriate Working Parties/Task & Finish Groups.

254 STREET NAMING AND NUMBERING POLICY

The Director - Planning & Growth presented a report which set out a new Street Naming and Numbering Policy for adoption and sought authorisation to formalise the legislation the Council would use in carrying out the function. The main purpose of the proposed policy was that every property in Newark and Sherwood had a unique, clear and consistent address. A copy of the proposed Policy was attached as Appendix 1 to the report.

In updating the Policy, regard had been made to the legislation under which street name and numbering can be carried out, and a review of other council's street name and numbering guidance, new national guidance and the Council's existing guidance. The report set out some of the issues of concern in respect of street naming including using the names of deceased or living persons and timescales. Members expressed their disappointment that streets cannot be named after living people, as it could often be a fitting tribute to people who had made significant contribution to the local community.

AGREED (unanimously) that:

- (a) a resolution be made to adopt:
 - Sections 17 and 18 of the Public Health Act 1925 for the naming and alteration of names of streets in respect to naming; and
 - Sections 74 and 75 of the Town Improvement Clauses Act 1847 is used for the numbering of buildings;
- (b) the above resolution be notified to Town/Parish Councils and Parish Meetings and notices placed within the Newark Advertiser and Mansfield Chad in accordance with Paragraph 25, Schedule 14 of the Local Government Act 1972; and
- (c) the Street Naming and Numbering Policy, as attached as an appendix to the report, subject to the inclusion of 'Wong' as a name suffix in Section 10, be adopted following the undertaking of (b).

Reason for Decision

Adoption of the proposed Street Naming and Numbering policy will provide clear guidance for service users and align with national guidance in relation to Street Naming and Numbering. Undertaking the notification process will formalise the Council's approach in accordance with legislation.

255 TARGET HARDENING OF KEY LOCATIONS TO MITIGATE THE RISK OF UNAUTHORISED

ENCAMPMENTS

The Director - Communities & Environment presented a report detailing proposals to mitigate the risk of unauthorised encampments within the District, following a series of sustained encampments by gypsy and traveller groups of several areas of Council owned and managed land. There was a recognised need for gypsy and traveller sites within the district to address the requirements of resident travellers as identified in the Council's Gypsy and Traveller Accommodation Assessment, and the Planning Policy team would continue to work with partners to ensure that suitable sites were available. The purpose of 'target hardening' was to assist with efforts to divert non-resident groups travelling through the District to suitable sites.

The report identified 21 at risk sites for which a range of modifications considered to restrict access were detailed, along with projected costs. Most proposed works would not affect general usage or aesthetics of the sites. Where more extensive works were required, these would be shared with the relevant Ward Member and community groups. The Committee noted the 'designing out' crime and increasing resilience was emphasised within the planning process.

AGREED (unanimously) that:

- (a) the approach to preventing unauthorised encampments on at risks sites in Newark & Sherwood, to avoid significant eviction costs and potential disruption to local communities be supported;
- (b) funding of £131,010 to undertake the works on the at risk sites be approved (works to be funded from the Community Engagement reserve, leaving a balance of £118,734);
- (c) funding of £21,010 from the Housing Revenue Account (HRA) to undertake the works on the at risk sites on HRA land be approved (works to be funded HRA annual budget); and
- (d) Newark Town Council be approached with a view to funding 50% of the cost of works on the Newbury Road estate.

Reason for Decision

To mitigate the cost and risks associated with unauthorised encampments on at risk sites in Newark and Sherwood.

256 NEWARK TOWNS FUND UPDATE

The Director - Planning and Growth presented a report which updated the Committee on the Newark Town Deal projects, including the Newark Construction College Centre of Excellence, the IASTI and SiSCLog. The report also advised of the commencement of the demolition of the cattle market from early October.

Support from the Committee was also sought to begin a formal procurement exercise for the creation of the Newark Cycle Town, to include four cycle hubs, bike hire and

storage. Members welcomed the report and agreed it would bring in investment and employment to Newark, and aspirational options for young people.

AGREED (unanimously) that:

- (a) the updates provided be noted;
- (b) £200,000 be added to the Capital Programme in relation to the Cycle Town project of the Town Investment Fund programme, funded by the Towns Fund; and
- (c) Members support the Newark Cycle Town project, supporting that a full procurement takes place and that the Council's land-holding at Castle House adjacent to Castle Rail Station, be a location for a cycle hire hub subject to receipt of private match funding of no less than £50,000 in the form of sign-up from local employers.

Reason for Decision

To continue the development the Newark Towns Strategy and Investment Plan.

257 ENVIRO CRIME - STRENGTHENING OUR ENFORCEMENT ACTIVITY

The Director - Communities and Environment presented a report which proposed to increase the Authority's enforcement capacity through a one-year pilot arrangement with a private sector company targeting low-level environmental crime.

Under the proposals, the Council would effectively authorise WISE (Waste Investigations, Support and Enforcement) to undertake enforcement activity for a range of environmental crimes, largely under the various sections of the Environmental Protection Act 1990. This would cover littering, dog fouling, graffiti, Public Space Protection Orders and fly-tipping. This increased capacity would supplement the work of the Community Protection Officers in their role in responding to incidents and a wide range of community interventions.

The report also detailed positive feedback from neighbouring authorities who had undertaken similar schemes with WISE. The Committee welcomed the proposals and noted that performance data detailing where Fixed Penalty Notices had been issued could be shared Members. The Leisure & Environment Committee recommended adoption of the pilot project at their meeting held on 21 September 2021.

AGREED (unanimously) that a one year Enviro - crime Enforcement pilot project with WISE be approved.

Reason for Decision

To consider enhancing enforcement capacity to enable delivery of the Council's objectives, recognising the challenges that have been brought to this objective with responding to the pandemic.

258 THE NOTTINGHAM AND NOTTINGHAMSHIRE COMPACT

The Health Improvement & Community Relations Manager presented a report which sought adoption of the Nottingham and Nottinghamshire Compact. The Compact asks public sector partners and the voluntary community sector to commit to a set of shared values and principles which support long-term development of effective partnership working. The Compact, attached at Appendix A to the report, had been borne out of the new relationships forged during the pandemic and was designed to provide a strong foundation for close collaborative working going forward.

AGREED (unanimously) that the Nottingham and Nottinghamshire Compact be referred onto Full Council for adoption.

Reason for Decision

To recognise the value of partnership working between the public sector and voluntary community sector in respect of delivering better outcomes for the community.

259 PROPOSED ACQUISITION OF SECTION 106 HOUSING - SOUTHWELL

The Director – Planning & Growth, presented a report proposing the acquisition of two S106 new build affordable rented homes on the Stagfield Group Development at The Rise, Nottingham Road, Southwell. The Council's housing register showed there was strong demand for affordable units in this locality. The Developer had not succeeded in finding a housing association to take on the properties, and the Council had concluded that the transaction represented value for money.

AGREED (unanimously) that delegated authority be given to the Director - Housing, Health & Wellbeing to offer the value detailed in the exempt Appendix for the two affordable housing units at The Rise, Nottingham Road, Southwell.

Reason for Decision

To consider the acquisition of the S106 affordable housing at Nottingham Road Southwell to enable the Council to intervene in the market where appropriate and necessary to ensure the delivery of on-site affordable housing in the district.

260 PAYMENT OF CHILDREN AND YOUNG PEOPLE SPACE CONTRIBUTION TO BILSTHORPE PARISH COUNCIL

The Director - Planning and Growth, presented a report which sought approval to forward fund the refurbishment of the children's play park and park at Maid Marion Way, Bilsthorpe from funding secured under a Section 106 agreement linked to the Oldbridge Way development in order to enable the Parish Council to progress the proposed works. The Parish Council had a scheme prepared for works to commence once funding had been secured. The advance payment could be made from Council

reserves and the equivalent value repaid into reserves on receipt of the contribution from the developer as per the S106 agreement.

AGREED (unanimously) that:

- (a) the base sum of £111,271.20 plus indexation be transferred to Bilsthorpe Parish Council under a side legal agreement and any uplift secured through indexation also be transferred when received by the Council; and
- (b) a capital budget be created for £111,271.20, funded by borrowing until such time that the section 106 contribution is received.

Reason for Decision

To enable Bilsthorpe Parish Council to progress with the refurbishment of the children's play area and park at Maid Marion Way, Bilsthorpe with its appointed project team and contractor.

261 GENERAL FUND, HOUSING REVENUE ACCOUNT (HRA) AND CAPITAL PROJECTED OUTTURN REPORT TO 31 MARCH 2022 AS AT 31 JULY 2021

The Business Manager - Financial Services presented a report which compared the Revised Budgets with the Projected Outturn forecast for the period ending 31 March 2022. The forecast was based on four months performance information on the Council's revenue and capital budgets including the General Fund Revenue, HRA and Capital Programme. The accounts showed a projected favourable variance against the revised budget of £0.163m on service budgets, with an overall favourable variance of £0.148m. Appendix A to the report detailed the variances in service areas and other budgets.

The report also summarised the position for the Capital Programme up to the end of July 2021. Additions and amendments to the Programme were detailed in Appendix B to the report.

AGREED (unanimously) that:

- (a) the General Fund projected favourable outturn variance of £0.148m be noted;
- (b) the Housing Revenue Account projected favourable outturn variance of £0.778m be noted;
- (c) the variations to the Capital Programme at Appendix C be approved; and
- (d) the Capital Programme revised budget and financing of £54.765m be approved.

Reason for Decision

To update Members with the forecast outturn position for the 2021/22 financial year.

262 ASSET DATA SOFTWARE PROCUREMENT

The Business Manager – Housing Maintenance & Asset Management presented a report which sought approval to replace Keystone, with a new Asset Management & Compliance system for the Housing, Health & Wellbeing directorate. This replacement would enable the Council to maintain a robust system for the management of property data in order to ensure the safety of tenants in their homes, and enable effective asset management.

The report detailed the issues and risks with the existing software, set out the options for replacement, and detailed the selection process for the proposed new supplier. After extensive consideration, it was proposed that Apex was the most suitable solution.

AGREED (unanimously) that:

- (a) Members approve the preferred provider from the framework, Apex, to deliver a new asset management database;
- (b) the total one off expenditure of Apex of £160,300 funded from the HRA Development and ICT Reserve be approved; and
- (c) the additional annual revenue costs of Apex of £17,889 per year for all modules, funded by HRA efficiency savings be approved and added into future year budgets.

Reason for Decision

To improve the performance of the Compliance & Safety Team and ensure the health, safety and wellbeing of our tenants and employees remain paramount.

263 COMMUNITY PLAN - ACTIVITY FOCUS

The Director - Customer Services & Organisational Development presented a report setting out the work that remained on-going or outstanding within the Council's Community Plan for April 2020 to March 2023. It was noted that there would continue to be a demand on the Council to support the Covid response and recovery which would continue to impact on the Council's activities.

AGREED (unanimously) that the community activities which remain to be undertaken be noted.

Reason for Decision

To ensure Members are aware of the focus of activities which will be undertaken for the next 18 months.

ANNUAL REPORT

The Committee considered the report of Director – Housing , Health & Wellbeing which gave an overview of the Parish and Town Council Initiative Fund awards for the 2020/2021 ‘Greener’ themed rounds. A summary of the awards made to parish councils were detailed in the appendix to the report.

AGREED (unanimously) that:

- a) the report and Appendix A be noted; and
- b) the Parish and Town Council Initiative Fund 2021/2022 Annual Review be reported to Members during 2022.

Reason for Decision

To enable the Council to monitor the value and impact of the Parish and Town Council Initiative Fund and the development and contribution to the Council’s Community Plan 2020 – 2023.

265 URGENCY ITEM - TRANSFER OF S106 MONIES FOR COMMUNITY FACILITIES AND CHILDREN'S PLAY SPACE IN EDWINSTOWE

The Committee noted the decision to set up a budget in the Capital Programme for £43,479.63, financed by the Community and Children’s Play Space contributions in the Section 106 Agreement reference AG1034, and to transfer to Edwinstowe Parish Council.

AGREED (unanimously) that the urgency item be noted.

Reason for Decision

To enable a payment to be made to Edwinstowe Parish Council in a timely manner in line with other funding partners to move the projects forward.

266 URGENCY ITEM - TRANSFER OF SECTION 106 MONIES FOR INTEGRATED TRANSPORT CONTRIBUTION ALONG THE A1133 CORRIDOR TO THE FRIENDS OF TRENT VALE TRAIL

The Committee noted the decision to set up a budget in the Capital Programme for £24,755.63, financed by the Integrated Transport Contribution in Section 106 Agreement reference AG863, and transfer to the Friends of Trent Vale Trail

AGREED (unanimously) that the urgency item be noted.

Reason for Decision

To enable a payment to be made to Friends of Trent Vale Trail in a timely manner in line with other funding partners to avoid any unnecessary delays and to move the project forward.

267 URGENCY ITEM - NEWARK LORRY PARK SHOWER BLOCK

The Committee noted the decision to install turnstiles to the shower block at Newark Lorry Park at a capital cost of £32,000 for installation and £3,500 ongoing revenue cost for maintenance.

AGREED (unanimously) that the urgency item be noted.

Reason for Decision

To ensure secure access to the shower block facilities and improve the facility opening times.

268 EXCLUSION OF THE PRESS AND PUBLIC

AGREED (unanimously) 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 Part 1 of Schedule 12A of the Act.

269 PROPOSED ACQUISITION OF SECTION 106 HOUSING - SOUTHWELL - EXEMPT APPENDIX

The Committee considered the exempt appendix in relation to the two affordable housing units at The Rise, Nottingham Road, Southwell.

