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Monday, 6 December 2021

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

To all Members of the Council:

MEETING: Full Council

DATE: Tuesday, 14 December 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

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1. Apologies for absence	
2. Minutes from the Extraordinary Meeting held on 24 November 2021	6 - 9
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	

In accordance with Rule No. 15.1 the following questions have been submitted to the Council from members of the public:

(i) Wendy Patterson

“On 11th November 2021, before and during the overnight occupation of the Library Garden by four protestors, instructions were issued by a council representative about what could and could not be brought on site to keep the protestors warm and comfortable. The gift of a chair from supporters was refused by the council representative on the grounds that nothing that can be used for ‘habitation’ is permitted. Similarly, a pillow was refused, sleeping bags and a pop-up tent. From where did these instructions come? Who decided what and what would not be allowed? It should be noted that the police officers were far more reasonable about what the protestors were allowed and when the council representative was not on duty, a swap of chairs for more comfortable ones was permitted and various previously forbidden items were brought to the protestors by the police.”

(ii) Darrell Pointing

“11/11/21: A police officer from Mansfield spoke to the protestors who remained on site and said that ‘this appears to be a matter of trespass only, which is not police business’. On what grounds did NSDC require the police to attend and what did they tell the police which led the force to mount a large and expensive operation with very many hours of police and community police officers time taken up with supervising a peaceful protest? Having been issued with the directive to leave the garden to avoid arrest, why were those protestors who remained not arrested? What laws were the protestors breaking by staying on the garden?”

(iii) Christine Stevenson

“11/11/21: With about 50 protestors on site and while designated PNGS spokespersons were led away to the rear of the garden to speak to a police officer - Sgt 2858 Matt Ward. A council worker/contracted by the council attacked the hedge between the garden and the public footpath on the London Road car park with a chainsaw. This took place with no warning, no cones, no health and safety measures at all, while members of the public and children were present on the path, on the grass and on the garden. Who authorised this dangerous and illegal action? Video and eye witness accounts available.”

(iv) Louise Smith

“On 11 November, metal fence panels were brought onto the garden and council workers/council contracted workers proceeded with speed to erect the panels. Their haste and lack of attention to detail was such that they commenced installing the fencing along the public footpath by the Library thereby blocking the fire exit from the Library. When this was pointed out, in the midst of a chaotic and brutal operation to seal off The Library Garden, the fencing was moved forward onto the grass and off the footpath.

Please could you address the following questions:

* On whose authorisation was the attempt to block the fire exit from the Library?

* What were the precise instructions given to council representatives/workers/ contracted workers about this operation to secure the ‘compound’ for an immediate start of work (despite police assurances to the protestors that the only work that would be carried out was the fencing).”

(v) Pamela Ball

“12.11.21 - A person was escorted on to the library gardens (proposed car park annexe), to undertake a bat survey. Protestors were informed that this person would not provide a name, or credentials. A protestor read out the regulations for such a survey at this time of year, namely bat hibernation period.

A minimal ground survey of the four trees using binoculars was conducted, to establish likelihood of bat roosts. Ladders were then used to examine a bat box in the large sycamore tree. However, bat boxes are only used for summer roosting and should therefore not be used to establish the presence of bats.

After the preliminary bat survey, which is an incomplete survey, a phase 2 survey should be conducted between May-September.

St Georges Trust conducted a detailed bat ecological survey on 24 October 2021, on behalf of the campaign group, which was subsequently provided

to Newark and Sherwood District Council, establishing a high level of bat activity!

Very shortly after this preliminary survey, council contracted workers readied themselves at the rear of the garden to bring tree felling equipment onsite.

Did the bat surveyor actually submit a report with all the details, analysis and photos etc within minutes of his survey? Which officer at NSDC received the report, read it, checked it for completeness and validity and authorised the tree felling to go ahead? Had a licence from Natural England been applied for?

Over the past 50 years our wildlife has declined by 41% . Bats are a protected species and have lost much of their habitat. It is illegal to disturb or destroy bat roosts, the penalty for which is huge fines.

In these times of environmental awareness, did NSDC feel it appropriate to commit a wildlife crime?

Had Cllr Girling not arrived onsite to announce a uturn, this is exactly what would have happened!

Finally, if the tree felling had not been stopped minutes before it was due to start, what would have happened to the four remaining protestors? Would they have been forcibly removed by the police and on what grounds? If the protestors had been allowed to stay, what health and safety measures were in place to protect them?"

8.	In accordance with Rule No. 10 to receive the presentation or the debating of any Petitions from Members of the Council (if any)	
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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 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.

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of **Extraordinary Full Council** held in the Civic Suite, Castle House, Great North Road, Newark, Nottinghamshire, NG24 1BY on Wednesday, 24 November 2021 at 6.00 pm.

PRESENT: Councillor Mrs P Rainbow (Chairman)
Councillor Mrs S Saddington (Vice-Chairman)

Councillor R Blaney, Councillor L Brailsford, Councillor L Brazier, Councillor Mrs B Brooks, Councillor M Brown, Councillor S Carlton, Councillor Mrs R Crowe, Councillor R Crowe, Councillor D Cumberlandidge, Councillor K Girling, Councillor L Goff, Councillor S Haynes, Councillor Mrs R Holloway, Councillor Mrs L Hurst, Councillor J Kellas, Councillor B Laughton, Councillor J Lee, Councillor Mrs S Michael, Councillor N Mison, Councillor P Peacock, Councillor M Skinner, Councillor T Smith, Councillor Cllr Thompson, Councillor I Walker, Councillor K Walker, Councillor T Wendels, Councillor R White and Councillor Mrs Y Woodhead

APOLOGIES FOR ABSENCE: Councillor M Brock, Councillor M Cope, Councillor Mrs L Dales, Councillor Mrs M Dobson, Councillor P Harris, Councillor R Jackson, Councillor D Lloyd, Councillor N Mitchell and Councillor T Wildgust

42 MINUTES FROM THE MEETING HELD ON 12 OCTOBER 2021

AGREED that minutes of the meeting held on 12 October 2021 be approved as a correct record and signed by the Chairman.

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

There were no declarations of interest from Members or officers.

The Chairman advised the Council that Councillor D Lloyd was absent from the meeting given his decision not to take part in the single item of business on the agenda.

44 DECLARATIONS OF ANY INTENTIONS TO RECORD THE MEETING

The Council was recording the meeting in accordance with usual practice, and the Newark Advertiser confirmed their declaration of intention to record the meeting. The Chairman advised that the meeting was being live streamed.

45 NOTICE OF MOTION - LONDON ROAD CAR PARK

In accordance with Council Procedure Rule No. 24.7, twelve Members had requested that the decision of the Full Council held on 12 October 2021 in relation to Minute No. 32 – London Road Car Park be subject to reconsideration. Councillor K. Girling moved and Councillor R. White seconded the motion that:

'At the meeting of Full Council held on 12 October 2021, it was agreed to proceed with the London Road car park extension scheme (referred to as Option B in the report). Following the receipt of an improved offer to the Council to buy the land on which the extension is proposed to be built, it is proposed that the previous decision taken by the Council on 12 October 2021 be rescinded. It is further proposed that the Council agrees to purchase the freehold of the land known as the London Road car park extension for the sum of £450,000, and to retain the land as green space.'

In debating the motion, the Council considered the accompanying report of the Chief Executive, which provided supporting information. The report advised that since the decision of the Full Council on 12 October 2021, to proceed with Option B, officers had made progress to implement the car park extension. An updated ecology survey had been undertaken and fencing had been installed around the perimeter of the site. This was in preparation for the removal of the trees and the implementation of planning permission.

In the periods before and after the last meeting of the Full Council, campaigners had continued to press for the trees to be protected and for the proposed car park extension to be abandoned. An online petition "Stop the Chop and Save our Trees" had gathered 60,081 signatories. The petition, which was presented to the Chairman, called for the Council to:

- Pause the felling of the trees;
- Undertake, and publish the findings of, the promised car parking review with stakeholders including the Newark Civic Trust and Protecting Newark's Green Open Spaces;
- Hold the promised consultation on the development of the site, given its high value to local people; and
- Undertake a full bat survey next spring in May 2022 when the weather is warm enough for bats to fly at night.

The report further advised that on the day the Council's ecologist visited the site, Friday 12 November 2021, the Council received a revised offer from Datch Properties Limited for the Council to purchase the freehold of the site earmarked for the extension. The site was shown in the plan at Appendix B to the report. The previous best and final offer which was reported to the Full Council at the 12 October 2021 meeting was a sum of £600,000 to purchase the site. The revised offer was a reduced price of £450,000 on the condition that the Council did not implement the planning permission to create the car park extension and retained the land as green space.

The total cost to the Council in purchasing the land was the asking price of £450,000 together with SDLT, legal costs and land registration fee totalling £467,540. In addition to the costs of purchasing the land, the Council would not be receiving any future income from constructing the car park. This lost income, net of the abortive and additional development costs was £115,139. This future loss in anticipated income had not been incorporated into the medium term financial plan and therefore there would be no immediate impact on the financial plans of the Council.

It was noted that if the motion was agreed, the necessary changes would be made to the General Fund Capital Programme and in year General Fund expenditure.

On being put to the meeting, the motion was agreed with 28 votes for and 2 abstentions.

A recorded vote was taken as follows:

COUNCILLOR	VOTE
Roger Blaney	For
Louis Brailsford	For
Lee Brazier	For
Betty Brooks	For
Michael Brown	For
Scott Carlton	For
Rita Crowe	For
Robert Crowe	Abstain
Donna Cumberlidge	For
Keith Girling	For
Laurence Goff	For
Simon Haynes	For
Rhona Holloway	For
Lydia Hurst	For
Jack Kellas	For
Bruce Laughton	For
Johno Lee	For
Sylvia Michael	Abstain
Neill Mison	For
Paul Peacock	For
Penny Rainbow	For
Sue Saddington	For
Mathew Skinner	For
Tom Smith	For
Tina Thompson	For
Ivor Walker	For
Keith Walker	For

Tim Wendels	For
Ronnie White	For
Yvonne Woodhead	For

Meeting closed at 6.30 pm.

Chairman

COUNCIL MEETING – 14 DECEMBER 2021

ATTENDANCE AT MEETINGS

1.0 Purpose of Report

- 1.1 To grant a dispensation for a Councillor who is currently unable to attend Full Council and Council Committee meetings at Castle House for health reasons.

2.0 Background Information

- 2.1 The Local Government Act 1972 states that when a Councillor fails to attend any meeting for 6 consecutive months from the date of his last attendance, then, subject to certain exceptions, they cease to be a member of the authority, unless the Council accepts a reason for the failure to attend before the 6 months period expires.
- 2.2 For personal health-related reasons, Councillor Neal Mitchell is currently unable to attend Full Council or Council Committees at Castle House. He continues to participate in remote meetings as a representative of the Council where possible. Attendance at informal meetings as a representative of the Council meets the requirements of the legislation. However, for the avoidance of doubt, it is considered appropriate to report the matter to Full Council.

3.0 Proposals

- 3.1 In the circumstances it is recommended to grant a dispensation under Section 85(1) of the Local Government Act 1972, for the period of 6 months from 14 December 2021.
- 3.2 To ensure democratic representation at Council Committees during this period, it is proposed that the Labour Group reallocate any Committee seats currently held by Councillor Mitchell.

4.0 RECOMMENDATION

To approve a dispensation for Councillor Neal Mitchell for a period of 6 months from the date of this meeting, as set out in paragraph 3 of the report.

Background Papers

Nil

For further information please contact Sue Bearman on 01636 655935

Sue Bearman
Assistant Director Legal & Democratic Services, Monitoring Officer

COUNCIL MEETING – 14 DECEMBER 2021

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

1.0 Purpose of Report

1.1 Following the recent by-election held on 21 October 2021, to inform the Council of the political composition of the Council and to consider proposals for the allocation of seats on Committees to Political Groups, as required by Council Procedure Rule No. 17.6.

2.0 Background Information

2.1 Section 15 of the Local Government and Housing Act 1989 requires the Council to consider the political composition of the Council. The Act, together with Local Government (Committees and Political Groups) Regulations 1990, require local authorities to allocate seats on Committees of a local authority on a proportional basis, in accordance with the number of seats on the Council held by each political group.

2.2 As Members will recall the allocation of seats to Committees was last considered at the Meeting held on 13 July 2021, which was effectively the Annual Meeting. The allocation of seats requires a further review at this meeting following the District Ward by-election for the Rainworth South and Blidworth Ward held on 21 October 2021.

2.3 The result of the by-election was as follows:

Sheila Jackson (Conservative)	168 votes
Tina Thompson (Independent)	650 votes
Callam Walsh (Labour)	164 votes

3.0 Present Position

3.1 As a result, the seats held by each Group on the Council are as follows:-

	<u>No. of Seats</u>
Conservative	29
Labour	6
Liberal Democrats	2
Independent	1
Independent	1

3.2 Under the committee style of governance all Committees are required to reflect the political balance. Based on the existing committee structure there are a total of 102 seats on Committees which must comply with political balance rules.

3.3 The Constitution provides that the following Committees be appointed:-

<u>Committee</u>	<u>No. of Members</u>
Policy & Finance	7
Homes & Communities	12
Leisure & Environment	12
Economic Development	12

Planning	15
Licensing	15
General Purposes	15
Audit & Accounts	6
Shareholder	5
Gilstrap	5
Mansfield & District Crematorium Joint Committee	3

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

a) No of seats on Council = 39

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

	%
Conservative	74.36
Labour	15.39
Liberal Democrats	5.13
Independent	2.56
Independent	2.56
	<hr style="width: 50%; margin: auto;"/> 100%

b) There are 107 seats on Committees. The allocation of seats to each Group on these Committees would be:-

			<u>Rounded</u>
Conservative	107 x 74.36%	79.57	80
Labour	107 x 15.39%	16.46	16
Liberal Democrats	107 x 5.13%	5.49	5
Independent	107 x 2.56%	2.74	3
Independent	107 x 2.56%	2.74	3
			<hr style="width: 50%; margin: auto;"/> 107

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

Conservative	80
Labour	16
Liberal Democrats	5
Independent	3
Independent	3

The impact of the change in composition is that the Labour Group have three less seats overall, across all committees.

3.3 The proposed allocation of seats on Committees to each political group is set out in the matrix which is attached as **Appendix A** to the report.

3.4 The calculations and matrix are based on the numbers across the whole Council, including the now two independent Members. Previously, there has been an Independent Group and it would be open to the two independent Members to form a political grouping if they wished. The allocation of seats as proposed, is for the Council to determine, including whether seats are offered to the independent members, which has been the previous practice.

4.0 RECOMMENDATIONS that:

(a) the Council agree the allocation of seats to Political Groups in accordance with Appendix A to the report; and

(b) changes be made in Committee memberships as advised at the meeting.

Background Papers

Nil.

For further information please contact Nigel Hill on 01636 655243.

**John Robinson
Chief Executive**

**ALLOCATION OF SEATS TO
POLITICAL GROUPS**

Committee	Conservative	Labour	Liberal Democrats	Independent (MD)#	Independent (TT)	Total Seats by Committee
Policy & Finance	6	1	0	0	0	7
Homes & Communities	9	2	1	0	0	12
Leisure & Environment	9	2	1	0	0	12
Economic Development	9	2	0	1	0	12
Planning Committee	11	2	1	0	1	15
General Purposes#	10	2	1	1	1	15
Licensing#	10	2	1	1	1	15
Audit & Accounts Committee	5	1	0	0	0	6
Shareholder Committee	4	1	0	0	0	5
Board of Gilstrap Trustees	4	1	0	0	0	5
Mansfield & District Crematorium Joint Committee*	3	0	0	0	0	3
Total seats by Group	80	16	5	3	3	107

* (includes other local authority members)

Note – Councillor Dobson indicated she did not wish to take a seat on the Licensing & General Purposes Committees, so this place was taken by the controlling Group

FULL COUNCIL
14 DECEMBER 2021

PROPOSALS FOR NEW GOVERNANCE ARRANGEMENTS

1.0 Purpose of the Report

- 1.1 To update Full Council on the progress made by the Governance Review Working Group on the design of the new governance arrangements for implementation from May 2022.
- 1.2 To seek Full Council's approval of the arrangements set out in Section 3.

2.0 Background

- 2.1 At its meeting on 4 May 2021 Full Council resolved to adopt a Leader and Cabinet style of governance, with implementation to take effect from May 2022, and appointed a small working group of Members, tasked with formulating the detail of how the new governance arrangements should operate, with the aim of reporting back to Full Council on 14 December 2021, for its consideration and approval.
- 2.2 Since May, the Working Group has met on six occasions to develop the proposals. Two update reports have been presented to the Councillors' Commission seeking feedback on the proposals and a number of comments have been reported back for consideration by the Working Group. Comments from the latest meeting of the Commission held on 2 December have been incorporated into this report.
- 2.3 The proposals are set out in detail in Section 3 of this report.

3.0 Proposals for New Governance

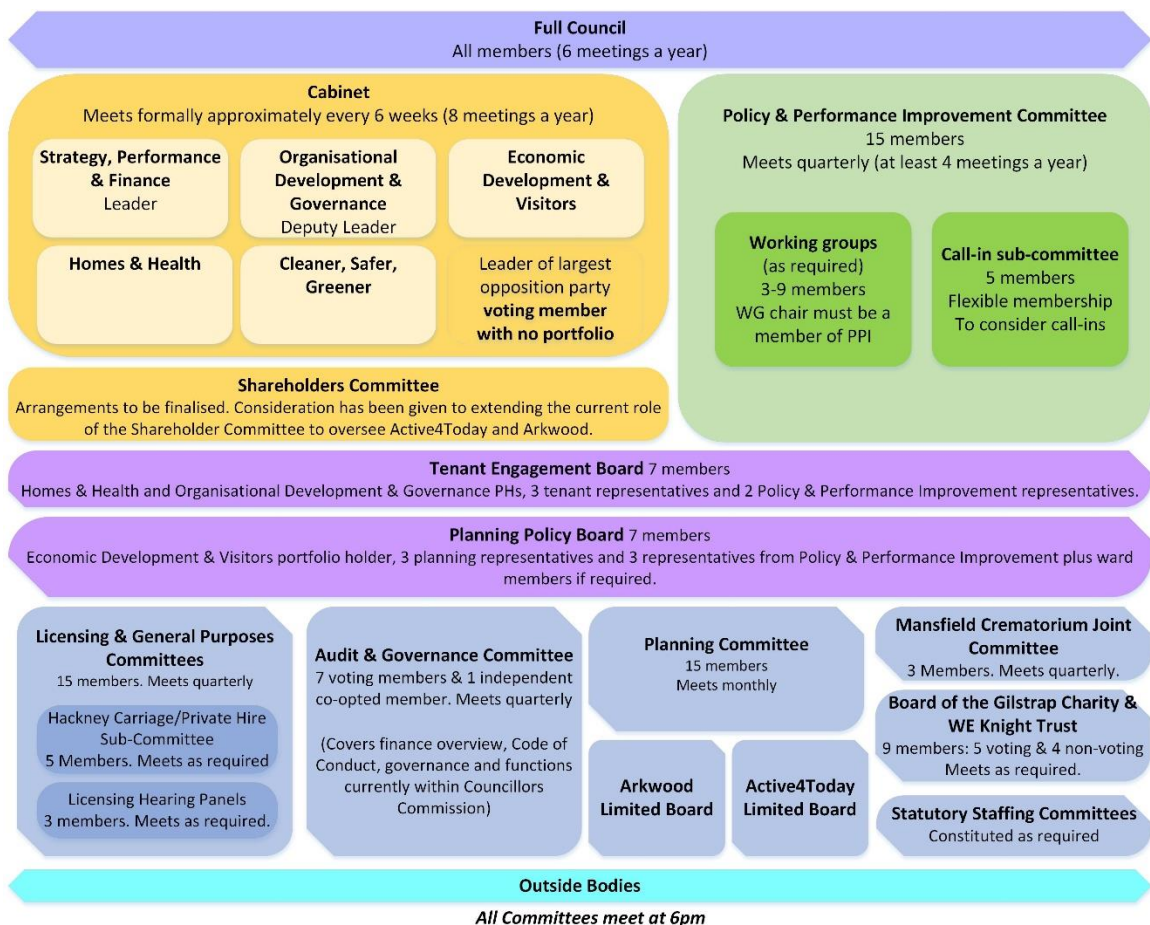
3.1 Principles of the New System

Taking into account the aims and priorities identified in the Full Council report of 4 May 2021, the principles underlying the new arrangements were formalised by the Working Group as follows:

Inclusion	Ownership	Transparent & Agile	Challenge Performance	Modern & Accessible	Connected
<ul style="list-style-type: none"> Members feeling involved and well-informed Members are able to contribute 	<ul style="list-style-type: none"> The Executive operates as a team, but Individual members of the Executive take ownership and accountability for their portfolios 	<ul style="list-style-type: none"> Agile, clear and appropriate decision-making Swift where it needs to be Transparent The 'right' decisions being made at the 'right' level by the 'right' portfolio 	<ul style="list-style-type: none"> Purposeful, constructive and challenging performance review Open to external outlook and input 	<ul style="list-style-type: none"> Modern Bureaucracy light Accessible and easy to understand 	<ul style="list-style-type: none"> Linked up to locality Connected Cabinet and Performance Review

3.2 Proposed Structure

Below is a diagram of the proposed structure of the new governance arrangements.



Full Council will note the diagram contains proposals regarding sizes of Committees, membership requirements if any, and frequency and timing of meetings. Members will be aware that there is a later item on the agenda which proposes a Schedule of Meetings for 2022/23 based on the proposed new governance structure. Members will also note that it is being proposed that as from May 2022, all meetings will commence at 6.00pm.

Consideration has been given to extending the current role of the Shareholder Committee to oversee Active4Today as well as Arkwood Limited. External legal advice has indicated, however, that the current Shareholder Committee exercises purely executive functions so alternative options will need to be considered. The next phase of the project will include developing terms of reference for all parts of the new governance structure and revising the Constitution, all of which will require further Full Council approval.

3.3 **The Cabinet**

Full Council will note that the Cabinet will comprise of five portfolio holders with the Leader of the Largest Opposition Group being appointed as a voting member of the Cabinet without portfolio. The legislation regarding executive arrangements requires the leader of the executive to determine the number of councillors appointed to the executive, up to a maximum of 10, one of whom they must appoint as a deputy. The Councillors Commission suggested that these appointments should be endorsed by Full Council. The proposed remits for portfolio holders are set out in **appendix one**.

3.4 **Executive Decision Making / Key Decisions**

The Working Group also progressed proposals in respect of the Scheme of Delegation and decision making responsibilities for portfolio holders, the Cabinet when operating as a collective and officers. In considering the Scheme of Delegation the Working Party gave consideration to a number of previous reports which had been taken to one of the Council's four existing operational Committees to determine where decision making responsibility would fall under the new governance arrangements.

The Working Party also considered the definition of a key decision. A key decision must be published on a Forward Plan for a minimum of 28 days prior to a decision being taken. It was noted that neighbouring authorities have adopted different financial thresholds. Having regard to this and also a recent discussion at Policy and Finance Committee in the context of the Council's new Acquisitions and Disposals Policy, it is proposed to apply the following definition of a key decision:

- Where expenditure is over £150,000 for revenue or over £300,000 for capital, or
- Where the impact of the decision would be significant in terms of its effect on communities living or working in two or more wards.

£150,000 represents a 2% increase in average Band D Council Tax. The current council tax referendum limit is 2% which the Council has adhered to by increasing Council Tax by no more than this percentage increase. The capital limit is twice this limit as the very nature of capital projects requires a larger budget and therefore a larger threshold.

The table below gives some examples of how the new governance arrangements would apply to decisions taken under our existing Committee system.

Item	Brief description	Delegation Options	Proposed route under new scheme
Ollerton Local Housing Office	Decision to refurbish and re-purpose the local housing office in Ollerton at a cost of £50k. To be added to the Capital Programme.	Consider categorising as key decision as residents of two or more wards affected – is impact significant? Member decision as additional budget required.	Portfolio Holder/Cabinet and liaison with ward members
Yorke Drive Regeneration Project	To progress with the Yorke Drive Project within the existing and previously agreed financial approvals and cost envelope.	Not a key decision given no fresh financial implications and impact on only one Ward.	Officer and liaison with ward members and Portfolio Holder
Electrification of the Council Fleet	To consider a phased approach to the electrification of the Council's fleet of vehicles	Key decision given the potential financial implications.	Cabinet - due to significance in relation to climate change agenda
Exempt Item – Purchase of Land	To purchase land at Quibell's Lane, Newark from Severn Trent	Key decision given exceeding the £300k capital spend threshold	Portfolio Holder/Cabinet – exempt elements
Tenant Access Service Hours	To review and approve the alignment of opening hours for tenant services	Non-key decision as not significant decision in terms of impact	Officer decision following liaison with Portfolio Holder and Tenant Engagement Board. Role for Policy and Performance Review Committee also.
Housing Service Compliance Quarterly Turnout Performance	Overview of compliance performance of the housing service. To ensure homes and services are of a high standard and meet legal and regulatory requirements.	The report is for noting -housing regulator requires elected member oversight of performance	Portfolio Holder and Policy & Performance Improvement

3.5 **Policy & Performance Improvement Committee (PPI)**

Under the proposed arrangements the Policy & Performance Improvement Committee (PPI) would fulfil the statutory role of 'overview and scrutiny' and also have a wider role in policy development and performance review.