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

270 HOUSING, HEALTH & WELLBEING BUSINESS UNIT RESTRUCTURE

The Committee considered the exempt report in relation to the Housing, Health & Wellbeing Business Unit Restructure.

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

271 TRANSFER OF SOUTHWELL LEISURE CENTRE

The Committee considered the exempt report in relation to the transfer of Southwell Leisure Centre.

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

Meeting closed at 8.24 pm.
Chairman

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

Document is Restricted

Public Document Pack Agenda Item 16b

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of **Economic Development Committee** held in the Civic Suite, Castle House, Great North Road, Newark NG24 1BY on Wednesday, 8 September 2021 at 6.00 pm.

PRESENT: Councillor K Girling (Chairman)
Councillor Mrs P Rainbow (Vice-Chairman)

Councillor R Blaney, Councillor L Brailsford, Councillor L Brazier,
Councillor Mrs R Crowe, Councillor M Skinner, Councillor S Haynes and
Councillor K Walker (substitute).

APOLOGIES FOR ABSENCE: Councillor Mrs M Dobson (Committee Member), Councillor N Mitchell (Committee Member), Councillor T Smith (Committee Member) and Councillor R White (Committee Member)

18 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.

19 DECLARATION OF INTENTION TO RECORD MEETING

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

20 MINUTES OF MEETING HELD ON 16 JUNE 2021

AGREED that the Minutes of the meeting held on 16 June 2021 be agreed as a correct record and signed by the Chairman.

21 CHAIRMAN'S REPORT

The Chairman advised that the Agenda provided the Committee with all relevant and current information and would therefore not be giving a verbal report.

22 FORWARD PLAN - OCTOBER 2021 TO SEPTEMBER 2021

The Committee considered the Forward Plan for the Economic Development Committee for 1 October 2021 to 30 September 2022.

In considering the Forward Plan Members agreed that the Council should act as an influencer by leading the way in the provision of EV charging points. The Chairman suggested that Councillor Mathew Skinner work with Officers on progressing this matter.

AGREED (unanimously) that:

- (a) the Forward Plan be noted; and

(b) the following items be added to the Forward Plan:

- (i) Ollerton Hall Update (November 2021)
- (ii) EV Charging Points Update (date to be confirmed)

23 NEWARK HIGH STREET HERITAGE ACTION ZONE UPDATE - PRESENTATION ON FOOTFALL SENSORS

The Committee considered the report and presentation by the Business Manager – Economic Growth and Mr. Dan Coombs from Proximity Futures which sought to update Members on the installation of footfall sensors within the town centre which was a project within the Newark High Street Heritage Action Zone.

The report set out the background to the use of footfalls sensors to deliver the project and noted their location in Newark. Also contained within the report was information as to how the information gathered by the sensors could be used to provide quantitative insights for future activities.

In considering the presentation delivered by Mr. Coombs, Members welcomed the number of ways in which the data could be utilised and sought assurances that all the information gathered was anonymous. Mr. Coombs confirmed that the information was anonymous and provided Members with the technicalities of how the data was collected, adding that Proximity Futures was registered with the Information Commissioner.

In response to how the data captured could be used to support the tourist economy, Mr. Coombs advising that this was currently being reviewed with the possible development of apps specific to tourism e.g. for trails through the town.

The Director – Planning & Growth advised Members that the data gathered would be used to help to inform the Council's decision making process and would enable information on footfall to be passed to traders with a view to assisting their business development. It could also be used as part of considerations as to what events or entertainment would be provided in the locale.

In noting the location of the sensors in the Market Place, a Member queried whether they were sufficiently sensitive to pick up those coming into the market from the direction of the Asda supermarket, adding that the Council would soon be letting business units and footfall numbers would be welcome information for potential occupiers. Mr. Coombs advised that the route into the market referred to was not covered at present but additional sensors could be procured. He also advised that a mobile sensor could be used for events not covered by the existing ones in the Market Place.

In concluding the discussion, the Chairman welcomed the potential value of the data captured in helping to shape the future of the town with the Director confirming that the findings would be shared with local retailers.

The Committee considered the report presented by the Director – Planning & Growth which sought to provide Members with an overview of Nottinghamshire County Council's (NCC) consultation on the options for the future of North Clifton Primary School and the Council's formal response.

It was reported that the consultation was launched on 23 June 2021 to seek the views of interested parties regarding the school's future. The consultation closed on 23 July 2021 and was the first stage of procedural requirements prescribed by the Department of Education's statutory guidance for proposers and decision-makers on the opening and closing of maintained schools. Paragraph 3 of the report listed the 5 options identified for consideration. Attached as an appendix to the report was the Council's response which made clear the commitment to working with NCC, the school's governing body and other stakeholders to find a sustainable solution.

In presenting the report the Director advised the Committee that he had been approached by both district ward Members who had stated their support for the school and that they wished to avoid its closure. He added that a recent review of rural housing stock had identified that there was a need for 12 units to be provided in that locale, noting that a meeting was to be held with the parish council on 20 September. He also advised that a planning application for 300 homes was pending in nearby West Lindsay District Council which may impact on pupil numbers. The Director informed Members that the school was not used solely for education but also for community purposes which would be negatively impacted should close. It was reported that both district ward Members had requested that the Council lobby the Education Authority to explore ways in which the school could remain open.

In considering the report and the Director's comments, Members agreed that the Council's response to the consultation had been appropriate.

AGREED (unanimously) that the Council continue to engage with NCC, the school's governing body and other stakeholders to identify a sustainable solution for the future of the school.

25 REAPPOINTMENT OF REPRESENTATIVES TO WORKING PARTIES/TASK & FINISH GROUPS

The Committee considered the report of the Business Manager – Elections & Democratic Services which requested that Members consider the reconvening of the Local Development Framework Task Group for the forthcoming year and the associated membership thereof.

AGREED (unanimously) that:

- (a) the Local Development Framework Task Group be reconvened with the number of representatives from the named committees remaining unchanged; and

- (b) the representatives from the Economic Development Committee be named as the Chairman and Vice-Chairman, Councillors Keith Girling and Penny Rainbow respectively.

26 ECONOMIC DEVELOPMENT REVENUE AND CAPITAL FORECAST OUTTURN REPORT TO 31 MARCH 2022 AS AT 31 JULY 2021

The Committee considered the report presented by the Business Manager – Financial Services which provided Members with a comparison of Revised Budgets for the period ending 31 March 2022 with the Projected Outturn forecast for the same period. The figures were based on four months' performance information on the Council's revenue and capital budgets, including: general fund revenue and capital programme.

Attached to the covering report was the report being presented to the Policy & Finance Committee on 23 September 2021 which detailed the forecasted financial position to 31 March 2022 of the Council as at 31 July 2021.

It was reported that the current position for the Council was a favourable variance of £0.148m, noting that the figure was prior to any return funding from the Nottinghamshire Business Rates Pool, for which S151 Officers across the country were working to review. The forecast outturn position for the Committee was favourable with a variance of £0.323m, with main reasons for that being detailed in Appendix A to the Policy & Finance report.

In considering the report a Member referred to the income generated from the lorry and car parks which was ahead of budget, adding that there was increasing evidence that the economy was recovering strongly. The Business Manager acknowledged the comments and confirmed that the report to the November 2021 meeting would provide the first 6 months figures, together with the forecast to the end of March 2022 and a comparison to the figures reported for Members' consideration today.

In noting the nationally reported shortage of lorry drivers and the increase in working from home a Member queried whether there was any anticipated impact on the use of car parks and the lorry park. The Director – Planning & Growth advised that the use of the lorry park was being monitored and that in addition to a shortage of drivers, the recent changes to the working time directive may also have an impact. He added that the Council were working with Newark College about the shortage of drivers and that the use of car parks was being monitored to ascertain whether increases to home working had had an impact.

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

27 CLIMATE EMERGENCY UPDATE

The Committee considered the report presented by the Director – Planning & Growth which sought to provide Members with an update on the progress of the Climate Emergency Strategy and associated Action Plan.

The report set out the background to the Council's decision to declare a Climate Emergency and the proposals for future works to achieve the carbon net neutral target date of 2035. The following proposals were listed with supporting information: electric vehicle charge points; electric vehicle transition; data validation; solar pv feasibility; shovel ready projects; tree planting; residential cycle and car parking standards and design guide; carbon footprint; taxi licensing; and climate emergency project meetings.

In noting the proposal on tree planting, a Member queried whether any further planting initiatives with schools were planned. The Director stated that it was his understanding that this would continue in the future. Members noted and agreed that the Council's record in relation to the planting of trees was to be commended.

AGREED (unanimously) that:

- (a) the project update be noted; and
- (b) future reports provided additional progress updates on the Council's carbon reduction journey be provided as required.

28 VISITOR ECONOMY RECOVERY PLANS FOR 2021/2022

The Committee considered the report presented by the Director – Planning & Growth which sought to provide Members with an update on activity to support the recovery of the district's visitor economy in 2021/22.

The report set out that during 2018 and 2019 the district's visitor economy had enjoyed sustained annual growth but that the pandemic in 2020 had resulted in the most challenging year on record for the UK's tourism and hospitality sectors. The local picture was reflected in a fall of 56.3% for the district and a fall of 54.4% in Newark. The report noted the continued challenges facing the industry and outlined the proposals in paragraph 3 on how the Council could support the sector to recover, these being noted as: relationship building with sector partners/stakeholders; destination development; destination marketing; and visitor insight, knowledge and research.

In considering the report a Member praised the work undertaken by Officers prior to the pandemic which had resulted in the reported sustained growth in 2018/19. She queried whether the Council were working with the County Council on this to aid the sector's recovery. The Director advised that there was an ongoing dialogue with the County Council. The Chairman also stated that the County were no longer just promoting their own visitor attractions but were now looking at attractions across the county as a whole.

In referring to Tourism Action Groups, a Member stated that twinning was seldom mentioned. She added that those involved in twinning associations had potential to bring foreign visitors into the town, adding that the twinned town in Poland had a section dedicated to Newark & Sherwood within their Tourist Information Centre.

A Member made reference to the work undertaken with stakeholders, adding that the proposal by LNER to close their ticket office at Northgate Station at 13:00 hours each day would be detrimental to the area and the sector. He suggested that delegated authority be given to the Director, Chairman and Vice-Chairman to address this issue. The Director encouraged all Members of the Committee to lobby LNER and other service providers to make no changes to their operations which would have a detrimental effect on the district, specifically the tourist and hospitality sector.

AGREED (unanimously) that activity to date in supporting the recovery of the district's visitor's economy in 2021 and beyond be noted.

Councillor R.V. Blaney left the meeting at 19:20 hours.

29 ECONOMIC GROWTH STRATEGY ANNUAL UPDATE

The Committee considered the report presented by the Business Manager – Economic Growth which sought to provide Members on progress of the interventions and actions identified in the delivery of the Economic Growth Strategy 2021/2026 together with identification of changes, including new actions for the next 12 months in the delivery of Economic Growth for the district.

The report set out the background to the development and adoption of the aforementioned Strategy and Economic Recovery Plan. Appendix A to the report was a comprehensive Action Plan which set out what the Council would actively undertake.

In considering the report and the work undertaken to-date a Member stated that the development of an Evening Economy Strategy was vital for the district as a whole.

The Chairman commented that often the public were unaware of the work undertaken by Officers to deliver on the projects as identified in the report. He asked that the thanks of the Committee be passed on to the Economic Growth Team. He referred Members to paragraph 2.4, final bullet point stating that the completion of the former Robin Hood Hotel development and associated opening of the 66 bed Travelodge and availability of 3 no. ground floor commercial units had come in at zero cost to the Council, adding that the Council had in fact made a profit from the development.

AGREED (unanimously) that the updates provided and proposed direction of travel in continuing to deliver the Economic Growth Strategy for the district's businesses and residents be noted.

30 NEWARK TOWNS FUND UPDATE

The Committee considered the report presented by the Director – Planning & Growth which sought to provide Members with an update on the Newark Town Deal and identified Towns Fund Projects.

The report provided information on: the business case development for the YMCA Community & Activity Village and the recruitment of a Town Investment Program Manager. Individual project updates were provided for: Construction College Expansion (Plumbing & Gas Fitting Training Centre); YMCA Community & Activity Village (CAV); Newark Gateway Redevelopment – IASTI; and Newark Cycle Town.

In presenting the report, the Director provided an update in relation to the demolition of the Livestock Market, stating that it should be completed by the end of November and it was expected that the associated planning application would be submitted by *the end of the year*.

In considering the report, the Chairman commented that the projects offered possibilities for young people in the area to receive training for well-paid and meaningful roles.

In referring to the proposed local cycling and walking infrastructure plan a Member queried whether the plan was being developed in partnership with Nottinghamshire County Council, adding that any discussion must include the safety of users. He also queried whether there had been any feedback on the cycle storage units. The Director advised that he had no documented evidence but anecdotally the units appeared to have addressed some of the issues with bike thefts.

A Member of the Committee queried whether any discussions would be held in relation to public transport links, noting the extremely poor bus service provision between the Ollerton area and Newark. The Chairman acknowledged the comments and agreed that he would wish to see those discussions held. In relation to cycling, he stated that he would wish to see an audit undertaken of the routes the Council would promote, adding that he would like to see cyclists given more priority as road users, suggesting that there be a liaison with Planning Policy in relation to road design.