The PPI work programme would consist of standing items (set within the work programme) and non-standing items, some examples might include:

- Standing items:
 - Performance against the community plan objectives including an annual review of Community Plan performance targets
 - An annual refresh of the Community Plan and assessment of the results of resident consultation
 - A bi-annual review of customer feedback, customer complaints and freedom of information requests
 - Financial performance including an annual review of the Medium Term Financial Plan
 - The performance of the Community Safety partnership
 - An annual review of community grants awarded
 - Bi-annual workforce review e.g. staff sickness and health and safety
 - Annual reporting on equalities and safeguarding
- Non-standing items:
 - A performance review triggered by performance information submitted to the Policy & Performance Improvement Committee
 - A review of a major initiatives such as Newark Town Deal and Levelling Up Proposals
 - A review of services delivered by NSDC or by partners such as Nottinghamshire Police, the Environment Agency, Network Rail etc.

PPI will, as required, set-up working groups to undertake specific reviews or policy development work. A working group would consist of 3 to 9 members. These Members could be drawn from the whole membership of the Council to ensure appropriate skills and knowledge but will be chaired by a Member from the PPI Committee. The practical arrangements for this will need to be considered, as will opportunities to invite appropriate external advice if required.

The terms of reference for any such group will be agreed by the PPI Committee, having regard to the overarching objective of all reviews being to improve the quality of life of local residents and value for money of local services. It is anticipated that Working Groups would operate on a 'Task and Finish' basis, with regular reports and final recommendations being made to the PPI Committee.

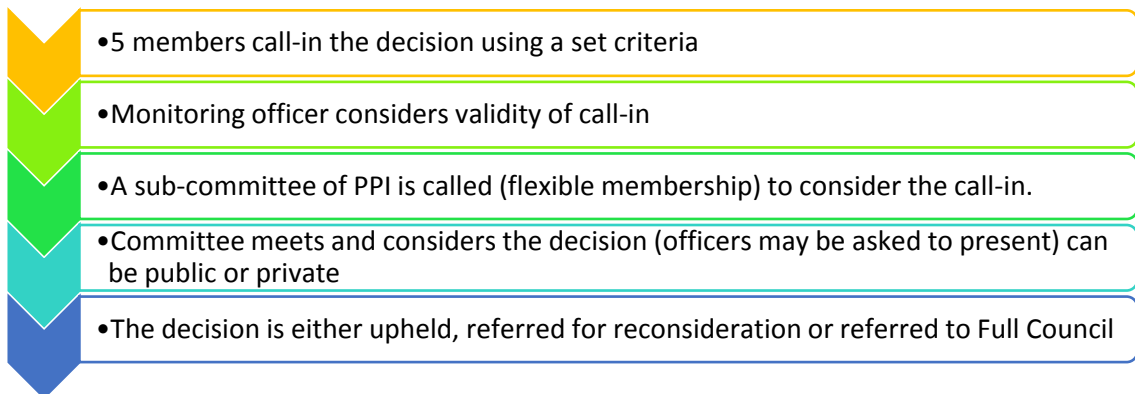
The Governance Review Working Group did not wish to specify a limit to the number of reviews per year but instead to have guiding principles including respecting the resource required and constantly reviewing the programme in light of new suggestions and considering why the review would be of value across the District.

Therefore, in setting up working groups there will be regard for the total number of working groups operational at any one time and their areas of focus - to ensure that undue pressure is not exerted on one area of the Council and to prevent multiple reviews commencing simultaneously that cannot be resourced. The working group reviews will be supported by staff from the Transformation & Service Improvement Business Unit.

3.6 Call-In Procedure

Call-in provides a mechanism for councillors to intervene when they feel that a decision being made by the executive needs to be revisited. It provides a key check and balance in the leader/cabinet system of governance. It should, however, be regarded as a measure that is only needed in exceptional circumstances.

The Policy & Performance Improvement Committee will be responsible for considering any call-ins. In respect of the call-in procedure, the Working Group have proposed the following procedure, presented below:



Five Members will be required to complete a form giving reasons for the call-in which would need to be submitted to the Monitoring Officer by 12 noon on the third working day following the decision being taken. The Monitoring Officer would then consider the validity of the request with the Section 151 Officer and Chief Executive (if required) and arrangements would be made to convene a Call-In sub-committee. This sub-committee will consist of five members, who were not involved in the decision being called-in, drawn from the PPI Committee. A draft criteria for call-ins is attached at **appendix two** by way of example. The Councillors Commission suggested that a 'public interest ground' be added. Once in final form, the criteria will be submitted to Full Council for approval.

3.7 Strengthening the Representative Role of Members

As part of the review of governance, the Working Group also considered how the Council could better support all Members in their roles as community leaders. This included the establishment of Area Committees which was subject to a discussion paper but not considered appropriate at this point in time. As an alternative, it was agreed to progress the following ideas:

- An annual meeting of ward members (clustered into collections of wards) where a set of performance data is presented and consideration given to local priorities for the year(s) ahead.

- Adaptations to the Council's customer services case management system to ensure members receive updates on the status of any requests and to allow an analysis of requests to identify any patterns or repeat issues;
- Identify named local contacts for Members to liaise with for key public facing services;
- An all Member 'What's Going On' presentation twice a year to update on major initiatives / topics;
- Greater informal neighbourhood working with Member walkabouts with partners;
- Possible creation of an annual Member fund with spending linked to the community plan priorities;
- Regular briefings from the Cabinet in the form of a briefing note, newsletter or annual report.
- Development of a business case for the procurement of a tailored case management system for Councillors.

Refining of these ideas will be incorporated into the second phase of the project.

3.8 Training

The Working Group have also considered the delivery of training for all Members (and appropriate staff) in relation to the new governance arrangements. It is proposed to have an all Member session which will outline the new governance arrangements and how they will work, plus training for key Members (portfolio holders, chairs and vice-chairs etc.) on the operation of the Cabinet and Policy and Performance Improvement Committee.

Some of the training will be delivered in house, however it is proposed that some of this training will be delivered by external providers such as the Local Government Association and the Centre for Governance and Scrutiny. Therefore, it is proposed to seek a one-off revenue budget of £5,000 in 2021/22 (with this being rolled over into 2022/23 if required) to cover such activities in 2022.

The Councillor's Commission suggested that Members from another council that recently changed to executive arrangements, for example Melton Borough Council, be invited to a session to provide the benefit of their experience.

3.9 Independent Remuneration Panel

The first meeting of the reconvened Panel is scheduled to take place on 16 December 2021. Comparator data has been shared with the Panel and next steps for the Panel will be to meet with the Council's three Statutory Officers followed by the Members of the Governance Review Working Party.

4.0 Next Steps

- 4.1 The proposals set out in this report will need to be formalised and incorporated into a new Constitution which will need to be adopted by the Full Council at its Annual General Meeting on 17 May 2022, just prior to the new governance arrangements coming into operation.

4.2 Therefore, it is proposed to keep the Governance Review Working Party as a convened body and involve it in reviewing parts of the Constitution as they are drafted. This will include revisions to Council Procedure Rules which will be simplified as part of the overall review of the Constitution. The Councillors Commission will continue to be updated as required.

4.3 Further reports with sections of the Constitution for consideration and approval will be submitted to Full Council ahead of May 2022.

5.0 Financial Implications FIN (21-22/5006)

5.1 The changes in Governance arrangements described above are not anticipated to add any additional costs to the Councils revenue budget going forward. A separate report relating to the changes in remuneration for members will be presented to Full Council once the Independent Remuneration Panel has had chance to consider and recommend its findings. Any financial implications arising as a result of that would be brought to members' attention at that point in time.

5.2 There is however a requirement for a one-off £5,000 training budget in order to fund external training. This can be financed from within the annual change management budget for the 2021/22 financial year.

6.0 RECOMMENDATIONS that:

(a) the proposals in respect of the new governance arrangements as detailed in Section 3 of the report be approved, it being noted that the size of Cabinet, the membership of Cabinet and Cabinet portfolios were matters for the approval of the Leader (as prescribed by legislation) ;

(b) a £5,000 budget be established (financed from the Corporate Change Management budget) to enable the required training for the new governance arrangements to be delivered; and

(c) the Governance Review Working Party continue to meet as required and report back to Full Council with recommended changes to the Constitution and any further refinement to the proposed governance arrangements set out in this report.

Background Papers

Nil.

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

John Robinson
Chief Executive

Proposed Portfolios

Strategy, Performance & Finance (Leader)

- Overall strategy and delivery of agreed Council priorities and objectives through the Community Plan
- Oversight of all Cabinet responsibilities
- Building and developing relationships with partners at a local, regional and national level
- Consultation and engagement
- Climate change
- Budget strategy and budget setting
- Council tax setting
- Financial planning and financial management
- Communications, social media and marketing
- Performance management

Organisational Development & Governance (Deputy Leader)

- Building and maintaining positive relationships with and between elected members and employees
- Promoting and encouraging effective corporate governance and the highest standards of probity
- Human resources
- Equalities and diversities responsibilities
- Digital services and cyber security
- Business continuity for the Council
- Democratic services
- Elections services
- Legal advice and legal services
- Customer services
- Data protection

Economic Development & Visitors

- Regeneration, jobs, employment and town centres
- Licensing
- Business grants, support and advice
- Business rates administration
- Car parks
- Major capital projects
- Local Development Framework
- Neighbourhood planning and assets of community value
- Planning services and enforcement, and planning conservation
- The visitor economy, tourism action groups and tourism campaigns, and the Palace Theatre, National Civil War Centre & Newark Castle

Homes & Health

- Landlord responsibilities

- Planned works on housing stock
- Rents and income
- Tenant engagement
- Supported housing
- Housing options
- Affordable warmth
- Homelessness and temporary accommodation
- Housing regeneration
- Neighbourhood studies
- Disabled facilities grants
- Council tax administration
- Housing benefit administration
- Health and wellbeing
- Social mobility
- Arts development
- Community centres
- Active4Today

Cleaner, Safer, Greener

- Waste and recycling
- Waste education and enforcement
- Street cleansing, littering, dog fouling and fly tipping
- Air pollution
- Community safety partnership
- CCTV and Anti-Social Behaviour (ASB)
- Domestic violence
- Environmental Health
- Food safety
- Health and safety
- Emergency planning
- Grounds maintenance
- Parks and green spaces, tree planting and greening projects
- Environmental conservation and tree protection

NOTICE OF CALL-IN OF KEY DECISION

In accordance with [specific reference paragraph] of the Council’s Constitution, we the undersigned hereby give notice that we wish to Call-In the following key decision:

1. Decision Description and Reference.....

2. Date of the Decision.....

We believe the decision should be called-in on one or more of the following Grounds: -

1. Not in accordance with the Council’s policies, Constitution, procedure or rules
2. Outside of the approved Budget or Policy Framework
3. Outside of the Council’s powers
4. Unlawful

We believe that the following principles of decision making have been breached by the making of this decision (Insert Reason/s and Ground/s against the relevant Principle/s):

Principle		Reasons why breached	Ground/s breached (1-4 above)
a	Proportionality		
b	Due consultation and the taking of professional advice from officers		
c	Respect for human rights and equalities		
d	A presumption in favour of openness		
e	Clarity of aims and desired outcomes		
f	A record of what options were considered and giving the reasons for the decision		

g.	Acting Within the decision-maker's authority		
h.	Taking into account all relevant considerations and ignoring irrelevant considerations		
i.	Ensuring best value		
j.	Having regard to the rules of natural justice		

1.
Signed.....Name.....
.....

2.
Signed.....Name.....
.....

3.
Signed.....Name.....
.....

4.
Signed.....Name.....
.....

5.
Signed.....Name.....
.....

COUNCIL MEETING – 14 DECEMBER 2021

SCHEDULE OF MEETINGS 2022/23

1.0 Purpose of Report

- 1.1 To approve a Schedule of Meetings covering the period May 2022 to May 2023, reflecting the proposed new governance arrangements to be implemented as from May 2022.

2.0 Background Information

- 2.1 A proposed draft Schedule of Meetings for 2022/23 is attached as an **Appendix** to the report.
- 2.2 The schedule is based on the new governance arrangements as have been put forward by the Governance Review Working Party which were considered as the previous item on this agenda. Meeting frequency and dates for the Tenant Engagement Board are to be confirmed.
- 2.3 As Members will have noted from the previous report, the Working Party have recommended that all meetings start at 6.00pm under the new arrangements.

3.0 RECOMMENDATION

That the proposed Schedule of Meetings for 2022/23 be approved.

Background Papers

Nil.

For further information please contact Nigel Hill on extension 5243.