AGREED (unanimously) that:

- (a) the updates provided be noted and welcomed;
- (b) Policy & Finance Committee be recommended to add £200,000 to the Capital Programme in relation to the Cycle Town Project of the Town Investment Fund Programme, funded by the Towns Fund; and
- (c) the Newark Cycle Town Project be supported, recommending to Policy & Finance Committee that a full procurement takes place and that the Council's landholding at Castle House adjacent to the Castle Rail Station, be a location for a cycle hire hub.

31 NEWARK BEACON UPDATE

The Committee considered the report presented by the Director – Planning & Growth which sought to update Members on the progress made at the Newark Beacon, including information on the marketing of the facility.

The report set out that the performance indicators for the Newark Beacon had been updated in line with the Corporate Property Business Unit's refreshed Business Plan and the update to the Council's Community Plan, with the facility being in a positive position for all but one of the indicators at the end of Quarter 1, details of which were reported in the table at paragraph 3.1.

The report also provided Members with information as to staffing changes; essential works undertaken; the effects and response to Covid-19; marketing of the facility; occupancy rates; rental, café and auxiliary incomes for 2021/22; customer satisfaction; and business support.

In considering the report Members welcomed the information and the positivity of the facility moving forward. They particularly welcomed the support given, by the team, to the businesses who used the facility.

AGREED (unanimously) that:

- (a) the report and achievements made to date be noted; and
- (b) further progress reports be presented to Committee biannually.

32 SHERWOOD REGENERATION UPDATE

The Committee considered the verbal report by the Director – Planning & Growth in relation to proposals for the regeneration of the Sherwood area of the district.

He advised that the deadline for submissions for Round 1 of the Levelling Up Fund had been at the end of June 2021. A bid had been submitted for the Southern Link Road, a response to which was expected. He stated that a bid for the Sherwood area had been frontloaded as the Council did not wish to wait for a decision on whether funding would be received with officers having reviewed what they felt the challenges would be for the areas regeneration.

The Director stated that invitations would be forwarded imminently to parties who would make up the Sherwood Place Board, including transport providers and private sector employers. He added that further details would be reported to the November meeting of the Committee.

In considering the verbal report, the Chairman advised that there would be very little elected Member representation on the Sherwood Place Board as it was more to do with private investment. He stated that he was pleased to see that the bid had been frontloaded, noting that it may not be successful but showed the ambition of the Council to regenerate the area. There would be a list of projects for the area's regeneration and should the bid be unsuccessful, funding would be sourced elsewhere.

AGREED (unanimously) that the verbal report be noted.

Meeting closed at 7.50 pm.

Chairman

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, 13 September 2021 at 6.00 pm.

PRESENT: Councillor T Wendels (Chairman)
Councillor Mrs R Holloway (Vice-Chairman)

Councillor Mrs B Brooks, Councillor S Carlton, Councillor R Crowe,
Councillor Mrs L Dales, Councillor L Goff, Councillor S Haynes and
Councillor J Lee

ALSON IN

ATTENDANCE: Councillor Mrs P Rainbow

APOLOGIES FOR Councillor M Brock (Committee Member) and Councillor T Wildgust
ABSENCE: (Committee Member)

Prior to the commencement of the meeting the Chairman, Councillor Wendels, invited the Committee to stand for one minute to remember the late Mrs Kathleen Arnold who had been a member of the Homes & Communities Committee.

The Chairman then welcomed Councillor Haynes and Councillor Wildgust to their first meeting of the Homes & Communities Committee. Although noting that Councillor Wildgust was unable to attend the meeting and had given his apologies.

20 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.

21 DECLARATION OF ANY INTENTION TO RECORD THE MEETING

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

22 MINUTES OF MEETING HELD ON 7 JUNE 2021

AGREED (unanimously) that the Minutes of the meeting held on 7 June 2021 be approved as a correct record and signed by the Chairman.

23 CHAIRMAN'S REPORT

The Chairman welcomed everyone back to the second meeting this year in person and advised as we slowly return to the office, safely and in line with guidelines the reports would again be presented by a small number of officers, not necessarily the author and any unanswered questions would be followed up.

The Chairman advised the Committee that the Council supported anti-social behaviour week which took place in July. Each day during the week had a particulate

theme and local activities and media releases supported each of these. The themes for the week included partnerships, victims and frontline practitioners. Both Public Protection and Housing were involved in activities during the week.

The Chairman reminded the Committee of the Safer Streets 1 which was completed earlier this year with the only outstanding action being the opening of the Hub; the Chairman was delighted to say that the community resource was opened officially by Caroline Henry the new Police and Crime Commissioner and David Lloyd the Leader of the Council on 18 August 2021.

The neighbourhood policing Inspector and the Business Manager for Public Protection continue to meet each quarter to identify the local policing priorities for the coming quarter. The priorities for July, August and September were identified as anti-social behaviour, vehicle crime and rogue trading.

A lot of time and effort was expended on addressing a number of unauthorised encampments during the summer. In the main this was a single group that were intent on staying within Newark and moved from site to site. Officers responded quickly using the courts to secure possession orders to allow evictions to take place. Longer term solutions are being investigated to prevent future occurrences.

Hoarding is an issue that impacts on individuals within Newark and Sherwood. A district wide Hoarding Panel has now been established that brings together professionals from a number of partner organisations to provide a multi-agency approach to addressing local hoarding cases and working with the individuals affected.

The Chairman then updated the Committee regarding Broadleaves, the new Housing with Care facility which opened its doors in July; and have currently 11 residents enjoying the fabulous scheme.

Also newly opened is the Ollerton Office following a full refurbishment. It is no longer dedicated to just housing enquires – the advisors can assist with all council enquiries. There are self-serve computers so if customers need to access services online then they can do so. Due to the re-opening of this office, customer services are no longer delivering a service from Ollerton Town Hall, although ‘partners’ are still delivering a service from there on Wednesdays and Thursdays.

The Chairman lastly informed the Committee that the Community Lottery continues to grow and generates much needed income for the 51 good causes registered. The Lottery is currently forecast to generate £26.5k over the coming year and will continue to promote the lottery to local community groups, charities and residents to increase funds. Having had 2 big winners so far – receiving £250 each!

24 FORWARD PLAN - OCTOBER 2021 TO SEPTEMBER 2022

The Committee considered the Forward Plan for October 2021 to September 2022 with the Chairman inviting Members to put forward any items they would wish to be considered by Committee at a future meeting.

A Committee Member enquired as to bringing forward items on the Forward Plan as noted that they would be moving from the Committee system to a Cabinet. The Chairman noted this and it was requested if a report could be brought to the November meeting on the Homeless Winter Provision as well as Safer Streets Continued to either November or March Committee.

25 RECONSTITUTION OF WORKING PARTIES/TASK & FINISH GROUPS

The Committee considered the report from the Business Manager for Elections & Democratic Services to consider reconvening the Working Parties/Task & Finish Groups established by the Homes & Communities Committee.

AGREED (unanimously) that:

- (a) the Committee determined that the Housing Advisory Group be reconvened and to review the membership of the group.
- (b) the Committee appointed the following representatives to the Housing Advisory Group – Cllr Wendels, Cllr Mrs Holloway, Cllr Crowe, Cllr Mrs Dales, Cllr Goff and Cllr Haynes. Cllr Mrs Holloway and Cllr Lee were also appointed as representatives to the Local Development Framework Task Group, if reconvened by the Economic Development Committee.

26 HOUSING ALLOCATIONS SCHEME – ANNUAL REVIEW

The Committee considered the report from the Assistant Business Manager for Housing and Estate Management providing the annual update on the application of the Council's Housing Allocations Scheme and when appropriate, to recommend some minor amends to the scheme for Committee approval.

The report provided bandings and lettings data with tables showing the number of applicants by their bandings that were registered at the end of quarter 1 2021/22 and also the number of applicants on the housing register with the number of allocations that have been made throughout 2021/21.

The Committee thanked the Officers for the report and requested a change be made to recommendation (b) for delegated authority being given to the Chairman of the Committee rather than to the Director of Housing, Health and Wellbeing, noting that all Members are sent the report.

AGREED (unanimously) that:

- (a) Members noted the contents of this report which provides an annual update on the Council's Housing Allocations Scheme;
- (b) delegated authority be given to the Chairman of the Committee to approve any further minor amends required that do not require formal consultation, to ensure the Scheme continues to adhere to statutory requirements.

27 PHASE TWO CONSULTATION OF TENANT ENGAGEMENT UPDATE

The Committee considered the report from the Business Manager for Housing and Estate Management updating Members on the progress made with regards to the consultation and implementation plan of tenant engagement in housing services.

The report reminded Members that in January 2020, the Homes & Communities Committee approved a root and branch review of tenant engagement following the re-introduction of the former Newark and Sherwood Homes into the general housing service.

In November 2020, a Tenant Engagement Officer role began working with tenants in housing services and phase one of the review, this then led to an additional Tenant Engagement Officer joining in August of this year.

The appendix to the report provided phase two feedback of the opportunities for involvement.

AGREED (unanimously) that:

- (a) Members noted the progress in the implementation of the Housing Services tenant engagement review.
- (b) Members supported the recommendation of the additional budget provision of £25k for 2022/23, which will be incorporated into the budget setting process, with full details of spend to be provided to the Committee.

28 CLIMATE EMERGENCY UPDATE

The Committee considered the report from the Environmental Policy and Projects Officer providing an update to Members on the progress of the climate Emergency Strategy and associated Action Plan.

The report advised that work has been underway to progress a number of the activities relating to this agenda, referring to Appendix 1 for the full report detailing all progress made towards the climate change agenda and to be taken to the Policy & Finance Committee on 23 September 2021.

The Committee discussed the report including electric council vehicles with Brunel Drive being the ideal place to store the vehicles and for electric charging. The Environmental Policy and Projects Officer did advise that the council vehicles are not due to be replaced until 2026/27.

The Committee thanked those involved on the progress provided so far.

AGREED (unanimously) that:

- (a) the Project update be noted.

- (b) further reports providing additional progress updates on Newark and Sherwood District Council's carbon reduction journey will be provided as required.

29 REVIEW OF PUBLIC REALM CCTV

The Committee considered the report from the Business Manager for Public Protection reviewing the Council's existing public realm CCTV system, detailing the current coverage that exists across Newark & Sherwood. The report sets out how the system operates (including the shared arrangements with two neighbouring local authorities), the current costs of the system, its usage, all alongside a review of its overall value.

The report highlighted to Members that this was public CCTV and not the security of council buildings, a lot of data had been provided within the report. The Chairman noted the recommendations were positive with the right number of cameras in the right places.

AGREED (unanimously) that:

- (a) Members noted the content of the report with particular reference to the strong link between the location of the cameras and recorded crime; and that,
- (b) no cameras are removed from the CCTV network; and that,
- (c) the CCTV capital replacement programme is now implemented; and that,
- (d) the Business Manager for Public Protection works with the police to identify a performance measure that reflects the use of CCTV and crime investigation outcomes.

30 STAR SURVEY

The Committee considered the report from the Project Research Officer providing Members with the latest STAR (Survey of Tenants and Residents) Survey for 2020/21.

The report highlighted how the survey was conducted in March and April this year and surveyed 545 tenants by telephone. The report was provided in June. This work was conducted by an independent survey provider, Viewpoint Research.

A Committee Member enquired if disabled tenants were also included in the survey, it was explained to the Committee that tenants were chosen at random, this was noted and would be discussed with the external provider.

The Committee noted a lot of good results from the full report at Appendix 1.

AGREED (unanimously) that:

- (a) overall positive levels in satisfaction for housing services be noted.

- (b) the full STAR report at Appendix 1 be noted.

31 HOUSING SERVICE COMPLIANCE QUARTER 1 OUT TURN PERFORMANCE

The Committee considered the report from the Business Manager for Housing Maintenance & Asset Management providing an overview of compliance performance of the housing service for the quarter to the end of June 2021.

The report provided the Committee with assurance that homes are safe and services are of a high standard and meet legal and regulatory requirements as a landlord.

The performance included a summary of the Council's housing stock, and landlord responsibilities of building safety measures including fire protection, gas, asbestos, electrical and water.

AGREED (unanimously) that:

- (a) the Committee noted the performance of the housing service compliance functions.

32 MEH LAD 2 GRANT FUNDING PROJECT - UPDATE

The Committee considered the report from the Business Manager for Housing Maintenance & Asset Management providing Members with an update on the progress of the Midlands Energy Hub (MEH) Local Authority Delivery 2 (LAD 2) Grant funding Project to provide major energy efficiency improvement measures to 73 homes on low incomes.

The report explained that the MEH LAD2 funding provides an excellent opportunity to improve the energy efficiency of Council-owned homes and private sector homes in two priority areas.

The Committee noted that the deadline for completion of works had been extended from 31 December 2021 to 31 March 2022.

AGREED (unanimously) that:

- (a) the project update be noted.

33 HOME ENERGY CONSERVATION ACT (HECA) BI ANNUAL REPORT 2021

The Committee considered the report from the Business Manager for Housing Maintenance & Asset Management informing Members and sharing the content of the annual submission for Home Energy Conservation to the Department of Business, Energy & Industrial Strategy (BEIS) (see Appendix 1). This report was submitted online on 31 May 2021 to comply with BEIS's deadline.

This report to be provided bi-annually and shares what energy conservation measures have been adopted to improve energy efficiency of residential accommodation within

the district. This covers measures across all tenures and not just the Council's social housing stock.

The Committee were advised that the submission had been written in collaboration with Officers from Environmental Health and the Environmental Policy and Projects Officer. The Vice-Chairman thanked the Officers for a detailed report providing more content than previously provided.