John Robinson
Chief Executive

MAY 2022 – MAY 2023

2022	Monday	Tuesday	Wednesday	Thursday	Friday
May	2 BANK HOLIDAY	3	4	5	6
	9	10	11	12	13
	16	17 ANNUAL COUNCIL	18	19	20
	23	24	25	23	27
	30	31			
June			1	2 BANK HOLIDAY	3 BANK HOLIDAY
	6	7 PLANNING	8 CABINET	9	10
	13 POLICY & PERFORMANCE IMPROVEMENT	14	15	16	17
	20 SHAREHOLDERS	21	22	23 GENERAL PURPOSES & LICENSING	24
	27	28	29	30	
July	4	5 PLANNING	6	7	8
	11	12	13 CABINET	14	15
	18	19 COUNCIL	20	21	22
	25	26	27 AUDIT & GOVERNANCE	28	29

2022	Monday	Tuesday	Wednesday	Thursday	Friday
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August	1	2	3	4	5
	8	9 PLANNING	10	11	12
	15	16	17	18	19
	22	23	24	25	26
	29 BANK HOLIDAY	30	31		
September				1	2
	5	6 PLANNING	7	8	9
	12 POLICY & PERFORMANCE IMPROVEMENT	13	14	15 GENERAL PURPOSES & LICENSING	16
	19 SHAREHOLDERS	20	21 CABINET	22	23
	26	27	28	29	30
October	3	4 PLANNING	5	6	7
	10	11	12	13	14
	17	18 COUNCIL	19	20	21
	24	25	26	27	28
	31				

2022/23	Monday	Tuesday	Wednesday	Thursday	Friday
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November		1	2 CABINET	3	4
	7	8 PLANNING	9	10	11
	14 SHAREHOLDERS	15	16	17	18
	21	22	23	24	25
	28 POLICY & PERFORMANCE IMPROVEMENT	29	30 AUDIT & GOVERNANCE		
December				1 GENERAL PURPOSES & LICENSING	2
	5	6 PLANNING	7 CABINET	8	9
	12	13 COUNCIL	14	15	16
	19	20	21	22	23
	26 BANK HOLIDAY	27 BANK HOLIDAY	28	29	30
January	2 BANK HOLIDAY	3	4	5	6
	9	10	11	12	13
	16	17 PLANNING	18 CABINET	19	20
	23	24	25	26	27
	30	31			

2023	Monday	Tuesday	Wednesday	Thursday	Friday
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February			1 AUDIT & GOVERNANCE	2	3
	6	7 COUNCIL	8	9	10
	13	14 PLANNING	15	16	17
	20	21	22 CABINET	23	24
	27	28			
March			1	2 GENERAL PURPOSES & LICENSING	3
	6 POLICY & PERFORMANCE IMPROVEMENT	7	8	9 COUNCIL (TAX)	10
	13	14 PLANNING	15	16	17
	20 SHAREHOLDERS	21	22	23	24
	27	28	29	30	31
April	3	4	5 CABINET	6	7 BANK HOLIDAY
	10 BANK HOLIDAY	11	12	13	14
	17	18 PLANNING	19	20	21
	24	25	26 AUDIT & GOVERNANCE	27	28

2023	Monday	Tuesday	Wednesday	Thursday	Friday
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May	1 BANK HOLIDAY	2	3	4 DISTRICT & PARISH ELECTIONS	5
	8	9	10	11	12
	15	16 ANNUAL COUNCIL	17	18	19
	22	23	24	25	26
	29 BANK HOLIDAY	30	31		

All meetings will start at 6.00pm

Note - There are 11 Planning Committees on the schedule which is due to the District Elections scheduled to be held on 4 May 2023.

DRAFT

COUNCIL MEETING - 14 DECEMBER 2021

TREASURY MANAGEMENT 2021-22 MID YEAR REPORT

1.0 Purpose of Report

1.1 This report provides an update on the Council's treasury activity and prudential indicators for the first half of 2021/22. This was reported to the Audit & Accounts Committee on 1 December 2021.

2.0 Summary of Treasury Balances as at 30 September 2021

2.1 Below is a summary of the Council's borrowing position as at 30 September 2021, further information is available at section 6.

Balance on 01/04/2021 £m	Narrative	Balance on 30/09/2021 £m
95.212	Total Borrowings	95.010
0.224	Total Other Long Term Liabilities	0.224
95.436	TOTAL EXTERNAL DEBT	95.234

2.2 Below is a summary of the Council's investment position as at 30 September 2021, further information is available at section 7.

Balance on 01/04/2021 £m	Narrative	Balance on 30/09/2021 £m
39.770	Total Short term Investments	50.230
7.500	Total Long term Investments	7.500
47.270	TOTAL INVESTMENTS	57.730

2.3 Below is a summary of the Council's capital expenditure position as at 30 September 2021, further information is available at section 5.

Capital Expenditure	2021/22 Initial Capital Budget £m	Current Expenditure 30/09/2021 £m	2021/22 Revised Estimate £m
	General Fund Expenditure	32.326	4.125
HRA Expenditure	25.035	4.357	24.625
Total Capital Expenditure	57.361	8.482	44.337

2.4 **Prudential Indicators**, the Council can confirm no prudential indicators were breached during the first six months of financial period 2021/22, further information is available at section 9.

3.0 Introduction

3.1 This report has been written in accordance with the requirements of the Chartered Institute of Public Finance and Accountancy's (CIPFA) Code of Practice on Treasury Management (revised 2017). The primary requirements of the Code are as follows:

- Creation and maintenance of a Treasury Management Policy Statement which sets out the policies and objectives of the Council's treasury management activities.
- Creation and maintenance of Treasury Management Practices which set out the manner in which the Council will seek to achieve those policies and objectives.
- Receipt by the full council of an annual Treasury Management Strategy Statement - including the Annual Investment Strategy and Minimum Revenue Provision Policy - for the year ahead, a Mid-year Review Report and an Annual Report, (stewardship report), covering activities during the previous year.
- Delegation by the Council of responsibilities for implementing and monitoring treasury management policies and practices and for the execution and administration of treasury management decisions.
- Delegation by the Council of the role of scrutiny of treasury management strategy and policies to a specific named body. For this Council the delegated body is the Audit and Accounts Committee.

3.2 This mid-year report has been prepared in compliance with CIPFA's Code of Practice on Treasury Management, and covers the following:

- An economic update for the first part of the 2021/22 financial year;
- A review of the Treasury Management Strategy Statement and Annual Investment Strategy;
- The Council's capital expenditure, as set out in the Capital Strategy, and prudential indicators;
- A review of the Council's investment portfolio for 2021/22;
- A review of the Council's borrowing strategy for 2021/22;
- A review of any debt rescheduling undertaken during 2021/22;
- A review of compliance with Treasury and Prudential Limits for 2021/22.

3.3 Treasury Management is defined as: "The management of the local authority's borrowing, investments and cash flows, its banking, money market and capital market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks".

3.4 The second main function of the treasury management service is the funding of the Council's capital plans. These capital plans provide a guide to the borrowing need of the Council, essentially the longer term cash flow planning to ensure the Council can meet its capital spending operations. This management of longer term cash may involve arranging long or short term loans, or using longer term cash flow surpluses, and on occasion any debt previously drawn may be restructured to meet Council risk or cost objectives.

4.0 Treasury Management Strategy Statement (TMSS) and Annual Investment Strategy Update

4.1 The Treasury Management Strategy Statement (TMSS) for 2021/22 was approved by Full Council on 9 March 2021. There are no suggested policy changes to the TMSS within this report; the details in this report update the position in the light of the updated economic position and capital budget changes approved at Policy and Finance throughout the year.

5.0 The Council's Capital Position

5.1 This part of the report is structured to update:

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

5.2 The table below shows the revised estimates for capital expenditure and the changes since the Capital Programme was agreed within the Capital budget on 9 March 2021.

Capital Expenditure	2021/22	Current Expenditure	2021/22
	Capital Budget approved		Revised Estimate
	09-Mar-20		30-Sep-21
	£m	£m	£m
General Fund Expenditure	32.326	4.125	19.711
HRA Expenditure	25.035	4.357	24.625
Total Capital Expenditure	57.361	8.482	44.337
Financed by:			
Capital Receipts	2.389		3.066
Capital Grants	10.990		8.190
Capital Reserves	0.554		0.554
Revenue	16.163		19.448
Total Financing	30.096		31.259
Borrowing Requirement	27.265		13.078

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

5.4 The decrease from the Budget approved 9 March 2021 relates to approved capital carry forward requests and approved variations to the capital programme as shown in the table below.

Original Capital Budgets - Approved 21/22	57.361
Capital Budget carry forwards 20-21 approved Policy and Finance 24.06.21	10.935
Policy & Finance 23.09.21 Approvals (Appendix C)	-13.531
Policy & Finance 25.11.21 Approvals (Appendix C)	-10.428
Revised Capital Budget 30.09.21	44.337

6.0 Borrowing Strategy

6.1 At 30 September 2021 the Council held £95.2m of loans, as part of its strategy for funding previous years' borrowing within those capital programmes.

6.2 Borrowing Activity in 2021/22

	Balance on 01/04/2021	Estimated Balance to year end - Made on 30/09/2021	Balance on 01/04/2021	Estimated Balance to year end - Made on 30/09/2021
	£m	£m	£m	£m
Short Term Borrowing	0.382	0.209	3.000	3.000
Long Term Borrowing	3.300	3.300	88.530	88.501
TOTAL BORROWING	3.682	3.509	91.530	91.501
Other Long Term Liabilities	0.224	0.224	0.000	0.000
TOTAL EXTERNAL DEBT	3.906	3.733	91.530	91.501
CFR	29.139	30.183	109.023	114.004
Under / (over) borrowing	25.232	26.449	17.493	22.504

6.3 As the Council is in a significant under borrowed position, as per the table in 6.2, there may be a requirement during the remainder of the financial year where new borrowing is required. Any new borrowing will be within the approved Treasury Management Borrowing Strategy framework and will have been reviewed by the S151 Officer for cost effectiveness as whether to borrow shorter term or long term in relation to interest rate forecasts.

6.4 **LOBOs:** The Council holds £3.5m of LOBO (Lender's Option Borrower's Option) loans where the lender has the option to propose an increase in the interest rate at set dates, following which the Council has the option to either accept the new rate or to repay the loan at no additional cost. All of the £3.5m of LOBOS had options during the last 6 months, none of which were exercised by the lender. The Council acknowledges there is an element of refinancing risk even though in the current interest rate environment lenders are unlikely to exercise their options.

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

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

7.0 Investment Activity

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

7.2 Investment Activity in 2021/22

Type of Investment	Balance on 01/04/2021	Balance on 30/09/2021	Average Interest Rate
	£m	£m	
Short term Investments			
<i>Fixed Term Deposits:</i>			
Santander	5.000	5.000	0.55%
Lloyds 95 Day Notice	5.000	0.000	0.00%
Local Authority Investment	5.000	0.000	0.00%
Close Brothers	2.000	2.000	0.35%
Goldman Sachs	0.000	5.000	0.22%
<i>Money Market Funds:</i>			
Goldman Sachs	0.025	2.340	0.00%
Deutsche Bank	0.005	12.000	0.00%
Invesco	10.850	12.000	0.01%
CCLA	7.240	7.240	0.03%
<i>Bank Call Account:</i>			
Handelsbanken	4.650	4.650	0.01%
Total Short Term Investments	39.770	50.230	
Long term Investments			
CCLA Property Fund	4.000	4.000	3.64%
CCLA Diversified Income Fund	3.500	3.500	3.80%
Total Long Term Investments	7.500	7.500	
TOTAL INVESTMENTS	47.270	57.730	
Increase/ (Decrease) in Investments		10.460	

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

7.4 The Council's budgeted investment return for 2021/22 is currently forecasting a £0.216m unfavourable variance. As shown by the interest rate forecasts in appendix 2, interest income is low currently. Some of the Money Market Funds and more recently the Debt Management Account Deposit Facility (DMADF), are offering negative rates of return in some shorter time periods. Given this risk environment and the fact that increases in Bank Rate are unlikely to occur before the end of the current forecast horizon of 31 March 2023, investment returns are expected to remain low.

8.0 Non-Treasury Investments

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

8.2 Breakdown below of current Non-Treasury Investments held:

	Balances 30 September 2021 £m
Growth Investment Fund	£0.093
Loans to Housing Associations	£0.017
Loans to Parish Councils	£0.014
Loans to RHH Ltd	£0.000

These investments are due to generate £0.002m of investment income for the Council after taking account of direct costs, representing a rate of return of 5.44%.

9.0 Prudential Indicators

Breach of Indicators

9.1 There have been no breaches of the prudential indicators in the first six months of the financial year 2021/22.

Limit To Borrowing Activity

9.2 **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 2021/22.

	Approved Operational Boundary 2021/22	Authorised Limit	Actual External Debt 30/09/2021	Compliance
	£m	2021/22	£m	
		£m		
Borrowing	166.350	173.550	95.010	Yes
Other Long Term Liabilities	0.400	0.600	0.224	Yes
Total	166.750	174.150	95.234	Yes

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

	Upper Limit	Actual at 30/09/2021	Actual at 30/09/2021	Compliance
	%	£m	%	
Under 12 months	15%	6.30	6.65%	Yes
12-24 months	15%	7.50	7.91%	Yes
2-5 years	30%	12.50	13.19%	Yes
5-10 years	100%	19.86	20.95%	Yes
Over 10 years	100%	48.64	51.30%	Yes

Limits to Investing Activity

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

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

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

Total cash available within;	Limit	Actual 30/09/21
3 months	100%	78%
3 - 12 months	80%	9%
over 12 months	40%	13%

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

	Price Risk Limit 2021/22	Actual Investment 30/09/2021	Compliance
Limit on principal invested beyond year end	£15m	£7.5m	Yes

Limits to Capital Activity

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

	2021/22	2021/22
	Original	Revised
	Estimate	Estimate
	£m	£m
CFR – non housing	42.772	30.183
CFR – housing	118.177	114.004
Total CFR	160.950	144.187
Estimated Net movement in CFR		-16.763

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

	2021/22 Original Estimate £m	2021/22 Revised Estimate £m
General Fund		
Financing Costs	-0.351	-0.351
Proportion of net revenue stream	-1.69%	-1.69%
Housing Revenue Account		
Financing Costs	12.203	12.203
Proportion of net rental stream	48.72%	48.70%

10.0 Economic Background/Interest Rate Forecast

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

11.0 RECOMMENDATIONS that:-

- (a) the treasury management activity be noted and recommend to Full Council on 14 December; and**
- (b) the Prudential Indicators detailed in Section 9 of the report be noted.**

Background Papers

Nil

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

N. Wilson
Business Manager - Financial Services

Economics Update

MPC meeting 24.9.21

- The Monetary Policy Committee (MPC) voted unanimously to leave Bank Rate unchanged at 0.10% and made no changes to its programme of quantitative easing purchases due to finish by the end of this year at a total of £895bn; two MPC members voted to stop the last £35bn of purchases as they were concerned that this would add to inflationary pressures.
- There was a major shift in the tone of the MPC's minutes at this meeting from the previous meeting in August which had majored on indicating that some tightening in monetary policy was now on the horizon, but also not wanting to stifle economic recovery by too early an increase in Bank Rate. In his press conference after the August MPC meeting, Governor Andrew Bailey said, "the challenge of avoiding a steep rise in unemployment has been replaced by that of ensuring a flow of labour into jobs" and that "the Committee will be monitoring closely the incoming evidence regarding developments in the labour market, and particularly unemployment, wider measures of slack, and underlying wage pressures." In other words, it was flagging up a potential danger that labour shortages could push up wage growth by more than it expects and that, as a result, CPI inflation would stay above the 2% target for longer. It also discounted sharp increases in monthly inflation figures in the pipeline in late 2021 which were largely propelled by events a year ago e.g., the cut in VAT in August 2020 for the hospitality industry, and by temporary shortages which would eventually work their way out of the system: in other words, **the MPC had been prepared to look through a temporary spike in inflation.**
- So, in August the country was just put on alert. However, this time the MPC's words indicated there had been a marked increase in concern that more recent increases in prices, particularly the increases in gas and electricity prices in October and due again next April, are, indeed, likely to lead to **faster and higher inflation expectations and underlying wage growth, which would in turn increase the risk that price pressures would prove more persistent next year than previously expected. Indeed, to emphasise its concern about inflationary pressures, the MPC pointedly chose to reaffirm its commitment to the 2% inflation target in its statement;** this suggested that it was now willing to look through the flagging economic recovery during the summer to prioritise bringing inflation down next year. This is a reversal of its priorities in August and a long way from words at earlier MPC meetings which indicated a willingness to look through inflation overshooting the target for limited periods to ensure that inflation was 'sustainably over 2%'. Indeed, whereas in August the MPC's focus was on getting through a winter of temporarily high energy prices and supply shortages, believing that inflation would return to just under the 2% target after reaching a high around 4% in late 2021, now its primary concern is that underlying price pressures in the economy are likely to get embedded over the next year and elevate future inflation to stay significantly above its 2% target and for longer.
- Financial markets are now pricing in a first increase in Bank Rate from 0.10% to 0.25% in February 2022, but this looks ambitious as the MPC has stated that it wants to see what happens to the economy, and particularly to employment once furlough ends at the end of September. At the MPC's meeting in February it will only have available the employment figures for November: to get a clearer picture of employment trends, it would need to wait until the May meeting when it would have data up until February. At its May meeting, it will also have a clearer understanding of the likely peak of inflation.

- **The MPC's forward guidance on its intended monetary policy** on raising Bank Rate versus selling (quantitative easing) holdings of bonds is as follows: -
 1. Placing the focus on raising Bank Rate as “the active instrument in most circumstances”.
 2. Raising Bank Rate to 0.50% before starting on reducing its holdings.
 3. Once Bank Rate is at 0.50% it would stop reinvesting maturing gilts.
 4. Once Bank Rate had risen to at least 1%, it would start selling its holdings.
- **COVID-19 vaccines.** These have been the game changer which have enormously boosted confidence that **life in the UK could largely return to normal during the summer** after a third wave of the virus threatened to overwhelm hospitals in the spring. With the household saving rate having been exceptionally high since the first lockdown in March 2020, there is plenty of pent-up demand and purchasing power stored up for services in hard hit sectors like restaurants, travel and hotels. The big question is whether mutations of the virus could develop which render current vaccines ineffective, as opposed to how quickly vaccines can be modified to deal with them and enhanced testing programmes be implemented to contain their spread.

US. See comments below on US treasury yields.

EU. The slow roll out of vaccines initially delayed economic recovery in early 2021 but the vaccination rate has picked up sharply since then. After a contraction in GDP of -0.3% in Q1, Q2 came in with strong growth of 2%, which is likely to continue into Q3, though some countries more dependent on tourism may struggle. Recent sharp increases in gas and electricity prices have increased overall inflationary pressures but the ECB is likely to see these as being only transitory after an initial burst through to around 4%, so is unlikely to be raising rates for a considerable time.

German general election. With the CDU/CSU and SPD both having won around 24-26% of the vote in the September general election, the composition of Germany's next coalition government may not be agreed by the end of 2021. An SPD-led coalition would probably pursue a slightly less restrictive fiscal policy, but any change of direction from a CDU/CSU led coalition government is likely to be small. However, with Angela Merkel standing down as Chancellor as soon as a coalition is formed, there will be a hole in overall EU leadership which will be difficult to fill.

China. After a concerted effort to get on top of the virus outbreak in Q1 2020, economic recovery was strong in the rest of the year; this enabled China to recover all the initial contraction. During 2020, policy makers both quashed the virus and implemented a programme of monetary and fiscal support that was particularly effective at stimulating short-term growth. At the same time, China's economy benefited from the shift towards online spending by consumers in developed markets. These factors helped to explain its comparative outperformance compared to western economies during 2020 and earlier in 2021. However, the pace of economic growth has now fallen back after this initial surge of recovery from the pandemic and China is now struggling to contain the spread of the Delta variant through sharp local lockdowns - which will also depress economic growth. There are also questions as to how effective Chinese vaccines are proving. In addition, recent regulatory actions motivated by a political agenda to channel activities into officially approved directions, are also likely to reduce the dynamism and long-term growth of the Chinese economy.

Japan. 2021 has been a patchy year in combating Covid. However, after a slow start, nearly 50% of the population are now vaccinated and Covid case numbers are falling. After a weak Q3 there is likely to be a strong recovery in Q4. The Bank of Japan is continuing its very loose monetary policy but with little prospect of getting inflation back above 1% towards its target of 2%, any time soon: indeed, inflation was negative in July. New Prime Minister Kishida has promised a large fiscal stimulus package after the November general election – which his party is likely to win.

World growth. World growth was in recession in 2020 but recovered during 2021 until starting to lose momentum more recently. Inflation has been rising due to increases in gas and electricity prices, shipping costs and supply shortages, although these should subside during 2022. It is likely that we are heading into a period where there will be a reversal of **world globalisation** and a decoupling of western countries from dependence on China to supply products, and vice versa. This is likely to reduce world growth rates from those in prior decades.

Supply shortages. The pandemic and extreme weather events have been highly disruptive of extended worldwide supply chains. At the current time there are major queues of ships unable to unload their goods at ports in New York, California and China. Such issues have led to mis-distribution of shipping containers around the world and have contributed to a huge increase in the cost of shipping. Combined with a shortage of semi-conductors, these issues have had a disruptive impact on production in many countries. Many western countries are also hitting up against a difficulty in filling job vacancies. It is expected that these issues will be gradually sorted out, but they are currently contributing to a spike upwards in inflation and shortages of materials and goods on shelves.

Interest Rate Forecasts

The Council’s treasury advisor, Link Group, provided the following forecasts on 29th September 2021 (PWLB rates are certainty rates, gilt yields plus 80bps):

Link Group Interest Rate View		29.9.21								
	Dec-21	Mar-22	Jun-22	Sep-22	Dec-22	Mar-23	Jun-23	Sep-23	Dec-23	Mar-24
BANK RATE	0.10	0.10	0.25	0.25	0.25	0.25	0.50	0.50	0.50	0.75
3 month ave eamings	0.10	0.10	0.20	0.20	0.30	0.40	0.50	0.50	0.60	0.70
6 month ave eamings	0.20	0.20	0.30	0.30	0.40	0.50	0.60	0.60	0.70	0.80
12 month ave eamings	0.30	0.40	0.50	0.50	0.50	0.60	0.70	0.80	0.90	1.00
5 yr PWLB	1.40	1.40	1.50	1.50	1.60	1.60	1.60	1.70	1.70	1.70
10 yr PWLB	1.80	1.80	1.90	1.90	2.00	2.00	2.00	2.10	2.10	2.10
25 yr PWLB	2.20	2.20	2.30	2.30	2.40	2.40	2.40	2.50	2.50	2.60
50 yr PWLB	2.00	2.00	2.10	2.20	2.20	2.20	2.20	2.30	2.30	2.40

Additional notes by Link on this forecast table: -

- LIBOR and LIBID rates will cease from the end of 2021. Work is currently progressing to replace LIBOR with a rate based on SONIA (Sterling Overnight Index Average). In the meantime, our forecasts are based on expected average earnings by local authorities for 3 to 12 months.
- Our forecasts for average earnings are averages i.e., rates offered by individual banks may differ significantly from these averages, reflecting their different needs for borrowing short term cash at any one point in time.

The coronavirus outbreak has done huge economic damage to the UK and to economies around the world. After the Bank of England took emergency action in March 2020 to cut Bank Rate to 0.10%, it left Bank Rate unchanged at its subsequent meetings.

As shown in the forecast table above, one increase in Bank Rate from 0.10% to 0.25% has now been included in quarter 2 of 2022/23, a second increase to 0.50% in quarter 2 of 23/24 and a third one to 0.75% in quarter 4 of 23/24.

Significant risks to the forecasts

- COVID vaccines do not work to combat new mutations and/or new vaccines take longer than anticipated to be developed for successful implementation.
- The pandemic causes major long-term scarring of the economy.
- The Government implements an austerity programme that suppresses GDP growth.
- The MPC tightens monetary policy too early – by raising Bank Rate or unwinding QE.
- The MPC tightens monetary policy too late to ward off building inflationary pressures.
- Major stock markets e.g. in the US, become increasingly judged as being over-valued and susceptible to major price corrections. Central banks become increasingly exposed to the “moral hazard” risks of having to buy shares and corporate bonds to reduce the impact of major financial market sell-offs on the general economy.
- Geo-political risks are widespread e.g. German general election in September 2021 produces an unstable coalition or minority government and a void in high-profile leadership in the EU when Angela Merkel steps down as Chancellor of Germany; on-going global power influence struggles between Russia/China/US.

The balance of risks to the UK economy: -

- The overall balance of risks to economic growth in the UK is now to the downside, including residual risks from Covid and its variants - both domestically and their potential effects worldwide.

Forecasts for Bank Rate

Bank Rate is not expected to go up fast after the initial rate rise as the supply potential of the economy has not generally taken a major hit during the pandemic, so should be able to cope well with meeting demand without causing inflation to remain elevated in the medium-term, or to inhibit inflation from falling back towards the MPC's 2% target after the surge to around 4% towards the end of 2021. Three increases in Bank rate are forecast in the period to March 2024, ending at 0.75%. However, these forecasts may well need changing within a relatively short time frame for the following reasons: -

- There are increasing grounds for viewing the economic recovery as running out of steam during the summer and now into the autumn. This could lead into stagflation which would create a dilemma for the MPC as to which way to face.
- Will some current key supply shortages e.g., petrol and diesel, spill over into causing economic activity in some sectors to take a significant hit?
- Rising gas and electricity prices in October and next April and increases in other prices caused by supply shortages and increases in taxation next April, are already going to deflate consumer spending power without the MPC having to take any action on Bank Rate to cool inflation. Then we have the Government's upcoming budget in October, which could also end up in reducing consumer spending power.
- On the other hand, consumers are sitting on around £200bn of excess savings left over from the pandemic so when will they spend this sum, in part or in total?
- There are 1.6 million people coming off furlough at the end of September; how many of those will not have jobs on 1st October and will, therefore, be available to fill labour shortages in many sectors of the economy? So, supply shortages which have been driving up both wages and costs, could reduce significantly within the next six months or so and alleviate the MPC's current concerns.
- There is a risk that there could be further nasty surprises on the Covid front, on top of the flu season this winter, which could depress economic activity.

In summary, with the high level of uncertainty prevailing on several different fronts, it is likely that these forecasts will need to be revised again soon - in line with what the new news is.

It also needs to be borne in mind that Bank Rate being cut to 0.10% was an emergency measure to deal with the Covid crisis hitting the UK in March 2020. At any time, the MPC could decide to simply take away that final emergency cut from 0.25% to 0.10% on the grounds of it no longer being warranted and as a step forward in the return to normalisation. In addition, any Bank Rate under 1% is both highly unusual and highly supportive of economic growth.