AGREED (unanimously) that:

- (a) the report be noted.

34 AFFORDABLE HOUSING DELIVERY 2020/21

The Committee considered the report from the Housing Development Officer to provide the Committee with detail on affordable housing delivery across the district for the financial year 2020/21, along with a guide on future anticipated delivery.

An update was also provided on the progress being made to deliver the approved 5 year Council housing (*Housing Revenue Account*) development programme including progress on the Broadleaves Extra Care Scheme at Boughton.

The Committee discussed the report and noted how the Broadleaves Extra Care Scheme had come in under budget making a saving of £500,000.

AGREED (unanimously) that:

- (a) the Committee noted the affordable housing delivery and progress with the Council's five year development programme, making any observations as appropriate.

35 PARISH AND TOWN COUNCIL INITIATIVE FUND 2020/2021 (CLEANER, SAFER, GREENER) ANNUAL REPORT

The Committee considered the report from the Health Improvement and Community Relations Manager providing Members with an overview of the Parish and Town Council Initiative fund awards for the 2020/2021 'Greener' themed rounds.

The report was the first to bring to the Committee outlining the composition of the panel, with a summary of those applications received and to then bring back to the Committee as an annual report.

The Health Improvement and Community Relations Manager and his team were thanked by a Committee Member who highlighted how funding can make a big difference. The Chairman was pleased to see that the bids were successful in meeting the criteria.

AGREED (unanimously) that:

- (a) the report and Appendix A be noted; and

- (b) the Parish and Town Council Initiative Fund 2021/2022 Annual Review be reported to Committee in 2022.

36 URGENCY ITEM – AFGHAN LOCALLY EMPLOYED STAFF (LES) RELOCATION SCHEME – JUNE 2021

The report provided the Committee with the urgency decision that had been taken with respect to the Afghan Locally Employed Staff (LES) Relocation Scheme.

This urgency item was required to secure delegated approval for the Council to accommodate two families in NSDC under the above scheme in order to meet the tight timescales that have been presented within the programme.

The Chairman also provided the Committee with an update advising that the Council had responded to a request made to all councils to help with the Afghan Relocations and Assistance Policy (ARAP). The Council having pledged to accept two families so far and are sourcing accommodation for them. The policy provides financial support for the family to help with housing and general integration and the Council are following their successful Vulnerable Persons Resettlement model to manage this programme locally. Case working support will be provided by Nottingham and Nottinghamshire Refugee Forum and Nottingham City Council will be responsible for overall budget management as part of the Nottingham Partnership.

The first family arrived into temporary accommodation on 16th August and existing network of support for refugees has been deployed and they are settling well. They moved into their permanent accommodation last week and the local community were involved in their welcome relocating to Rainworth.

As they are expecting the imminent arrival of a second family, the government have announced 'Operation Warm Welcome'. This is a pledge to provide more wrap around support to these families and most importantly, it will give them automatic right to 'Indefinite Leave to Remain' on arrival. This removes all usual immigration barriers and they can apply for citizenship of the UK immediately.

The MHCLG have asked local authorities to increase their pledges where possible to house the thousands that are still in hotel accommodation in the UK. The Council are investigating the potential to increase their pledge to five families working with other local providers and private landlords in the district.

NOTED the Urgency Item – Minute of Decision.

37 HOMES & COMMUNITIES REVENUE AND CAPITAL FORECAST OUTTURN REPORT TO 31 MARCH 2022 AS AT 31 JULY 2021

The Committee considered the report from the Business Manager for Financial Services comparing the Revised Budgets for the period ending 31 March 2022 with the Projected Outturn forecast for the period, based on meetings with Financial Services staff and the appropriate Business Manager. These are based on four months' performance information on the Council's revenue and capital budgets,

including:-

- General Fund (GF) Revenue
- Housing Revenue Account (HRA)
- Capital Programme

The Members requested at the Policy & Finance Committee during February 2020 that reports were presented to individual Committee, for noting, for them to understand the financial position of their Committee.

The report provided the Committee with the Policy & Finance report to be tabled at Committee on 23 September detailing the forecast financial position to 31 March 2022 of the Council as at 31 July 2021.

A further report to be brought to the November meeting of the Homes & Communities Committee.

AGREED (unanimously) that:

- (a) the contents of the report be noted.

Meeting closed at 7.59 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, 21 September 2021 at 6.00 pm.

PRESENT: Councillor R Jackson (Chairman)
Councillor N Mison (Vice-Chairman)

Councillor S Carlton, Councillor M Cope, Councillor D Cumberlidge,
Councillor P Harris, Councillor Mrs L Hurst, Councillor J Kellas,
Councillor J Lee and Councillor Mrs Y Woodhead

APOLOGIES FOR ABSENCE: Councillor L Brailsford (Committee Member)

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

NOTED Councillor S. Carlton declared a personal interest in Agenda Item No. 12 – Active4Today Performance Update Report as he was a Council appointed Director on the Active4Today Board.

15 DECLARATION OF ANY INTENTIONS TO RECORD THE MEETING

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

16 MINUTES OF THE MEETING HELD ON 22 JUNE 2021

AGREED that the Minutes of the meeting held on 22 June 2021 be approved as a correct record and signed by the Chairman.

17 CHAIRMAN'S REPORT

The Chairman provided an update to the Committee on the developments that had taken place within the Committee's remit since the last meeting held on 21 June 2021.

Dukeries Leisure Centre

The new pool had been completed in July and had been officially opened by Rebecca Adlington. The pool had been delivered on budget and was already having a positive impact in the community. It was also assisting Active4Today to recover from the effects of the pandemic with membership at the Leisure Centre having increased beyond the pre-Covid levels.

The Council's Carbon Footprint

A report included on the Agenda informed Members of the ongoing work to reduce the Council's carbon footprint, of which the leisure centres were one of the main contributors. The Council had procured the support of a specialist consultant to look at options for investing in photovoltaics (PV) on Council buildings, including the leisure centres. This could have a dual effect of reducing energy costs and also reducing the Council's carbon footprint. Castle House already had PV on the roof and did not use gas as an energy supply which was further evidence of how seriously the matter was taken.

During the next committee cycle, the Council would be looking at a major tree planting scheme of 6000 trees at Vicar Water which was in addition to the 6000 plus trees already planted.

The Council had taken delivery of their first 2 electric vehicles and were expanding the range and number of electric vehicle charge points across the district, with 15 becoming available in public car parks in the autumn.

Recycling

As Members would see from the report on the Agenda, nationally, there would be significant changes in how local authorities recycled. Some proposals previously published as part of the National Waste & Resources Strategy were likely to be included in the new Environment Bill which was due to receive Royal Assent in the autumn. If unchanged this would require garden waste to be collected free of charge as well as a common set of recyclables being collected from the kerbside from 2023, including glass and food waste. As yet, the details of the proposed changes remained outstanding.

Regardless of the proposals, the Council was making progress in recycling. Since bringing garden waste in-house, the customer base had risen by almost 4,000 from the initial figure of 12,000 which had led to a significant increase in the recycling percentage for the first quarter of the year, almost 40%, although it was appreciated that the first quarter was when garden activity would have been at its highest.

Living in a Clean and Pleasant Environment

This headline is something which the residents of the district tell us is important to them. The Agenda includes proposals in relation to entering into a one year pilot with a company to increase the Council's enforcement activity.

On the whole, people wanted to do the right thing and dispose of litter, dog fouling and cigarette butts in a responsible manner. In order to promote this the Council had increased the number of bins available and had invested in such things as actions days and litter picks throughout the district.

However, there remained a minority of people who did not follow that example and the proposed initiative was to target those people who spoiled the community with their actions. The Council was determined that the district would remain clean and green and a place to be proud of.

Following the Chairman's report, a Member queried whether it was possible for the public to purchase trees which could then be planted in memory of someone they had lost. She added that due to the pandemic, families were often unable to grieve in the usual way and that planting a tree may give them a location and focus. The Chairman advised that he would raise the question and report back.

18 MENTAL HEALTH WELLBEING PRESENTATION FROM THE HEALTH IMPROVEMENT OFFICER

The Committee received a presentation from the Health Improvement Officer in relation to an overview into Mental Health.

The presentation provided Members with statistical information in relation to how people's mental health was a widespread and common issue, affecting individuals from all walks of life yet people remained reluctant to talk about it. Mental health problems could affect a person's physical health, leading to long term health issues. One in four people experienced problems annually with one in six experiencing common problems in any given week e.g. anxiety or depression. Women were more likely to have suicidal thoughts and make suicide attempts but men were three times more likely to take their own life.

Members were informed that the statistical information was collated prior to the pandemic and only related to individuals over the age of sixteen, living in private housing in England, noting that it excluded a number of groups of people and those currently in hospital, prison, sheltered housing or homeless.

The presentation noted the impact the pandemic had had on children and young people's mental health and how schools were struggling to cope with the complexities of that. The Charity, Young Minds, had undertaken 4 national surveys throughout each part of the pandemic resulting in them recommending to Government that they: make wellbeing a priority in the schools catch-up planning; address the inconsistent mental health support available through schools; ensure that local charities and youth clubs provide vital early mental health help and support; and ensure that all young people know where and how to find support.

Members were provided with information as to what was available for residents locally and the number of referrals each organisation had received. They were also informed as to the work undertaken by the Council in their response to the pandemic and the planned future delivery of services.

In considering the presentation Members agreed that they all recognised the issues surrounding mental health and thanked the Officer for her presentation.

In acknowledging the work done in the community, a Member queried what support was available for members of staff and elected Members. In response, the Health Improvement Officer advised that there had been a programme of training within the Council and that each Business Unit had the support of a Mental Health Champion. This was due to be rolled out to include elected Members, adding that she worked closely with Human Resources to identify and help members of staff when necessary. She noted that bereavement was a particular issue during the pandemic, explaining that working remotely at home had removed the support network of colleagues in the workplace.

A Member queried whether the issue in schools was being addressed at both secondary and primary schools. The Health Improvement Officer advised that there was financial support in secondary schools and that all the Head Teachers in the district were supportive and prepared to pilot initiatives to help their students. Primary schools were provided with a great deal of information and resources and also physical activities to undertake with their students. She confirmed that there were networks for both secondary and primary schools.

In raising the issue of self-harming in schools, a Member queried whether data was collated and if so, what was done with it. The Health Improvement Officer advised that due to General Data Protection Regulations (GDPR) schools were reluctant to share the information they gathered.

In relation to the number of counselling sessions provided free of charge to staff, a Member queried why the Council provided six sessions but Active4Today (A4T) staff were limited to three. The Director – Communities & Environment advised that after A4T staff had received three sessions, managers reviewed the issues to see whether they could assist the individual. If they could not the individual was then entitled to a further three sessions.

In considering the presentation a Member noted his own experiences and the help and assistance he had received. He stated that there was more to do and that the multiple lockdowns, due to the pandemic, had exacerbated the situation.

A Member queried whether there had been any partnership working with Nottingham University who had undertaken a large piece of work on mental health a few years previously. The Health Improvement Officer advised that there had been no direct work with them on mental health but would welcome contact details if available.

In concluding the debate, the Chairman thanked the Officer for her presentation, adding that Members were now better informed on what signs to look out for should a person be suffering mental health issues.

19 ENVIRO CRIME - STRENGTHENING OUR ENFORCEMENT ACTIVITY

The Committee considered a report presented by the Business Manager – Public Protection which sought to provide Members with a proposal for increasing the Authority's enforcement capacity through a 1-year pilot arrangement with a private sector company targeting low-level environmental crime.

The report set out the process of recruitment for Community Protection Officers (CPOs) and a flavour of the range of positive interventions they have been involved with from April 2019 to March 2020. It also set out the work which had been undertaken by the CPOs during the Council's response to the Coronavirus Pandemic with paragraphs 2.5 to 2.7 highlighting how the role had developed since 2019 to present day.

In order to increase the Council's enforcement capacity, Members were asked to consider recommending to the Policy & Finance Committee a one-year pilot with a company called Waste Investigations, Support & Enforcement (WISE), with details of the work which would be undertaken by them being reported in paragraphs 3.2 to 3.8.

In considering the report, Members stated that any additional resource should also cover rural areas and that parish councils be contacted to ascertain whether there were any issues within their area.

A Member sought assurance that, if approved, the Enforcement Officers would be aware of their specific role. In noting the number of Fixed Penalty Notices (FPN) they had issued for other authorities, the Member queried how many had been challenged and upheld. The Business Manager advised that there would be specific criteria of when a FPN could be issued. In relation to the numbers challenged, he advised that of 1800 issued, 88 had been cancelled.

In noting that the Council needed additional enforcement resource, a Member expressed concern about using a company whose business it was to issue FPNs so was pleased to see that a one year pilot scheme was proposed. He commented that he would wish to see the Enforcement Officers also being 'badged' by the Council. He added that he would be particularly keen to see action taken against individuals who did not dispose of cigarette butts correctly and just dropped them on the pavement, suggesting that there was little public awareness that they were not biodegradable. The Business Manager confirmed that the Enforcement Officers would have displayed their company logo together with that of the Council and that they would also have written documentation confirming that they were working on behalf of NSDC.

In response to how the additional resource would be deployed and whether they would deal with fly-tipping, the Business Manager advised that the Enforcement Officers would be deployed as directed by the Council. Their role would mainly focus on low level enforcement and possibly low level fly tipping. The more serious fly tipping cases would be dealt with by the Council as these were far more time consuming. He added that should parish councils contact the Council with a specific issue, resource could be sent to that location.