Forecasts for PWLB rates and gilt and treasury yields

As the interest forecast table for PWLB certainty rates above shows, there is likely to be a steady rise over the forecast period, with some degree of uplift due to rising treasury yields in the US.

There is likely to be **exceptional volatility and unpredictability in respect of gilt yields and PWLB rates** due to the following factors: -

- How strongly will changes in gilt yields be correlated to changes in US treasury yields?
- Will the Fed take action to counter increasing treasury yields if they rise beyond a yet unspecified level?

- Would the MPC act to counter increasing gilt yields if they rise beyond a yet unspecified level?
- How strong will inflationary pressures turn out to be in both the US and the UK and so impact treasury and gilt yields?
- How will central banks implement their new average or sustainable level inflation monetary policies?
- How well will central banks manage the withdrawal of QE purchases of their national bonds i.e., without causing a panic reaction in financial markets as happened in the “taper tantrums” in the US in 2013?
- Will exceptional volatility be focused on the short or long-end of the yield curve, or both?

The forecasts are also predicated on an assumption that there is no break-up of the Eurozone or EU within our forecasting period, despite the major challenges that are looming up, and that there are no major ructions in international relations, especially between the US and China / North Korea and Iran, which have a major impact on international trade and world GDP growth.

Gilt and treasury yields

Since the start of 2021, there has been a lot of volatility in gilt yields, and hence PwLB rates. During the first part of the year, US President Biden’s, and the Democratic party’s determination to push through a \$1.9trn (equivalent to 8.8% of GDP) fiscal boost for the US economy as a recovery package from the Covid pandemic was what unsettled financial markets. However, this was in addition to the \$900bn support package already passed in December 2020 under President Trump. This was then followed by additional Democratic ambition to spend further huge sums on infrastructure and an American families plan over the next decade which are caught up in Democrat / Republican haggling. Financial markets were alarmed that all this stimulus, which is much bigger than in other western economies, was happening at a time in the US when: -

1. A fast vaccination programme has enabled a rapid opening up of the economy.
2. The economy had already been growing strongly during 2021.
3. It started from a position of little spare capacity due to less severe lockdown measures than in many other countries. A combination of shortage of labour and supply bottle necks is likely to stoke inflationary pressures more in the US than in other countries.
4. And the Fed was still providing monetary stimulus through monthly QE purchases.

These factors could cause an excess of demand in the economy which could then unleash stronger and more sustained inflationary pressures in the US than in other western countries. This could then force the Fed to take much earlier action to start tapering monthly QE purchases and/or increasing the Fed rate from near zero, despite their stated policy being to target average inflation. It is notable that some Fed members have moved forward their expectation of when the first increases in the Fed rate will occur in recent Fed meetings. In addition, more recently, shortages of workers appear to be stoking underlying wage inflationary pressures which are likely to feed through into CPI inflation. A run of strong monthly jobs growth figures could be enough to meet the threshold set by the Fed of “substantial further progress towards the goal of reaching full employment”. However, the weak growth in August, (announced 3.9.21), has spiked anticipation that tapering of monthly QE purchases could start by the end of 2021. These purchases are currently acting as downward pressure on treasury yields. As the US financial markets are, by far, the biggest financial markets in the world, any trend upwards in the US will invariably impact and influence financial markets in other countries. However, during June and July, longer term yields fell sharply; even the large non-farm payroll increase in the first week of August seemed to cause the markets little concern, which is somewhat puzzling, particularly in the context of the concerns of many commentators that inflation may not be as transitory as the Fed is expecting it to be. Indeed, inflation pressures and erosion of surplus economic capacity look much stronger in the US

than in the UK. **As an average since 2011, there has been a 75% correlation between movements in 10 year treasury yields and 10 year gilt yields. This is a significant UPWARD RISK exposure to our forecasts for longer term PWLB rates. However, gilt yields and treasury yields do not always move in unison.**

There are also possible **DOWNSIDE RISKS** from the huge sums of cash that the UK populace have saved during the pandemic; when savings accounts earn little interest, it is likely that some of this cash mountain could end up being invested in bonds and so push up demand for bonds and support their prices i.e., this would help to keep their yields down. How this will interplay with the Bank of England eventually getting round to not reinvesting maturing gilts and then later selling gilts, will be interesting to keep an eye on.

The balance of risks to medium to long term PWLB rates: -

- There is a balance of upside risks to forecasts for medium to long term PWLB rates.

A new era – a fundamental shift in central bank monetary policy

One of the key results of the pandemic has been a fundamental rethinking and shift in monetary policy by major central banks like the Fed, the Bank of England and the ECB, to tolerate a higher level of inflation than in the previous two decades when inflation was the prime target to bear down on so as to stop it going above a target rate. There is now also a greater emphasis on other targets for monetary policy than just inflation, especially on ‘achieving broad and inclusive “maximum” employment in its entirety’ in the US before consideration would be given to increasing rates.

- The Fed in America has gone furthest in adopting a monetary policy based on a clear goal of allowing the inflation target to be symmetrical, (rather than a ceiling to keep under), so that inflation averages out the dips down and surges above the target rate, over an unspecified period of time.
- The Bank of England has also amended its target for monetary policy so that inflation should be ‘sustainably over 2%’ and the ECB now has a similar policy.
- **For local authorities, this means that investment interest rates and very short term PWLB rates will not be rising as quickly or as high as in previous decades when the economy recovers from a downturn and the recovery eventually runs out of spare capacity to fuel continuing expansion.**
- Labour market liberalisation since the 1970s has helped to break the wage-price spirals that fuelled high levels of inflation and has now set inflation on a lower path which makes this shift in monetary policy practicable. In addition, recent changes in flexible employment practices, the rise of the gig economy and technological changes, will all help to lower inflationary pressures.
- Governments will also be concerned to see interest rates stay lower as every rise in central rates will add to the cost of vastly expanded levels of national debt; (in the UK this is £21bn for each 1% rise in rates). On the other hand, higher levels of inflation will help to erode the real value of total public debt.

FULL COUNCIL - 14 DECEMBER 2021

APPOINTMENT OF EXTERNAL AUDITORS

1.0 Purpose of Report

- 1.1 For Full Council to agree a procurement route for the appointment of the Council's External Audit arrangements post for the 2023/24 financial year onwards.

2.0 Background Information

- 2.1 The Local Audit & Accountability Act 2014 brought to a close the Audit Commission and established transitional arrangements for the appointment of external auditors and the setting of audit fees for all local government and NHS bodies in England. On 5 October 2015 the Secretary of State Communities and Local Government (CLG) determined that the transitional arrangements for local government bodies would be extended by one year to also include the audit of the accounts for 2017/18.
- 2.2 At the Council meeting on 11 October 2016, Council agreed to Opt-in to the sector led arrangements run by PSAA (Public Sector Audit Appointments Limited), who were set up and specified as an appointing person under the provisions of the Local Audit and Accountability Act 2014 and the Local Audit (Appointing Person) Regulations 2015.
- 2.3 As the Council opted into this process, the procurement of the Council's External Auditors was managed by PSAA. This culminated in the Council appointing Mazars LLP as the Council's External Auditors for a 5 year period covering the audits from 2018/19 to 2022/23.
- 2.4 The Council has recently been contacted by PSAA regarding the potential to again Opt-in to the national exercise to procure External Auditors from 1 April 2023. The closing date to give notice to PSAA of the Council's acceptance of the invitation is Friday, 11 March 2022, and it is full Council that must make the decision as to whether to accept the offer.
- 2.5 The Audit & Accounts Committee considered this report on 1 December 2021 for which they supported the proposed recommendation, which is to opt-in to a Sector led body appointment.

3.0 Options for Local Appointment of External Auditors

- 3.1 There are three broad options open to the Council under the Local Audit & Accountability Act 2014 (the Act):

3.2 Option 1: To Make a Stand Alone Appointment

In order to make a stand-alone appointment the Council will need to set up an Auditor Panel. The members of the panel must be wholly, or a majority, of independent members as defined by the Act. Independent members for this purpose are independent appointees, this excludes current and former elected members (or officers) and their close families and friends. This means that elected members will not have a majority input to assessing bids and choosing which firm of accountants to award a contract for the Council's external audit. A new independent auditor panel established by the Council will be responsible for selecting the auditor.

Advantages/Benefit

Setting up an auditor panel allows the Council to take maximum advantage of the new local appointment regime and have some local input to the decision.

Disadvantages/Risks

Recruitment and servicing of the Auditor Panel, running the bidding exercise and negotiating the contract was estimated by the LGA to cost in the order of £15,000 plus ongoing expenses and allowances during the last exercise.

The audit firms responding to the bidding process are likely to come from the same pool of firms as the national procurement.

The Council will not be able to take advantage of reduced fees that may be available through joint or national procurement contracts.

The assessment of bids and decision on awarding contracts will be taken by a majority of independent appointees and not by elected members.

3.3 Option 2: Set up a Joint Auditor Panel/Local Joint Procurement Arrangements

The Act enables the Council to join with other authorities to establish a joint auditor panel. Again this will need to be constituted of wholly, or a majority, of independent appointees (members). Further legal advice will be required on the exact constitution of such a panel having regard to the obligations of each Council under the Act and the Council would need to liaise with other local authorities to assess the appetite for such an arrangement.

Advantages/Benefits

The costs of setting up the panel, running the bidding exercise and negotiating the contract will be shared across a number of authorities.

There is greater opportunity for negotiating some economies of scale by being able to offer a larger combined contract value to the firms.

Disadvantages/Risks

The decision making body will be further removed from local input, with potentially no input from elected members where a wholly independent auditor panel is used or possible only one elected member representing each Council, depending on the constitution agreed with the other bodies involved.

The choice of auditor could be complicated where individual Councils have independence issues. An independence issue occurs where the auditor has recently or is currently carrying out work such as consultancy or advisory work for the Council. Where this occurs some auditors may be prevented from being appointed by the terms of their professional standards. There is a risk that if the joint auditor panel choose a firm that is conflicted for this Council then the Council may still need to make a separate appointment which would require the set-up of its own independent Auditor Panel at a late stage in the process, and with all the attendant costs and loss of economies possible through joint procurement.

There is also a risk that the Council cannot find another authority in order to join up with, as within the last exercise 98% of eligible bodies made the choice to opt-in for the five year period that commenced on 1 April 2018.

3.4 **Option 3: Opt-in to a sector led body**

In response to the consultation on the new arrangement the LGA successfully lobbied for Councils to be able to 'opt-in' to a Sector Led Body (SLB) appointed by the Secretary of State under the Act. An SLB would have the ability to negotiate contracts with the firms nationally, maximising the opportunities for the most economic and efficient approach to procurement of external audit on behalf of the whole sector. The government have confirmed that Public Sector Audit Appointments Limited (PSAA), the transitional body set up by the LGA, has been specified as an appointing person under the provisions of the Local Audit and Accountability Act 2014 (the 2014 Act) and the Local Audit (Appointing Person) Regulations 2015. This means that PSAA will make auditor appointments to relevant principal local government bodies that choose to opt into the national appointment arrangements being developed, for audits of the accounts from 2023/24.

Advantages/Benefits

The costs of setting up the appointment arrangements and negotiating fees would be shared across all opt-in authorities.

By offering large contract values the firms would be able to offer better rates and lower fees than are likely to result from local negotiation.

Any conflicts at individual authorities would be managed by the SLB who would have a number of contracted firms to call upon.

The appointment process would not be ceded to locally appointed independent members but instead to a separate body set up to act in the collective interests of the 'opt-in' authorities.

Disadvantages/Risks

Individual elected members will have less opportunity for direct involvement in the appointment process other than through the LGA and/or stakeholder representative groups.

4.0 **The Way Forward**

4.1 The Council have until 31 December 2022 to make an appointment. In practical terms this means one of the options outlined in this report will need to be in place by spring 2022 in order that the contract negotiation process can be carried out during 2022.

4.2 The Local Audit (Appointing Person) Regulations 2015 require that a principal authority may only make the decision to opt into the appointing person arrangement by the members of the authority meeting as a whole.

5.0 Legal Implications

- 5.1 Section 7 of the Local Audit and Accountability Act 2014 (the Act) requires a relevant authority to appoint a local auditor to audit its accounts for a financial year not later than 31 December in the preceding year. Section 8 governs the procedure for appointment including that the authority must consult and take account of the advice of its auditor panel on the selection and appointment of a local auditor. Section 8 provides that where a relevant authority is a local authority operating executive arrangements, the function of appointing a local auditor to audit its accounts is not the responsibility of an executive of the authority under those arrangements.
- 5.2 Section 12 makes provision for the failure to appoint a local auditor: the authority must immediately inform the Secretary of State, who may direct the authority to appoint the auditor named in the direction or appoint a local auditor on behalf of the authority.
- 5.3 Section 17 gives the Secretary of State the power to make regulations in relation to an 'appointing person' specified by the Secretary of State. This power has been exercised in the Local Audit (Appointing Person) Regulations 2015 (SI 192) and this gives the Secretary of State the ability to enable a Sector Led Body to become the appointing person.

6.0 Financial Implications

- 6.1 The fee for the current financial year is expected to be £58,280 as per the Audit Strategy Memorandum as presented to the Audit and Accounts Committee on 28 July 2021.
- 6.2 There was an acknowledgement within the Redmond Review (for which a summary report was presented to the Audit and Accounts Committee on 25 November 2021) that:

"the current fee structure for local audit be revised to ensure that adequate resources are deployed to meet the full extent of local audit requirements"

With this comment in mind, it is likely therefore that there will be an increase in the cost during the next 5 year period.

- 6.3 The cost of establishing a local or joint Auditor Panel outlined in options 1 and 2 above would need to be estimated and included in the Council's budget for 2022/23. This will include the cost of recruiting independent appointees (members), servicing the Panel, running a bidding and tender evaluation process, letting a contract and paying members fees and allowances.
- 6.4 Opting-in to a national SLB provides maximum opportunity to limit the extent of any increases in audit fees by entering in to a large scale collective procurement arrangement and would remove the majority of the costs of establishing an auditor panel.

7.0 RECOMMENDATIONS that:

- a) **the Council opts into the National Appointment Arrangements with Public Sector Audit Appointments Limited (PSAA); and**
- b) **delegated authority be given to the Section 151 Officer (or deputy in their absence) to accept The PSAA invitation to become an opted-in authority.**

Background Papers

Nil.

For further information please contact Nick Wilson on 01636 655317.

Sanjiv Kohli
Deputy Chief Executive/Director - Resources and S151 Officer

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, 25 November 2021 at 6.00 pm.

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

Councillor Mrs R Holloway, Councillor P Peacock, Councillor T Wendels
and Councillor M Skinner (substituting for Councillor R Jackson)

APOLOGIES FOR ABSENCE: Councillor R Jackson and Councillor R White

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

There were no declarations of interest.

273 DECLARATIONS OF INTENTION TO RECORD THE MEETING

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

274 MINUTES OF THE MEETING HELD ON 23 SEPTEMBER 2021

The minutes from the meeting held on 23 September 2021 were agreed as a correct record and signed by the Chairman.

275 CHAIRMAN'S REPORT

There was no Chairman's report, but the Chairman did advise that Agenda Item No. 16 – Magnus Hockey Pitch Refurbishment – which had been marked as 'to follow' on the agenda, had been deferred to the next meeting of the Committee.

276 FORWARD PLAN OF POLICY & FINANCE ITEMS

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

277 NEWARK TOWNS FUND UPDATE

The Director - Planning & Growth presented a report updating the Committee on the Newark Town Deal and identified Town Fund Projects. Updates were given on the business case development for the YMCA Community and Activity Village, 32 Stodman Street, and the IASTI. The report included a summary position of all the projects and budget information, and noted that the proposed move of the Newark Police Station to Castle House would not proceed, following a review by the Police & Crime Commissioner. Given that, the £1m Towns Fund grant was to be recycled into the remaining projects identified within the Newark Towns Deal.

The Director-Planning & Growth highlighted a change to the Assurance Framework to enable the drawdown of funds between outline and full business case. The Leader of the Council also proposed an additional recommendation to clarify the position on funding from Nottinghamshire County Council for the Southern Relief Link Road.

AGREED (unanimously) that:

- (a) Members welcome and note the update provided;
- (b) Members approve, subject to the recommendation(s) of the Council's sS151 Officer and Quod Consulting, the Full Business Case for 32 Stodman Street which seeks £2 million of Towns Fund Grant;
- (c) Members approve, subject to the recommendation(s) of the Council's sS151 Officer and Quod Consulting, the Outline Business Case for the International Air & Space Technology Institute (IASTI);
- (d) subject to (b) and (c) above to confirm to the Newark Towns Fund Board that the Full Business Case for 32 Stodman Street and Outline Business Case for the IASTI meets the requirements of the Newark Towns Fund Assurance Framework (June 2021);
- (e) subject to (b-d) delegated authority be given to the Director – Planning & Growth, in consultation with the Business Manager – Law & Information Governance, to enter into a Grant Funding Contract with the Lincoln College Group to provide Towns Fund Grant in accordance with the approved Outline Business Case for the International Air and Space Training Institute (IASTI) Newark;
- (f) delegated authority be given to the Council's s151 Officer to approve a final Full Business Case for the IASTI (Newark), subject to approval from the Newark Towns Board;
- (g) subject to (a-f) above, to approve £0.284m being added to the Council's Capital Programme for 32 Stodman Street (£0.284m Brownfield Land Release Fund) and up to £10.6m, in accordance with assured Outline and Full Business Cases, for delivery of the IASTI Newark;
- (h) to adopt, subject to Newark Towns Board approval, a revised Towns Fund Assurance Framework (Nov 2021), as detailed in Appendix A to the report; and
- (i) to urgently seek clarification from Nottinghamshire County Council, as the Highways Authority, that their capital contribution of £2.5m will be allocated in their Capital Programme henceforth.

Reason for Decisions

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

278 INFRASTRUCTURE FUNDING STATEMENT

The Director - Planning & Growth presented a report on matters set out in the 2020-21 Infrastructure Funding Statement as part of the annual reporting requirements for the Community Infrastructure Levy (CIL). It was noted that the final report would be published by 31 December 2021, but the report set out some headline figures. With regard to planned expenditure over 2021/22 and beyond, the A1 Overbridge at Fernwood remained the priority project for the CIL.

AGREED (unanimously) that the Infrastructure Funding Statement be produced in accordance with the legislative requirements and be published before the end of the calendar year.

(The published version will be made available for Members viewing in advance of publication).

Reason for Decision

To ensure that the District Council is operating in accordance with the requirements of the Community Infrastructure Regulations.

279 VICARDALE WOODLAND CREATION SCHEME

The Development Manager – Environmental Services presented a report which sought approval for the planned tree planting scheme at Vicar Water Country Park. The proposed tree planting would help join two existing woodlands to create a wildlife corridor. The work to plant 4,000 new trees would commence in January 2022. It was noted that this was a no funding commitment partnership with Nottinghamshire County Council and the Sherwood Forest Trust.

AGREED (unanimously) that the Vicardale Woodland Creation Scheme be approved.

Reasons for Decision

To help achieve the councils commitment to plant 10,000 trees, to support the community plan and to support biodiversity and wildlife in the area.

280 AMENDED STRUCTURE FOR PLANNING DEVELOPMENT

The Director - Planning & Growth presented a report which sought approval for amendments to the current Planning Development Business Unit to enable the creation of a new Tree Officer post (NS12), replacing the current consultancy support, and to delete an existing full-time vacant Planning Technical Support Officer Post (NS6).

The Committee welcomed the proposed new in-house Tree / Landscape Officer post and how this would help facilitate a number of important areas of work within the Council including development of a tree strategy, the supplementary tree and hedges planning policy, work around the Queen's Platinum Jubilee tree planting scheme, working with the County Council on restorative and replacement street trees and undertaking assessments of sustainable tree renewal.

AGREED (unanimously) that:

- (a) the amended structure and associated budget required for the Landscape/Tree Officer post be approved; and
- (b) subject to (a) above, the Planning Development Business Manager liaise with HR and Trades Unions as required to recruit a Landscape/Tree Officer on a full-time basis.

Reason for Decision

To have a dedicated post to consider tree applications, responses to consultations on landscape impacts/proposals, and to review the Council's Tree Preservation Orders.

281 SOLAR PV FEASIBILITY OUTCOME

The Environmental Policy & Projects Officer presented a report detailing the outcome of the Solar PV feasibility consultancy with regard to the Council's corporate and leisure buildings. The report detailed those buildings where it was recommended to install Solar PV, those to be kept under review and those where installation was not appropriate. A timeline, indicative costs, savings and carbon reductions were included in the report.

The recommended sites for Solar PV installations were Newark Sports & Fitness Centre, Southwell Leisure Centre, Dukeries Leisure Centre, The Beacon and Vicar Water. The total capital investment required to install Solar PV on those sites was £685,250.

In discussion, the Committee suggested the potential for rented roof space, to provide an income for business and for the Council to install Solar PV. Officers confirmed this would be considered, as would alternative technologies for those Council assets that were considered as not currently suitable for Solar PV. Officers would also keep abreast of any newly developed technologies which may be considered appropriate for Council properties in the future. A repairs and renewals fund would be generated from the savings over the 25 year life cycle of the Solar PV to enable replacement.

AGREED (unanimously) that:

- (a) the Council progress with Solar PV installation at the recommended sites as set out in paragraph 3.7 of the report;
- (b) the Council make provision for capital funding to cover these costs totalling £685,250; and
- (c) a further report be presented to the Committee to report on progress and carbon reduction as part of the Climate Emergency update.

Reason for Decision

The Council declared a Climate Emergency in July 2019, to demonstrate our commitment to this the Council commissioned and approved our Climate Emergency Strategy and Greening Newark and Sherwood Action Plan in December 2020. Within the Greening Newark and Sherwood Action Plan Newark and Sherwood District Council has already agreed to consider the installation of Solar PV on our corporate and leisure buildings.

282 PROPOSED ACQUISITIONS AND DISPOSALS POLICY

The Business Manager – Corporate Property presented a report which sought approval of the Acquisitions and Disposals Policy. An acquisition and disposal policy was necessary to ensure that acquisitions and disposals were made with proper consideration of the legislation and industry best practice. The principles of the policy were outlined in the report and the draft policy was attached as an appendix.

The Committee considered that the approval levels for officers in respect of acquisitions and disposals, should be in line with those considered appropriate and agreed as part of the current governance review.

AGREED (unanimously) the proposed Acquisitions and Disposal Policy be approved, subject to the delegation and approval levels to officers being reviewed as part of the review of governance, with the final delegation figures being consistent with the provisions of the new Constitution.

Reason for Decision

To ensure the Council makes use of public funds in a transparent and accountable way which adheres to legislation as well as the aims and objectives of the Community Plan.

283 GENERAL FUND, HOUSING REVENUE ACCOUNT (HRA) AND CAPITAL PROJECTED OUTTURN REPORT TO 31 MARCH 2022 AS AS 30 SEPTEMBER 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 six months performance on the Council's revenue and capital budgets including the General Fund Revenue, Housing Revenue Account (HRA) and Capital Programme. The accounts showed a projected favourable variance of against the revised budget of £0.540m on service budgets, with an overall favourable variance of £0.188m to be transferred to usable reserves. Appendix A to the report detailed the variances in service areas and other budgets.

The Business Manager – Financial Services advised that the Capital Programme would be updated to reflect the decision taken by the Council at their Extraordinary Meeting held on 24 November 2021 in respect of the London Road Car Park.

AGREED (unanimously) that:

- (a) the General Fund projected favourable outturn variance of £0.188m to usable reserves be noted;

- (b) the Housing Revenue Account projected favourable outturn variance of £0.771m to the Major Repairs Reserve be noted;
- (c) the variations to the Capital Programme at Appendix C be approved; and
- (d) the Capital Programme revised budget and financing of £44.337m be approved.

Reason for Decision

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

284 YORKE DRIVE AND LINCOLN ROAD PLAYING FIELDS REGENERATION - UPDATE

The Director- Planning and Growth presented a report which updated the Committee on progress with the Yorke Drive and Lincoln Road Playing Fields Regeneration project, including the successful grant funding award from the Department for Levelling Up, Housing and Communities (DLUHC) of £1.05m. The report sought approval for the signing of the funding agreement to ensure external funding could be accessed in a timely manner.

The key updates in relation to the project were detailed in Section 3 of the report. The Committee noted that a face to face residents meeting had recently been held to provide and update and address any concerns raised. This had included information regarding piling at the site, which may be required in some localised areas. In relation to the Pavilion, it was noted that the decision to bring forward demolition as part of the grant funding agreement would require identification of appropriate alternative accommodation for the current users of the pavilion for the duration of works.

AGREED (unanimously) that:

- (a) the progress on the delivery of the Yorke Drive Regeneration Project be noted;
- (b) as and when grant funding is received, it is absorbed into the capital programme budget to enable spend to be achieved within timeframes set; and
- (c) the signing of the funding agreement be delegated to the Director - Housing, Health & Wellbeing and the Assistant Director - Legal & Democratic Services to minimise any delays in receiving funding.

Reason for Decision

Although the full details of the funding agreement are not currently available they are unlikely to hold any onerous conditions, therefore delegated authority is sought for expediency and will enable the project to progress.

285 NATIONAL LOTTERY HERITAGE FUND - NEWARK CASTLE APPLICATION

The Business Manager - Heritage, Culture and Visitors presented a report which advised Members of a planned bid for funding to the National Lottery Heritage Fund (NLHF) for the Newark Castle Gatehouse Project and sought approval to submit the application at the next available opportunity, 29 November 2021. It was reported that during the pandemic, the NLHF closed their usual funding streams, and prior to re-opening significantly revised their priorities. A specialist consultant had been appointed to re-visit the Newark Castle Gatehouse Project in light of these new funding requirements, and develop a fresh approach that would align with the needs of the Towns Fund and achieve the outcomes required of the NLHF. The report outlined an indicative timetable and costs, and the unique opportunities identified within the refreshed project.