In noting that the issuing of FPN would be reported and recorded by the Council, a Member queried whether issues of littering found by the Enforcement Officers would also be reported and whether Ward Members would be informed of any issues in their area. The Business Manager advised that not all low level littering would be reported but that low level fly tipping would be. Update reports would be presented to Committee and these could include information as to any particular hotspots in the district. A Member requested that the relevant Ward Members be kept informed of any issues reported by parish councils.

AGREED (unanimously) that the proposals be recommend to Policy & Finance Committee for the implementation of a one year Enviro-Crime Enforcement Pilot Project with WISE.

20 CLIMATE EMERGENCY UPDATE

The Committee considered the report presented by the Environmental Policy & Projects Officer which sought to provide Members with an update on the progress of the Climate Emergency Strategy and associated Action Plan.

The report set out the background to the Council's decision to declare a Climate Emergency and the proposals for future works to achieve the carbon net neutral target date of 2035. The following proposals were listed with supporting information: electric vehicle charge points; electric vehicle transition; data validation; solar pv feasibility; shovel ready projects; tree planting; residential cycle and car parking standards and design guide; carbon footprint; taxi licensing; and climate emergency project meetings.

In considering the report Members agreed that it was pleasing to see the progression on activities all working towards achieving the carbon net neutral target.

In referring to the transition to electric vehicles for the Council's fleet, a Member queried as to which Committee would make the final decision, noting that the Council was working towards a change in governance arrangements in May 2022. The Director – Communities & Environment advised that a working group had been established to look at the issue and was likely to report back to the Policy & Finance Committee in approximately 18 months.

AGREED (unanimously) that:

- (a) the project update be noted; and
- (b) further reports providing additional progress updates on Newark & Sherwood District Council's carbon reduction journey be provided as required.

21 LEISURE & ENVIRONMENT REVENUE AND CAPITAL FORECAST OUTTURN REPORT TO 31 MARCH 2022 AS AT 31 JULY 2021

The Committee considered the report presented by the Business Manager – Financial Services which provided Members with a comparison of Revised Budgets for the period ending 31 March 2022 with the Projected Outturn forecast for the same period. The figures were based on four months' performance information on the Council's revenue and capital budgets, including: general fund revenue and capital programme.

Attached to the covering report was the report being presented to the Policy & Finance Committee on 23 September 2021 which detailed the forecasted financial position to 31 March 2022 of the Council as at 31 July 2021.

It was reported that the current position for the Committee was a favourable variance of £0.182m, with the report noting that these would become more accurate in subsequent months as Officers continued to refine budgets and forecasts.

In considering the report, Members raised no specific questions but commented that the Committee's budget was more favourable than in previous years.

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

22 ENVIRONMENT BILL 2021

The Committee considered the report presented by the Business Manager - Environmental Services which sought to update Members on the details of the Government's Waste Resource Strategy through the Environmental Bill and the potential implications for the Council.

The report set out the background to the Waste Resource Strategy and the 3 areas for consideration therein: extended producer responsibility; consistency in recycling collections; and a deposit and return scheme. Paragraph 3 of the report set out the new service standards and the implications of how waste would possibly be collected. The report also set out the new statutory duties placed upon local authorities and how these may be funded, details of which were contained in paragraph 4.

In presenting the report the Business Manager sought to impress upon Members the potential additional human resource which would be required together with the financial implications to carry out the new waste collection and management regulations.

In considering the report, Members agreed that the new regulations would be difficult to manage, given the potential costs to local authorities, without additional funding being made available from Government. The Business Manager stated that it was anticipated that any funding available would be used to pay-off existing waste disposal contracts.

Members agreed that residents would welcome a weekly collection service but would push back on any additional costs to provide that service. A Member queried whether each collection stream would require a resident to have a separate bin. The Business Manager advised that this may not necessarily be the case but noted that if all the bins in the district were changed for one existing collection it would be at a cost of approximately £1.2m. He also highlighted the issue of sourcing additional bins, given that each local authority in the country would be ordering at the same time. This would also extend to the purchasing of new vehicles to manage the additional collections and the recruitment of qualified drivers, of which there was already a national shortage.

AGREED (unanimously) that:

- (a) the report be noted; and
- (b) a follow-up report be brought before Members once the Environment Bill had been passed and its implication assessed.

23 ENVIRONMENTAL SERVICES WORK UPDATE

The Committee considered the report presented by the Business Manager – Environmental Services which sought to update Members about the work that had been undertaken by the Environmental Services Street Scene Team and the services they offered.

The report set out that following the establishment of the Environmental Services Team in 2018, had provided opportunities to streamline services and identify new areas of working to increase income for the Council. The internal and external work of the Team was also reported, how they had developed and what services they could provide. The limitations preventing the Team taking on additional work was listed within paragraph 7 of the report.

In considering the report Members welcomed the progress of the team in expanding their work remit.

A Member queried how smaller handheld equipment was powered. The Business Manager advised that at present they remained petrol powered but trials were ongoing with the use of battery powered equipment e.g. lawnmowers. He noted that battery powered equipment for professional use was a little way behind that of the domestic market and that costs remained high. He added that it was his belief that the Council would begin to use battery powered equipment within the next 12 months.

AGREED (unanimously) that:

- (a) the significant increase in income and work conducted by the Environmental Services Street Scene Team be noted; and
- (b) Members note the capacity for expansion but that the constraints to that expansion still exist.

24 ACTIVE4TODAY PERFORMANCE UPDATE REPORT

The Committee considered the report presented by the Health Improvement & Community Relations Manager which sought to provide Members with an update of Active4Today (A4T) for the period 12 April to 31 August 2021 following the sustained impact of Covid on their operations.

Appendix A to the report set out the headline figures in terms of performance over the period and provided an insight into the rate of recovery that A4T were experiencing. The report also outlined the measures that had been developed or introduced to mitigate some of the losses sustained through the pandemic which would enable it to operate on the front foot going forward. It was reported that a staffing restructure had been implemented to support its financial sustainability. A summary of the Company's budget was reported in paragraph 3.3 of the report with further budget details provided in Appendix A. Appendix B of the report provided Members with usage performance data, showing a comparison of usage in both 2019 and 2020, to give Members an idea of the overall current position.

In considering the report Members agreed that it was important to build back confidence with the public to use the A4T facilities, noting that the increase in members as the Dukeries Leisure Centre was an example of that.

A Member queried whether the maintenance of the Newark Sports & Fitness Centre was as had been anticipated when it had opened or whether it required more attention. The Health Improvement & Community Relations Manager advised that he would contact the Managing Director of A4T for a more detailed response but that it was difficult to do a direct comparison of the Dukeries swimming pool to that at the Newark Sports & Fitness Centre as they were very different, with one being a modern design and the other being a more traditional pool.

AGREED (unanimously) that:

- (a) the Active4Today progress report for year to date be noted;
- (b) the ongoing impacts of Covid on the Company's performance be closely monitored and proposals to support the Company through the pandemic be brought to future meetings of the Committee; and
- (c) the proposed Key Performance Indicators for Membership and Usage for year to date 2021/22 (Appendix B) be noted.

25 YMCA COMMUNITY & ACTIVITY VILLAGE PROGRESS REPORT

The Committee considered the report presented by the Health Improvement & Community Relations Manager which sought to provide Members with an update in respect of building progress at the YMCA Newark & Sherwood Community and Activity Village.

The report provided Members with details of the Phase 1 completion and the current utilisation with the highlights from April to September 2021 including: 1921 football pitch bookings; 51 athletics track bookings; 41 MUGA bookings; and peak utilisation (16:00-22:00) of 95%. Further details in relation to the MUGA; cycling; skate-park; and 5-a-side football pitches was also provided.

The report also provided Members with details of Phase 2 of the development and what facilities would be included in the building, together with information about community investment; community development partners; education partners; community health partners and research partners.

In presenting the report the Health Improvement & Community Relations Manager advised that the YMCA had extended an invitation to Members to visit the facility prior to its official opening.

In considering the report a Member referred to paragraph 3.8 of the report – Community Investment. He requested that details of the retail/crowdfunding Social Investment Bond by YMCA, with the support of Triodos Bank, be highlighted to the Council's Senior Financial Officers. The Business Manager – Financial Services, who was in attendance at the meeting, advised that the matter had been discussed with the Council's Treasury Advisors in November 2020 when a decision had been made not to progress that type of investment, but added that it could be considered again.

In noting the development of the facility and the various activities on offer, a Member queried whether these would be advertised/marketed/promoted. He stated that he was not aware of what the facility offered and that this was likely also the case for parents in the district. The Health Improvement & Community Relations Manager advised that the focus was currently on the capital build but would raise the issue with the YMCA team.

In concluding the discussion, the Chairman stated that the Committee would welcome a visit to the facility.

AGREED (unanimously) that the progress report be noted.

26 PARISH & TOWN COUNCIL INITIATIVE FUND ANNUAL REPORT

The Committee considered the report presented by the Chairman of the Committee which sought to provide Members with an overview of the Parish & Town Council Initiative Fund awards for the 2020/2021 'greener' themed rounds.

The report provided Members with the background to the establishment of the Fund in 2019 with a total budget of £200k, with maximum awards of up to £20k per parish or town council over the 3 year period that the fund would be in operation. The fund focussed on a new theme each year from the Council's Cleaner, Safer, Greener initiative, with the theme for 2020/2021 being the 'greener' theme. Details of how the initiative worked were provided in paragraphs 2.2/2.3 with a summary of the awards made in 2020/2021 being reported in Appendix A.

In considering the report a Member queried what the theme for the next year would be. In response the Health Improvement & Community Relations Manager advised that the current theme was 'safer' with the following year being 'cleaner'. He added that an update report would be provided at the end of the year and that the next Panel to consider applications in relation to the 'safer' theme was due to meet in November.

Members were informed that the period for applications to be submitted for funding for the 'safer' theme would soon be closed and that if required, a reminder could be sent out to the town and parish councils.

AGREED (unanimously) that:

- (a) the report and Appendix be noted; and
- (b) the Parish & Town Council Initiative Fund 2021/2022 Annual Review be reported to Committee in 2022.

27 MANSFIELD AND DISTRICT CREMATORIUM JOINT COMMITTEE - ANNUAL STATEMENT OF ACCOUNTS

The Committee considered the report presented by the Business Manager - Financial Services which presented the Annual Statement of Accounts for the Mansfield & District Crematorium Joint Committee. The relevant Minute from 24 May 2021 meeting of the Mansfield & District Crematorium Joint Committee was also appended to the report for information.

AGREED (unanimously) that the Annual Statement of Accounts for the Mansfield & District Crematorium Joint Committee be noted.

28 FORWARD PLAN (OCTOBER 2021 TO SEPTEMBER 2022)

The Committee considered the Forward Plan for the Leisure & Environment Committee for the period 1 October 2021 to 30 September 2021 and were encouraged to subject any areas of work they wanted to address for the forthcoming year.

AGREED (unanimously) that the Forward Plan be noted and that the following item be added:

Update Report on the Role of the Council's Community Protection Officers.

Meeting closed at 8.05 pm.

Chairman

Public Document Pack Agenda Item 16e

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of **General Purposes Committee** held in the Civic Suite, Castle House, Great North Road, Newark NG24 1BY on Thursday, 2 September 2021 at 6.00 pm.

PRESENT: Councillor Mrs R Crowe (Chairman)

Councillor Mrs B Brooks, Councillor S Carlton, Councillor R Jackson, Councillor Mrs S Michael, Councillor Mrs S Saddington, Councillor I Walker, Councillor K Walker, Councillor Wildgust and Councillor Mrs Y Woodhead

APOLOGIES FOR ABSENCE: Councillor R White (Vice-Chairman), Councillor L Brazier (Committee Member), Councillor M Cope (Committee Member) and Councillor P Harris (Committee Member)

Prior to the transaction of the business on the Agenda the Committee held a minute's silence in memory of Councillor Mrs Kathleen Arnold who had recently passed away and who had served as a Member of both the General Purposes and Licensing Committees.

8 DECLARATIONS OF INTERESTS FROM MEMBERS AND OFFICERS

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

9 DECLARATION OF ANY INTENTION TO RECORD THE MEETING

The Chairman advised that the proceedings were being recorded by the Council and that the meeting was being livestreamed and broadcast from the Civic Suite, Castle House.

10 MINUTES OF THE MEETING HELD ON 10 JUNE 2021

AGREED that the Minutes of the meeting held on 10 June 2021 were a correct record and signed by the Chairman.

11 FORWARD PLAN - OCTOBER 2021 TO SEPTEMBER 2022

AGREED that the Forward Plan for the period 1 October 2021 to 30 September 2022 be noted.

12 SATISFACTION SURVEYS FOR TAXI USERS AND THE TAXI TRADE

The Committee considered the report presented by the Business Manager – Public Protection which sought Members' approval to undertake a satisfaction survey from both customers who used taxis in the district and from the taxi trade.

It was reported that whilst licensing officers had a great deal of interaction with licensed drivers, there was less contact with taxi users. Whilst complaints from both users and drivers alike offered an insight into the way taxis were operated it did not provide an overall picture. The proposal to undertake a satisfaction survey would

assist the development of the licensing service in terms of shaping future taxi provision and policy. Details of the proposed methodology were reported in paragraph 3 of the report with appendix 1 listing the survey questions.

In considering the report Members noted that it was likely that licensed drivers would raise the issue of enforcement on the unauthorised use of the Castlegate Rank.

A Member requested that a report be brought to the next meeting of the Committee to specifically consider the usage of the taxi rank on Kirkgate. The Business Manager advised that he would add this to the Committee's Forward Plan for the November meeting.

In relation to the publicity of the survey, a Member queried where, other than the Council's own website, it would be publicised. The Business Manager advised that it was hoped that the taxi trade would put a poster in the back of their vehicles and that it would be posted widely on social media.

AGREED (unanimously) that:

- (a) the undertaking of the surveys for customer satisfaction and the taxi trade be approved;
- (b) the survey questions be noted; and
- (c) the survey be carried out for a 4 week period.

13 REVIEW OF STATEMENT OF GAMBLING POLICY

The Committee considered the report presented by the Business Manager – Public Protection which sought approval to begin the consultation process to revise the Council's Statement of Gambling Policy.

It was reported that the Gambling Act 2005 required the Council to have in place a Policy relating to the carrying out of its functions under that Act and that the Policy must be reviewed every three years. The review process was outlined in paragraph 4 of the report with a list of the consultees set out in the appendix to the report.

In considering the report Members raised concerns that the map being used in Section 2 – Local Area Profile was incomplete as it did not display a significant number of area within the district. The Business Manager advised he would seek to identify a more up-to-date map.

In relation to the Casinos section, paragraph 5.18.1, a Member queried whether the dates contained therein required amendment. The Business Manager confirmed that the dates would be amended prior to the Policy's adoption. He also noted that in previous years the Committee had recommended to Full Council that a no Casino policy be adopted. He suggested that this be included in the considerations at the November meeting of the Committee.

Members paid particular attention to the issues surrounding online gambling and what checks and procedures were in place to ensure its proper use. The Business Manager advised that the Council had no powers of enforcement as this was the responsibility of the Gambling Commission. He added that many gambling sites were off-shore and therefore were not subject to UK laws. A number of on-shore sites had signed up to self-regulation by joining the Gambling Aware Scheme. In relation to whether the banks worked with the Gambling Commission, he advised that he was not aware that they worked in partnership but that banks had sophisticated software systems which monitored accounts for unusual activity.

AGREED (unanimously) that the requirement for the Gambling Policy to be reviewed be noted.

14 UPDATE ON PERFORMANCE AND ENFORCEMENT MATTERS

The Committee considered the report presented by the Business Manager – Public Protection which provided Members with activity and performance of the Licensing Team which included details of current ongoing enforcement issues.

Information contained in the report related to the number of applications for grants and renewals of licences for Hackney Carriage; Private Hire; and Ambulance Drivers together with those for Hackney Carriage and Private Hire Vehicles. A note of ongoing enforcement activity was also listed with information as to what action had been taken to-date.

AGREED (unanimously) that the report be noted.

15 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 1 of part 1 of Schedule 12A of the Act.

16 MINUTES OF HC/PH DRIVERS LICENCE SUB-COMMITTEE

AGREED (unanimously) that the Minutes of the Hackney Carriage & Private Hire Drivers Sub-Committee held on 22 July 2021 be noted.

Meeting closed at 6.23 pm.

Chairman

This page is intentionally left blank

Public Document Pack Agenda Item 16f

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of **Licensing Committee** held in the Civic Suite, Castle House, Great North Road, Newark NG24 1BY on Thursday, 2 September 2021 at 6.00 pm.

PRESENT: Councillor Mrs R Crowe (Chairman)

Councillor Mrs B Brooks, Councillor S Carlton, Councillor R Jackson, Councillor Mrs S Michael, Councillor Mrs S Saddington, Councillor I Walker, Councillor K Walker, Councillor Wildgust and Councillor Mrs Y Woodhead

APOLOGIES FOR ABSENCE: Councillor R White (Vice-Chairman), Councillor L Brazier (Committee Member), Councillor M Cope (Committee Member) and Councillor P Harris (Committee Member)

9 DECLARATIONS OF INTERESTS FROM MEMBERS AND OFFICERS

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

10 DECLARATION OF ANY INTENTION TO RECORD MEETING

The Chairman advised that the proceedings were being recorded by the Council and that the meeting was being livestreamed and broadcast from the Civic Suite, Castle House.

11 MINUTES OF THE MEETING HELD ON 10 JUNE 2021

AGREED that the Minutes of the meeting held on 10 June 2021 were a correct record and signed by the Chairman.

12 FORWARD PLAN - OCTOBER 2021 TO SEPTEMBER 2021

AGREED that the Forward Plan for the period 1 October 2021 to 30 September 2022 be noted.

13 REVIEW OF POOL OF POTENTIAL CONDITIONS

The Committee considered the report presented by the Business Manager – Public Protection which sought Members' comments on the pool of potential conditions that were available for use when considering the appropriate conditions to attach to a licence.

The report set out the three ways in which conditions could be attached to a licence and under what circumstances Members' would consider applying them, noting the statutory guidance on this matter. A list of the potential conditions were attached as Appendix 1 to the report.

In considering the report a Member suggested that Condition No. 4 relating to the closure of doors and windows during regulated entertainment would be difficult to enforce during the current pandemic. This was acknowledged by the Business Manager.

A Member queried whether there were any conditions available in relation to the use of fireworks. The Business Manager advised that some premises within the district did have conditions relating to the use of fireworks. He also advised of the legalities surrounding their use in that they could be discharged before 23:00 hours on any day and after that hour on 5 November and 31 December only. Members agreed that this should be given consideration noting the potential to frighten livestock in the district's rural areas.

AGREED (unanimously) that:

- (a) the review of the 'pool of conditions' be supported; and
- (b) further consideration be given to:
 - (i) enforcement of proposed Condition No. 4; and
 - (ii) the application of a condition relating to the use of fireworks.

14 UPDATE ON PUBWATCH SCHEMES IN NEWARK & SHERWOOD

The Committee considered the report presented by the Business Manager – Public Protection which sought to update Members on the Pubwatch schemes currently operating in the Newark & Sherwood district.

The report set out that Pubwatch was a voluntary organisation set up to promote best practice with its aim being to achieve a safer drinking environment in all licensed premises throughout the UK. There were currently 3 active schemes in the district: Newark; Southwell and Ollerton who met on a monthly basis. Details of the use of Schemelink were included within the report. The report proposed that a number of standing agenda items be produced for each of the schemes, although inclusion of them would be at the discretion of the Chairman of that group.

In considering the report the Chairman advised that she had regularly attended the Newark scheme and that it was her intention to also attend the Southwell and Ollerton schemes. She added that the Chairman of the Newark scheme was to be invited to the next meeting of the Licensing Committee in November.

A Member suggested that it would be beneficial if, when attending, the Chairman or Vice-Chairman took another Member of the Committee with them. The Chairman advised she would consider the suggestion.

A Member referred to previous visits undertaken by Members of the Committee to licensed premises within the Newark area and suggested that this also be considered for the future. The Business Manager advised that this would be difficult to organise at present but would look to organise something for the beginning of 2022.

AGREED (unanimously) that the local Pubwatch Groups be supported.

15 REVIEW OF PAVEMENT LICENCES IN NEWARK

The Committee considered the report presented by the Business Manager – Public Protection which provided Members with an update on the current law with regard to Pavement Licences and the update within the district.

The report set out that the Business & Planning Act 2020 had been enacted to support business with arrangements to trade effectively during the controls imposed as part of the combatting of the coronavirus. Included within the Act was a new legal framework for issuing pavement licences which would complement the existing framework within the Highways Act 1980. Paragraph 3 of the report set out the local picture, advising that 3 licences had been issued within the district. The report also stated that under the Act it was not an offence to trade on the pavement without a licence and therefore there could be no formal enforcement of none licence holders.

In response to a request from a Member that they be provided with a list of those premises which held a licence, the Business Manager advised that they could only provide such a list for licenses issued by the Council and that this would not include those issued by Nottinghamshire County Council under existing legislation.

Members noted the issues created by the two separate issuing regimes and that only the County Council had enforcement powers. They requested that the County be made aware of the licenses issued by NSDC. The Business Manager advised that County had been informed of the licenses issued and it was hoped that they used their enforcement powers again those operating without a licence.

AGREED (unanimously) that the impacts of the Business & Planning Act 2020 with regard to pavement licences be noted.

16 NITROUS OXIDE ISSUES IN LICENSED PREMISES

The Committee considered the report presented by the Business Manager – Public Protection which provided Members with information on the recreational use of nitrous oxide across the district and any corresponding issues within licensed premises.

It was reported that nitrous oxide was a colourless gas used by dentists as a sedative and anaesthetic agent. It was also used in the catering industry. Paragraphs 2.2 – 2.5 of the report set out how the gas was used other than what it was intended to be used for. It was reported that the supply of nitrous oxide was an offence enforceable by the Police but that it was not illegal to inhale the gas. Whilst the local concerns were reported in paragraphs 2.10 - 2.12 it was noted that there had been no reported incidents in licensed premises.

AGREED (unanimously) that the local position with regard to the use of nitrous oxide be noted.

17 MINUTES OF LICENSING HEARING FOR THE DAPPER SPANIEL

AGREED (unanimously) that the Minutes of the Hearing held on 14 June 2021 in relation to the Dapper Spaniel be noted.

18 UPDATE ON PERFORMANCE AND ENFORCEMENT MATTERS

The Committee considered the report presented by the Business Manager – Public Protection in relation to the activity and performance of the Licensing Team between 1 April and 30 June 2021.

In considering the report a Member welcomed the effort made by licensed premises, referring specifically to those in rural areas, who had assisted with the supply of aid to those in need during the pandemic and beyond.

AGREED (unanimously) that the report be noted.

19 TEMPORARY EVENT NOTICES RECEIVED AND ACKNOWLEDGED BETWEEN 1 APRIL TO 30 JUNE 2021

The Committee considered the report presented by the Business Manager – Public Protection in relation to the Temporary Event Notices (TENs) received between 1 April and 30 June 2021.

The appendix to the report listed all the TENs with Members noting that the number of applications was starting to recover from the previous year due to the pandemic.

AGREED (unanimously) that the report be noted.

Meeting closed at 7.00 pm.

Chairman

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of **Audit & Accounts Committee** held in the Civic Suite, Castle House, Great North Road, Newark, Notts, NG24 1BY on Wednesday, 29 September 2021 at 10.00 am.

PRESENT: Councillor Mrs S Michael (Chairman)

Councillor Mrs B Brooks, Councillor R Crowe and Councillor J Lee

APOLOGIES FOR ABSENCE: Councillor D Cumberlidge (Committee Member) and Councillor M Brown (Committee Member)

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

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

17 DECLARATION OF ANY INTENTIONS TO RECORD THE MEETING

There were no declarations of intention to record the meeting.

18 MINUTES OF THE MEETING HELD ON 28 JULY 2021

that the Minutes of the meeting held on 28 July 2021 be approved as a correct record and signed by the Chairman.

19 AUDIT COMMITTEE WORK PLAN

The Committee noted the Work Plan provided by the Business Manager for Financial Services, who update the Committee of an additional report to come to the next meeting on 1 December 2021 to discuss the procurement of a new set of External Auditors from the 2023-2024 financial year and would then go to Full Council to make a decision by 11 March 2022 as required by PSAA as to whether to opt-in or opt-out of the national procurement process.

A Committee Member enquired as to the items being considered on the Work Plan noting that they would be moving from a Committee system to a Cabinet. The Business Manager for Financial Services advised all reports on the Work Plan would remain as is through to April 2022.

20 EXTERNAL AUDITORS' ANNUAL AUDIT COMPLETION REPORT

The Committee considered the report from the Business Manager for Financial Services providing the External Auditors Annual Audit Completion Report at Appendix A.

The report highlighted how the external auditors issue an Annual Audit Completion Report in compliance with the International Standards on Auditing. The significant findings from the audit are reported in the Annual Audit Completion Report, together with the action taken in respect of these findings. The report also gives the auditor's proposed opinion on the Statement of Accounts.

The Mazars representative David Hoose, present at the meeting, was able to confirm that while the accounts have been substantially audited, final confirmation of an unqualified opinion cannot be concluded until all audited areas are finalised and the final report has been commissioned from the external auditors of the Nottinghamshire Pension Fund due to the materiality of the Council's pension liability.

The Committee were informed that the date to finalise should have been 30 September 2021 this would now have to be 31 October 2021. Mazars confirmed that this was not due to any management delay and that all Nottinghamshire districts were affected with the delay by Grant Thornton with respect to the pension fund which was the same position found in last year. Mazars had received a draft through from Grant Thornton a couple of weeks ago with no reason for concern. The Committee were concerned that it should not happen again.

AGREED (unanimously) that:

- a) the Committee received the External Auditors Annual Audit Completion Report for 2020/2021;
- b) the Committee noted the adjustments to the audited draft financial statements set out in the report; and
- c) the letter of representation be noted and delegation given to the s151 Officer and the Chairman to sign and date the letter as the accounts are finalised as per para 3.4.

21 APPROVAL OF THE STATEMENT OF ACCOUNTS

The Committee considered the report from the Business Manager and Assistant Business Manager for Financial Services to obtain approval of the Council's Statutory Accounts for the financial year ended 31 March 2021.

The report highlighted that in accordance with the Accounts and Audit Regulations 2015 there is a legal requirement that the Statement of Accounts for the Council receive approval by an appropriate Committee by the 31 July following the end of the financial year to which the Accounts relate. However due to disruption caused by the COVID 19 virus, legislation (Amended by 2020/404 & 2021/263) it was passed to change the statutory publication date to 30 September. In accordance with the Council's Constitution and the remit of this Committee, the Statement of Accounts were brought to the Committee for approval.

AGREED (unanimously) that:

- a) Members approved the Annual Governance Statement for the financial

year ended 31 March 2021;

- b) Members approved the draft audited Statement of Accounts for the financial year ended 31 March 2021:
- c) Members give delegation to the s151 Officer and the Chairman to sign a revised set of accounts if required as per para 4.4; and
- d) Members noted that as per the previous report the s151 Officer and the Chairman have been given delegation to sign the Letter of Representation.

22 AUDIT & ACCOUNTS COMMITTEE ANNUAL REPORT

The Committee considered the report from the Business Manager for Financial Services informing Members of the activity undertaken by the Audit and Accounts Committee during the 2020/21 financial year.

The report provided an account of the year as to how the Committee had discharged its responsibilities during the year and as described within the Constitution.

AGREED (unanimously) that the Committee noted the activity within the year and refer on to Full Council for noting.

23 INTERNAL AUDIT CHARTER

The Committee considered the report from the Business Manager for Financial Services informing Members of the updates to the Internal Audit Charter.

The Assurance Lincolnshire representative McJoy Nkhoma, present at the meeting, updated the Committee on the Council's update of the Internal Audit Charter in order to comply with the most recent updates to the Public Sector Internal Audit Standards.

The report highlighted that due to updates in the professional standards it was relevant at this point to update the document and seek approval from this Committee for its operational use.

AGREED (unanimously) that the Committee approved the Internal Audit Charter for operational use.

24 INDEPENDENT MEMBER OF THE AUDIT & ACCOUNTS COMMITTEE

The Chairman informed the Committee that the Independent Member of the Audit & Accounts Committee, Stuart Turner, had tendered his resignation. Stuart had received a promotion and was now not able to devote time to the Independent Member role.

A Committee Member enquired as to the financial cost to re-advertise the role and was advised there would be no recruitment cost as advertised internally through sites such as LinkedIn, Facebook etc.

AGREED (unanimously) to re-advertise the role of Independent Member of the Audit & Accounts Committee and bring back to Full Council when someone has been appointed.

25 DATE OF NEXT MEETING

The next meeting would be held on Wednesday 1 December 2021.

Meeting closed at 10.34 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, 6 July 2021 at 4.00 pm.

PRESENT: Councillor R Blaney (Chairman)
Councillor I Walker (Vice-Chairman)

Councillor L Brazier, Councillor M Brock, Councillor R Crowe, Councillor Mrs L Dales, Councillor Mrs M Dobson, Councillor L Goff, Councillor Mrs R Holloway, Councillor Mrs P Rainbow, Councillor Mrs S Saddington, Councillor M Skinner, Councillor T Smith and Councillor Mrs Y Woodhead

APOLOGIES FOR Councillor K Walker (Committee Member)
ABSENCE:

16 DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

There were no declarations of interest by Members and Officers.

17 DECLARATION OF ANY INTENTIONS TO RECORD THE MEETING

The Chairman informed the Committee that the Council was undertaking an audio recording of the meeting, which would be webcast.

18 MINUTES OF THE MEETING HELD ON 1 JUNE 2021

AGREED that the minutes of the meeting held on 1 June 2021, were approved as a correct record of the meeting and signed by the Chairman.

19 STAUNTON INDUSTRIAL ESTATE, ALVERTON ROAD, STAUNTON IN THE VALE 21/00295/FULM (MAJOR)

The Committee considered the report of the Business Manager – Planning Development, which sought planning permission for the erection of commercial storage units and erection of new office with associated parking.

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

A schedule of communication was tabled at the meeting which detailed correspondence received after the Agenda was published from the Council. An update report was appended to the Schedule of Communication, providing a recommended change to the conditions with the omission of Condition 11 and instead for the completion of a section 106 planning obligation to secure, inter alia, the development to be tied to the applicant, if the Committee were minded to approve the application.

Members considered the application and concern was raised regarding the expansion

of this site from one development to seven. Traffic concerns were also raised due to the rural fast road, which would be used by heavy goods wagons and farmers delivering via tractor/trailer should the application be approved. The reference within the report to customers that collect feed also like to see cattle on site was considered pointless. Members raised concern for the occupiers of Staunton Grange which was located in close proximity to the proposed site which may experience issues with noise, smell and dust if the proposed development was granted. Questions were raised whether employees would be transferred from Melton Mowbray as the business would be re-located, therefore no job creation for local people. Members were not convinced that the business was required in a rural location and the benefits of this business did not outweigh the loss/harm to the open countryside. The development was also considered contrary to the Council's development plan.

A vote was taken and lost unanimously to approve planning permission.

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

- (i) the application was contrary to policies SP3, CP6 and DM8 and the material considerations identified do not outweigh the harm of the development;
- (ii) the proposal does not represent a proportionate expansion;
- (iii) the need for a countryside location and expansion has not been adequately demonstrated; and
- (iv) doubt regarding the likely creation of new jobs.

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

Councillor	Vote
R. Blaney	For
L. Brazier	For
M. Brock	For
R. Crowe	For
Mrs L. Dales	For
Mrs M. Dobson	For
L. Goff	For
Mrs R. Holloway	For
Mrs P. Rainbow	For
Mrs S. Saddington	For
M. Skinner	For
T. Smith	For
I. Walker	For
K. Walker	Absent
Mrs Y. Woodhead	For

20 LAND TO THE REAR OF NO.39 HAWTON LANE AND TO THE WEST OF CENTENARY CLOSE, BALDERTON, NEWARK ON TRENT 21/01081/PIP

The Committee considered the report of the Business Manager – Planning Development, which sought Permission in Principle (PiP) (the first of a 2 stage process) for four to six dwellings on the site.

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

Councillor Mrs L Hurst on behalf of Balderton Parish Council spoke against the application, in accordance with the views of Balderton Parish Council, as contained within the report.

Members considered the application and concern was raised regarding providing permission in principle as Members were unsure of the dimensions of the maximum of six houses and whether the land/plot would accommodate them. The reduction of green space and removal of trees also raised concern. Members also sought clarification regarding whether the Technical Details Consent (Stage 2) would be presented to the Planning Committee.

The Business Manager – Planning Development confirmed that in her professional opinion six modest houses would fit on the proposed plot. She suggested that an informative could be attached to the recommendation if the Committee were minded to approve the application, to advise the applicant to engage in pre-application advice. Stage 2 of the PiP could also be considered by the Planning Committee should the Planning Committee request it.

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

- (i) Permission in Principle be approved (unconditional);
- (ii) an additional informative note to advise the applicant to engage in pre-application advice; and
- (iii) Requirement for Stage 2 of the PiP to be referred to planning committee.

21 1 BEACON HILL ROAD, NEWARK ON TRENT 21/01283/HOUSE

The Committee considered the report of the Business Manager – Planning Development, which sought planning permission for the proposed two storey side extension and alterations to existing front entrance porch.

The application was referred to the Planning Committee for determination as the applicant was an Officer of the Council.

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

A schedule of communication was tabled at the meeting which detailed correspondence received after the Agenda was published from Newark Town Council who confirmed that they had no objection.

Members considered the application acceptable.

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

- (i) No new material considerations arising prior to the expiry of the consultation period (8th July 2021), should any new arise within the intervening period, then the application may be referred back to the Committee for further consideration.
- (ii) Otherwise subject to the conditions contained within the report.

22 APPEALS LODGED

AGREED that the report be noted.

23 APPEALS DETERMINED

AGREED that the report be noted.

24 PLANNING FEES AND CHARGES SUPPLEMENTARY GUIDANCE DOCUMENT: CLARIFICATION ON HOW PLANNING FEES ARE CALCULATED

The Planning Committee considered the report of the Director of Planning & Growth which provided information on a document prepared by the Council which would assist in guiding applicants on how planning fees were calculated.

In order to speed up the processing of applications i.e. to ensure that the correct fee was paid when submitted, as well as to ensure consistency, the document attached at Appendix 1 to the report had been prepared. It was also hoped that the publication of this document on the Council's website might reduce the number of complaints and challenges the Planning Support Team received in relation to fees. Alongside using Councils own experience and knowledge, reference had been made to other councils, where possible, to confirm that the approach set out was consistent as well as complied with known legal challenges. Notwithstanding the publication of this document, it would not prevent an applicant who considered that the Council were applying the incorrect fee to challenge this via the validation dispute route set out within Article 12 of The Town and Country Planning (Development Management Procedure) (England) Order 2015 (DMPO).

AGREED that the report be noted.

25 RESIDENTIAL CYCLE AND CAR PARKING STANDARDS & DESIGN GUIDE
SUPPLEMENTARY PLANNING DOCUMENT (SPD)

The Planning Committee considered the report of the Director of Planning & Growth which provided information about the adoption of the Residential Cycle and Car Parking Standards & Design Guide SPD and provided Planning Committee with information on the use of the document in determining planning applications.

AGREED that the report be noted.

26 PLANNING COMMITTEE ANNUAL REPORT 2020-2021

The Planning Committee considered the report of the Director of Planning & Growth which proposed to provide an annual report regarding Planning Committee performance for each municipal year. This was the first of those reports and suggested that should Members require any different information in future reports, this could be investigated.

AGREED that the report be noted.

The Chairman informed Members that as this was the last Planning Committee in the Committee year the Planning Vice-Chairman had informed him that he would stand down as Vice-Chairman. The Chairman thanked Councillor I Walker for his support over the past two years and wished him well. The Vice-Chairman informed Members that it had been a privilege to serve on the Planning Committee and work with Members and the Chairman over the past two years and also thanked the Business Manager Planning Development – Lisa Hughes and the Democratic Services Officer – Catharine Saxton for their support.

Meeting closed at 5.15 pm.

Chairman

Why 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, 3 August 2021 at 4.00 pm.

PRESENT: Councillor R Blaney (Chairman)

Councillor Mrs L Dales, Councillor M Brock, Councillor R Crowe, Councillor L Goff, Councillor Mrs P Rainbow, Councillor Mrs S Saddington, Councillor M Skinner, Councillor T Smith, Councillor I Walker, Councillor K Walker, Councillor Wildgust and Councillor Mrs Y Woodhead

APOLOGIES FOR ABSENCE: Councillor L Brazier (Committee Member) and Councillor Mrs R Holloway (Committee Member)

27 DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

Councillor M Brock declared a personal interest in Agenda Item No. 5 – 45 Westgate, Southwell (21/00759/FUL), as he was involved in consideration of the application at Southwell Town Council and would not take part in the discussion or vote.

28 DECLARATION OF ANY INTENTIONS TO RECORD THE MEETING

The Chairman informed the Committee that the Council was undertaking an audio recording of the meeting, which would be webcast.

29 MINUTES OF THE MEETING HELD ON 6 JULY 2021

AGREED that the minutes of the meeting held on 6 July 2021, were approved as a correct record of the meeting and signed by the Chairman.

30 45 WESTGATE, SOUTHWELL (21/00759/FUL)

The Committee considered the report of the Business Manager – Planning Development, which sought planning permission for the demolition of the existing single storey outbuilding. New 1-1.5 storey dwelling to the rear. Renovation to Beckett's Yard Radio and Cycle Office wall to Westgate elevation and new garage.

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

A schedule of communication was tabled at the meeting which detailed correspondence received after the Agenda was published from the applicants and neighbours at 47 Westgate. Southwell.

Councillor D Martin on behalf of Southwell Town Council spoke against the application, in accordance with the views of Southwell Town Council, as contained within the report.

Members considered the application and the loss of two car parking spaces on the highway was considered a major loss given the problem with car parking in this location. Concern was also raised regarding surface water and pressure on the Potwell Dyke. It was further commented that on first view the site appeared constrained, however when looking at the plan the site was deep and would not be visible from the street scene. It was suggested to alleviate surface water condition 13 could be amended to require the hard surfacing to be permeable.

Councillor M Brock having declared a personal interest took no part in the vote.

AGREED (with 10 votes For and 2 votes Against) that planning permission be approved subject to the conditions and reasons contained within the report, with the amendment to Condition 13 for the hard surfacing to be permeable.

Councillor M Skinner left the meeting at this point.

31 RINGLET HOUSE, HIGHBURY GREEN, EAKRING (21/01333/HOUSE)

The Committee considered the report of the Business Manager – Planning Development, which sought planning permission for the erection of a single storey rear extension.

Members considered the presentation from the Business Manager - Planning Development, which included photographs and plans of the proposed development. The Committee was also informed that Eakring Parish Council had responded to the consultation with no comments.

Members considered the application acceptable.

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

32 RINGLET HOUSE HIGHBURY GREEN EAKRING (21/01524/TWCA)

The Committee considered the report of the Business Manager – Planning Development, which sought the reduction of one Plum tree to obtain end height of 4 metres and spread of approximately 3.5 metres.

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

Members considered the application acceptable.

AGREED (unanimously) that no objection was raised to the proposal.

33 NOMINATIONS TO THE LOCAL DEVELOPMENT TASK GROUP

The Committee were asked to nominate three Members of the Planning Committee to sit on the Local Development Framework Task Group.

AGREED (unanimously) that Councillors R. Blaney, L. Dales and M. Skinner be appointed as the Planning Committee representatives on the Local Development Framework Task Group for 2021/22.

34 REVISED S106 AGREEMENT FOR LAND SOUTH OF NEWARK

The Committee considered the urgent report of the Business Manager – Planning Development, as the applicant needed to know whether there was agreement for an amendment to the Section 106 Planning Obligation relating to this land prior to the next Planning Committee in September 2021.

The application proposed to modify the Section 106 Agreement pursuant to Planning application 14/01978/OUTM for modifications sought in relation to altering the trigger for the build out of the Southern Link Road (SLR) and Off site sports contribution.

Members considered the proposal and agreed that it was in the Council's interest to support the developer by agreeing the proposed amendments.

AGREED (with 12 votes for and 1 vote against) that the proposed variation to the Section 106 be agreed as per the amendments to Schedule 1 (Highway Improvement), Schedule 2 (Affordable Housing) and Schedule 3 (Community Facilities).

35 FLOWSERVE PUMP DIVISION, HAWTON LANE, BALDERTON, NG24 3BU - OUTLINE APPLICATION WITH ALL MATTERS RESERVED EXCEPT ACCESS FOR UP TO 322-UNIT RESIDENTIAL DEVELOPMENT ON LAND AT FLOWSERVE PREMISES

The Committee considered the verbal update of the Business Manager – Planning Development, regarding the Flowserve Pump Division appeal which was refused by the Planning Committee, contrary to Officer recommendation and granted permission on appeal.

The Business Manager – Planning Development informed Members that the outcome would not be challenged.

AGREED that the verbal report be noted.

36 APPEALS LODGED

AGREED that the report be noted.

37 APPEALS DETERMINED

AGREED that the report be noted.

38 DEVELOPMENT MANAGEMENT PERFORMANCE REPORT

The Committee considered the report of the Director of Planning & Regeneration which related to the performance of the Planning Development Business Unit over the three month period April to June 2021. In order for the latest quarter's performance to be understood in context, in some areas data going back to April 2019 was provided. The performance of the Planning Enforcement team was provided as a separate report.

AGREED that the report be noted.

39 QUARTERLY ENFORCEMENT ACTIVITY UPDATE REPORT

The Planning Committee considered the report of the Director of Planning & Regeneration which provided an update on Enforcement Action for the first quarter from 1 April to the 30 June 2021 and provided an update on cases where formal action had been taken. It also included case studies which showed how the breaches of planning control had been resolved through negotiation.

Schedule A within the report outlined the enforcement activity for Q1 in terms of the numbers of cases that had been received and closed and also provided a breakdown of the reason that cases had been closed. Schedule B provided a more detailed position statement on formal action (such as enforcement notices served) since the previous performance report was brought before the Planning Committee. This section did not detail Planning Contravention Notices served.

It was reported that formal enforcement action was usually the last resort and where negotiations had failed to produce a satisfactory resolution of a breach of planning control. In the vast majority of cases, negotiation, or the threat of formal action, was enough to secure compliance with planning legislation.

AGREED that the report be noted.

Meeting closed at 5.10 pm.

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, 7 September 2021 at 4.00 pm.

PRESENT: Councillor R Blaney (Chairman)
Councillor Mrs L Dales (Vice-Chairman)

Councillor L Brazier, Councillor M Brock, Councillor R Crowe, Councillor L Goff, Councillor Mrs R Holloway, Councillor Mrs P Rainbow, Councillor Mrs S Saddington, Councillor M Skinner, Councillor I Walker, Councillor K Walker and Councillor Wildgust

APOLOGIES FOR ABSENCE: Councillor T Smith (Committee Member) and Councillor Mrs Y Woodhead (Committee Member)

40 DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

The Committee had no declarations of interest.

41 DECLARATION OF ANY INTENTIONS TO RECORD THE MEETING

The Chairman informed the Committee that the Council was undertaking an audio recording of the meeting, which would be webcast.

42 MINUTES OF THE MEETING HELD ON 3 AUGUST 2021

AGREED that the minutes of the meeting held on 3 August 2021, were approved as a correct record of the meeting and signed by the Chairman.

The Chairman advised the Planning Committee that a verbal update would be taken after item 6 of the agenda (minute 45).

43 LAND OFF SANDHILLS SCENCE, TOLNEY LANE, NEWARK (21/00891/S73)

The Committee considered the report of the Business Manager – Planning Development, which sought planning permission to vary Condition 1 attached to the current permission under reference 18/01443/FUL to allow the gypsy and traveller use to become permanent rather than continue on a temporary basis.

A schedule of communication was tabled at the meeting which detailed correspondence received after the Agenda was published from the applicant's agent which detailed whilst they would prefer a permanent permission, having read the report, the applicant would be willing to accept a further temporary planning permission for 2 years. The late report tabled recommended conditions should a temporary permission be granted.

The Business Manager – Planning Development advised an extension of the existing temporary permission for a further two years on this site may be considered appropriate in view of the need for pitches and lack of allocated sites. However, it remains the case that the granting of a permanent consent cannot be supported due to the risks in relation to flooding.

Councillor M Skinner joined the meeting at this point.

A variation to the wording in the report to condition 8 was tabled “The use for each respective pitch where a resident fails to comply with this condition hereby permitted shall cease and all caravans, equipment and materials brought onto the land for the purposes of such use shall be removed within 6 months of the date of any failure to meet any one of the requirements set out in (i) to (vii) by any of the resident dependents listed within condition 1 below...” would mean only the occupier(s) of the pitch in breach of this condition would need to leave as could not be sure of their safety but the other families could remain living on the site.

Members considered the application and raised concerns regarding flooding and aware that a consultation is currently being undertaking seeking to allocate sites for pitch provision. The community that had been created along Tolney Lane was also acknowledged.

AGREED (unanimously) that planning permission is approved for a temporary two year period subject to no objection from the Environment Agency, conditions set out within the late representations and amendment to condition 8.

44 LAND AT FERNWOOD SOUTH (16/00506/OUTM)

The Committee considered the report of the Business Manager – Planning Development, which proposed an outline planning application for a phased residential development of up to 1,800 dwellings; a mixed use Local Centre of up to 0.75ha to include up to 535sqm of food retail (not exceeding 420sqm) and non-food retail (not exceeding 115sqm), food and drink uses (not exceeding 115sqm), community uses (not exceeding 1,413sqm); sports pavilion up to 252sqm; primary school (2.2ha) with school expansion land (0.8ha); formal and informal open space including sports pitches, pocket parks, structural landscaping / greenspace and drainage infrastructure; principal means of access, internal roads and associated works. All other matters to be reserved.

A schedule of communication was tabled at the meeting which detailed correspondence received after the Agenda was published from local residents, the applicant and Nottinghamshire County Council.

Members considered the report noting that it was being presented following their previous resolution to grant permission.

AGREED (unanimously) that planning permission is approved subject to the conditions outlined in Appendix 1, with the exception of the omission of condition 25 and amendment to the wording of condition 35 as set out in the schedule of communication and subject to the sealing of a legal agreement to secure the contributions set out in Appendix 2 amending ‘bus stop contribution’ to ‘bus services contribution’.

45 SOUTH KESTEVEN DISTRICT COUNCIL - GRANTHAM DOWNTOWN SHOPPING VILLAGE UPDATE

The Chairman of the Planning Committee informed the meeting that this item had been previously brought before the Planning Committee in 2019 following which NSDC had made representation to South Kesteven District Council. The application was to be presented to South Kesteven District Council's Planning Committee this week for further consideration.

The Chairman advised that the Director of Planning and Growth for NSDC was in consultation with him as Chairman and both had concerns as to how this development would pose a threat to Newark town centre even more so than when discussed three years ago if approved. Should Members of SKDC's Planning Committee resolve to approve the development, consideration should be given by NSDC to request a 'call in' by the Secretary of State to highlight the concerns of Newark businesses.

The Committee were concerned as to South Kesteven District Council's support for the shopping village which is a concern for Newark and should be for Grantham, as Rioja Estates has already begun work in March of this year to the south of Grantham and then this other development would be to the north of Grantham.

The Chairman advised the Committee that he would be attending the meeting at South Kesteven District Council.

AGREED (unanimously) that should SKDC resolve to approve the application that the Chairman, Vice Chairman of the Planning Committee and Director of Planning & Growth in consultation determine whether to request a call-in.

46 LAND NORTH OF HALLOUGHTON, SOUTHWELL (20/01242/FULM)

The Committee considered the report of the Business Manager – Planning Development, for the construction of a solar farm and battery stations together with all associated works, equipment and necessary infrastructure.

Members recalled considering the planning application to construct a 49.9 MW solar farm on approximately 106.07 ha of land/13 agricultural fields north of the village of Halloughton at Planning Committee in March of this year. Members resolved to refuse planning permission in accordance with the Officer recommendation.

The Council had recently received notification of a valid planning appeal from the Planning Inspectorate against this decision which is due to be heard at a Public Inquiry set to open on 7th December 2021. As part of this appeal the appellant (JBM Solar Projects 6 Ltd) has invited the Inspector to determine the appeal on the basis of a number of amendments to the original scheme considered by Members under the *Wheatcroft Principle*.

The purpose of this update report was to notify Members of these amendments, relay any comments received during the consultation process and provide an Officer assessment to allow Members to consider whether the amendments materially alter their previous assessment of the proposal.

A schedule of communication was tabled at the meeting which detailed correspondence received after the Agenda was published from local residents, Via East Midlands Landscape Consultants, The Thornton Society, Southwell Town Council and the Southwell Civic Society.

Members considered the amendments and whilst they made a small improvement, it was determined that they did not alter the previous reason for refusal.

AGREED (with 11 votes For and 2 votes Against) that the decision would not have been different if the amended plans had previously been considered.

47 APPEALS LODGED

AGREED that the report be noted.

48 APPEALS DETERMINED

AGREED that the report be noted.

Meeting closed at 4.35 pm.

Chairman

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of **Shareholder Committee** held in the Civic Suite, Castle House, Great North Road, Newark NG24 1BY on Tuesday, 14 September 2021 at 5.30 pm.

PRESENT: Councillor D Lloyd (Chairman)

Councillor M Cope and Councillor P Peacock

APOLOGIES FOR ABSENCE: Councillor L Brailsford (Committee Member) and Councillor S Haynes (Committee Member)

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

There were no declarations of interest.

72 DECLARATIONS OF ANY INTENTIONS TO RECORD THE MEETING

Other than the Council, there were no declarations of intent to record the meeting.

73 MINUTES OF THE MEETING HELD ON 23 MARCH 2021

The minutes of the meeting held on 23 March 2021 were approved as a correct record.

74 EXCLUSION OF PRESS AND PUBLIC

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

75 ARKWOOD DEVELOPMENTS PROGRESS REPORT

The Committee considered the Arkwood Developments Progress report.

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

76 ARKWOOD DEVELOPMENTS LTD BUSINESS PLAN 2021-2026

The Committee considered the report regarding the Arkwood Developments Ltd Business Plan 2021-2026.

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

77 MINUTES FROM PREVIOUS BOARD MEETINGS

The Committee considered the minutes of previous Arkwood Developments Board meetings.

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

78 FORWARD PLAN

The Committee noted the Forward Plan for November 2021- March 2022.

79 DEVELOPMENT OPPORTUNITY - LOWER KIRKLINGTON ROAD, SOUTHWELL

The Committee considered a report regarding a development opportunity of Lower Kirklington Road, Southwell.

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

Meeting closed at 7.02 pm.

Chairman

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

Document is Restricted

Public Document Pack Agenda Item 16l

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of **Councillors Commission** held in the virtually by TEAMS on Tuesday, 28 September 2021 at 5.00 pm.

PRESENT: Councillor R Blaney (Chairman)

Councillor Mrs R Crowe, Councillor P Harris, Councillor Mrs L Hurst,
Councillor J Kellas and Councillor P Peacock

APOLOGIES FOR Councillor Mrs L Dales (Committee Member)

ABSENCE:

46 MINUTES OF THE MEETING HELD ON 28 APRIL 2021

AGREED that the minutes of the meeting held on 28 April 2021 be approved as a correct record and signed by the Chairman.

47 DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

There were no declarations of interest.

48 UPDATE ON PROGRESS WITH NEW GOVERNANCE ARRANGEMENTS

The Chief Executive presented a report which updated Members on progress made by the Governance Review Working Party on the new Governance Arrangements. The report referred to the principles upon which the structure would be based; proposals for five portfolio holders and the Cabinet; the proposed Policy & Performance Improvement Committee; the working groups which would fall under these and the proposals for the rest of the governance structure.

The report also set out next steps, which included the Scheme of Delegation; the role of Members and the training and support which would be made available.

During the debate, the Commission raised the following points which it felt required further review / clarification:

- The proposed resource for the Policy & Performance Improvement Committee including officer support to the Committee and working groups. The Commission also referred to the same officers supporting this Committee and also advising Cabinet which would not be appropriate;
- It was suggested that the proposal to have four scheduled meetings of the Policy & Performance Improvement Committee may not be sufficient so further meetings may need to be convened;
- It was questions whether offering voting rights to the Leader of the Main Opposition on the Cabinet would be appropriate and asked what value this would bring;
- Proposals for the access to membership of the proposed working groups and the openness of the information being presented to these bodies;
- The potential for some form of area committee structure should also be

considered.

AGREED (unanimously) that progress made to date in respect of the proposed new governance arrangements be noted and the feedback from the Commission be reported to the next meeting of the Governance Review Working Party.

49 INDEPENDENT REMUNERATION PANEL

The Business Manager - Elections & Democratic Services presented a draft timetable for a further review by the Independent Remuneration Panel. This review would be able to account for the changes to the governance arrangements to be effective as from May 2022. He added that a report would be submitted to the Full Council Meeting on 12 October to reconvene the Panel.

AGREED (unanimously) that the draft timetable for the further review of Members Allowances by the Independent Remuneration Panel be noted.

Meeting closed at 5.57 pm.

Chairman

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

Document is Restricted