AGREED (unanimously) that Members support the proposed application to the National Lottery Heritage Fund enabling an application to be submitted on 29 November 2021.

Reason for Decision

This proposal offers the best opportunity for match funding for the Castle Gatehouse Project, having previously explored numerous alternatives in 2019. Whilst there was a 12 month window to submit the stage 1 application, the timeline of the Towns Fund dictates the timescale required in submitting the NLHF application was no later than November 2021.

(Following consideration of this item, Councillor T Wendels left the meeting).

286 COMMUNITY PLAN PERFORMANCE - YEAR TO DATE

The Business Manager - Transformation presented a report which gave Members an overview of Quarter 1 and 2 performance against the objectives and actions within the Council's Community Plan for 2019-2023. The report provided a commentary on progress against the Community Plan objectives, reported on customer contacts, customer feedback and details of staff sickness absence rates. The report also contained, for noting, the annual RIPA and Ombudsman Reports. The Committee welcomed the new style of reporting and the contents of the report.

AGREED (unanimously) that:

- (a) following review, the Community Plan Performance report attached as Appendix 1 to the report, be welcomed; and
- (b) the RIPA and Ombudsman reports (Appendices 3 and 4 to the report) be noted.

Reason for Decision

To enable Members to proactively monitor the Council's performance and assess the Council's progress against achievement of the objectives laid out in the Community Plan.

287 PARTNERSHIP FOR THE EAST MIDLANDS BUILDING CONSULTANCY

The Director - Planning & Growth presented a report which updated Members on the financial position for East Midlands Building Consultancy (EMBC) and the Council, and the ongoing building control work in partnership with Blossom Homes.

The contract with EMBC, initially ran for three years, ending in April 2019, but this was extended on a rolling basis subject to an annual review. As previously reported, the EMBC had successfully arrested the previous financial decline and the costs of the service had reduced as set out in the report. It was noted that the service continued to perform well and provided a 'surplus' to the general fund which was ring-fenced to use to run the service.

The report also detailed the partnership between EMBC and Blossom Homes, a company currently based on the former Thoresby Colliery Site, Thoresby Vale. Blossom Homes were constructing zero carbon homes which were built using sustainable Modular Methods of Construction. The partnership was considered to be a positive one for EMBC and it was hoped would have a financial benefit as such properties gained popularity.

AGREED (unanimously) that:

- (a) the financial position of the East Midlands Building Consultancy be noted; and
- (b) the partnership with Blossom Homes Ltd be noted.

Reason for Decision

To provide a sustainable Building Control service in partnership with neighbouring authorities.

288 URGENCY ITEM - LGV DRIVER RETENTION SCHEME

The Committee noted the decision to make a one off Retention Payment of £5,000 to all operatives holding a LGV licence.

AGREED (unanimously) that the urgency item be noted.

Reason for Decision

To address the current shortage of drivers and to try and mitigate against a mass exodus of employees during the next 12 months.

Meeting closed at 7.10 pm.

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, 17 November 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 S Haynes, Councillor T Smith,
Councillor K Walker and Councillor R White

ALSO IN ATTENDANCE: Councillor L Goff

APOLOGIES FOR ABSENCE: Councillor Mrs M Dobson (Committee Member), Councillor N Mison (Committee Member), Councillor N Mitchell (Committee Member) and Councillor M Skinner (Committee Member)

33 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.

34 DECLARATION OF 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.

35 MINUTES OF MEETING HELD ON 8 SEPTEMBER 2021

AGREED that the Minutes of the meeting held on 8 September 2021 be agreed as a correct record and signed by the Chairman.

36 CHAIRMAN'S REPORT

The Chairman advised the Committee that a great deal had happened since their last meeting and as reflected in the Agenda, with much more to follow.

He stated that grant funding had been received of £20m for the Southern Link Road and £1m for Yorke Drive. The YMCA project was on track for completion in spring 2022; and overall this year nearly £50m in funding had been secured. Comparing that amount to the Council's average turnover, it was a great achievement for the District. He thanks all those involved, Officers, Members, and partner organisations and added that additional resources to assist with the delivery of the projects was being secured.

In relation to the Sherwood Levelling Up Fund Bid for up to £20m, the Chairman advised that the first meeting was due to take place on Friday, 19 November 2021 when discussions would be held as to what vision, program, and projects could be developed for the Sherwood area.

The Vice-Chairman advised the Committee that she wished to put on record her thanks to the Economic Growth Team for hosting a successful Careers Fayre at Newark Showground. The event had been attended by many schools in the District.

37 FORWARD PLAN (DECEMBER 2021 TO NOVEMBER 2022)

The Committee considered the Forward Plan for the Economic Development Committee for 1 December 2021 to 30 November 2022.

AGREED that the following items be added to the Economic Development Committee Forward Plan.

- EV Charging Points Update – insert the date of when the report would be presented to committee. Report to include consideration of increasing the number of charging points at Castle House.
- Ollerton High Street Redevelopment (to be updated as part of the Sherwood Levelling Up Fund progress report throughout 2022).
- Cattle Market Site Masterplan and 30 Minute Town projects (to be updated as part of the Newark Towns Fund update in January)

38 AMENDED STRUCTURE FOR PLANNING DEVELOPMENT

The Committee considered the report presented by the Director – Planning & Growth which sought Members' support for the amended structure and associated budget virements for the Planning Development Business Unit.

The report set out the current delivery of works required on assessment of trees, either through planning applications or requests to carry out work to those protected as a result of Tree Preservation and/or Conservation Area status, noting that this was provided by Planning Technical Support Officers with input from a consultant Tree Officer employed by North Kesteven District Council at a cost of approximately £7,000 per annum. The report included information as to additional duties a dedicated Tree Officer resource could undertake beyond a regulatory response to feed into strategy such as the Climate Emergency Strategy & Action Plan, Tree Strategy and Trees on Development Sites SPD.

In considering the report, Members noted the proposal to create the Tree Officer post and to delete a full time Planning Technical Support Officer post which was currently vacant. In noting the additional budget requirement of £11,152, a Member queried what the additional benefits to the Council would the post-holder bring, other than those highlighted in the report. In response, the Director advised that they would be able to offer professional advice to other Business Units e.g. the type of tree(s) to be planted; optimum locations for the planting of trees; and tree planting for environmental purposes.

AGREED (unanimously) that:

- (a) support be given for the amended structure and associated budget virements (increased salary and reduced Contractual Services) required for the Landscape/Tree Officer post and approval be given for the additional budget requirements for the same; and

- (b) the Business Manager – Planning Development liaise with HR colleagues and Unions, as required, to recruit a Landscape/Tree Officer on a full-time basis.

39 HIGHWAYS UPDATE

The Committee considered the report presented by the Director – Planning & Growth which sought to update Members on the progress of funding and delivery of major highways schemes across the district. Information and the current status of each of the following schemes were included in the report: Newark Southern Link Road (SLR); A1 Overbridge at Fernwood; Major Road Network Fund (A614/Ollerton Roundabout); and A46 Newark Northern Bypass.

In considering the report and noting the amount of funding awarded, Members queried as to whether there were any concerns that contractors would be unable to deliver the projects. The Director advised that in relation to the SLR, the developers were leading the project and were already in negotiation as part of soft market testing. They were also on-site elsewhere and had a good relationship with contractors of the size and scale required to deliver this project. National Highways were keen to deliver the A1 Overbridge and talks were being held with them direct.

Noting the uncertainty as to the route of the planned A46 Newark Northern Bypass, Members queried whether this could impact on the Council's ambitions in relation to the Castle Market redevelopment. The Director advised that should the bypass opt for the proposed grade-separation for the roundabout it would involve an additional land-take on the Newark Lorry Park given a larger roundabout. It would also likely require relocation of the exiting Lorry Park access.

Members also noted with concern the possible traffic congestion arising from the proposed number of schemes and that the report contained no planned times for the works. The Director confirmed that regular Highways Strategy meetings were being held between National Highways, Nottinghamshire County Council, Lincolnshire County Council, Newark & Sherwood District Council and all the contractors and developers involved around Middlebeck and Fernwood to try to mitigate disruption where possible. This would include sequencing and communications.

AGREED (unanimously) that:

- (a) the contents of the report be noted;
- (b) the Policy & Finance Committee be recommended to give delegated authority to the Director – Planning & Growth (in consultation with the Assistant Director – Legal & Democratic Services) to enter into a Grant Agreement with Urban&Civic for up to £20m of LUF Grant and up to £5.019m of NSDC grant (inclusive of any grant already committed), subject to: a) any requirements of the LUF grant being met and b) full delivery of the Newark Southern Link Road.

40 FUNDING OPPORTUNITIES UPDATE

The Committee considered the report presented by the Director – Planning & Growth which sought to update Members on the various funding opportunities within the district. Information and the current status of each of the following funding opportunities were included in the report: the Towns Fund, Brownfield Land Release Fund, Levelling Up Fund and Community Renewal Fund.

In considering the report Members again noted the aforementioned level of funding received for projects across the district in the region of £50m. Noting specifically the Community Renewal Fund, Members welcomed the partnership working with Nottinghamshire County Council which had been undertaken in order to bid for the fund, adding that work was now needed to maximise the monies received for the programmes listed in paragraph 2.16 of the report.

Members sought clarity in relation to the Newark Police Station and whether the funds initially allocated to fund the proposed relocation had been reallocated. The Director advised that the reallocation of the £1m was to be considered that week by the Newark Town Fund Board, in anticipation of a revised profiling request and renegotiation with Government

In referring to paragraphs 2.10 and 2.11 of the report, Members welcomed the commencement of works to submit a Sherwood bid for funding in round two of the levelling up fund, noting the first meeting to begin talks was scheduled for 19 November 2021.

In relation to the promotion of cycling in the town, the Director advised that a specification and contract to source a partner for a cycling scheme was due shortly and that an update would be included in the future 20 Minute Town Project Report, as part of ongoing Newark Towns Fund updates.

AGREED (unanimously) that:

- (a) the contents of the report be noted; and
- (b) Policy & Finance Committee be recommended to add £284,000 grant funding to the Capital Programme in relation to the 32 Stodman Street project as detailed in paragraph 2.19 of the report.

41 ECONOMIC DEVELOPMENT REVENUE AND CAPITAL FORECAST OUTTURN REPORT TO 31 MARCH 2022 AS AT 30 SEPTEMBER 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 period, based on meetings with Financial Services staff and the appropriate Business Manager. The figures were based on 6 months performance information on the Council's revenue and capital budgets, including: General Fund Revenue and Capital Programme. Attached to the report as an appendix was a report to be presented to the Policy & Finance Committee which detailed the forecasted financial position to 31

March 2022 of the Council as at 30 September 2021. Paragraph 2.3 of the report detailed that Economic Development Committee had a favourable variance of £0.353m, details of which were contained within Appendix A to the Policy & Finance report.

In considering the report a Member referred to Appendix E of the Policy & Finance report, specifically Project TA1216 – Dukeries LC New Pool querying whether the favourable variance of £30,000 could be allocated to a Changing Places at the site. The Chairman noted that Project TA1216 was a Leisure & Environment Committee budget and Economic Development Committee were unable to make that decision. The Director noted the request.

In noting the above comments a Member of the Committee suggested that future reports to each of the Committees only present information that was relevant to their remit and budgets. The Business Manager advised that he would consider how future reports would be presented.

AGREED (unanimously) that the report be noted.

42 CONSERVATION AREA REVIEW

The Committee considered the report presented by the Senior Conservation Officer which sought to update Members on progress with reviewing the Conservation Areas (CA) for Laxton, Newark, Ollerton and Southwell. The report provided details of the work undertaken so far and the current position with each of the aforementioned areas. It was noted that two workshops for Members of the Committee and affected Ward Members had been arranged for 29 November and 13 December. The Conservation Team were also holding a public engagement event in Southwell on 27 November.

In considering the report Members agreed that Conservation Areas provided the Council with a useful and powerful document which listed areas of special architectural or historic interest, the character or appearance of which it was desirable to preserve or enhance, noting the legal duty to review existing CAs from time to time.

In relation to bringing empty properties and accommodation above shops back into use, the Chairman advised that this was not always a simple procedure. Often the owner of the property was unknown and despite numerous attempts, could not be located. He further advised that the matter was continually reviewed to see what more could be done to resolve the issue. The Director – Planning & Growth advised that this issue would form part of the Town Centre Regeneration Project within the Heritage Action Zone.

AGREED (unanimously) that the work undertaken by the Conservation Team and the forthcoming draft proposals for amendments to Laxton, Ollerton, Newark and Southwell Conservation Areas be noted.

43 OLLERTON HALL UPDATE

The Committee considered the report presented by the Director – Planning & Growth which sought to provide Members with an update in relation to the disposal of Ollerton Hall.

The report set out that the proposed residential conversion scheme was now acceptable, in principle, following a pre-application process and the sharing of the proposals with local district and parish councillors and community interest groups. The Director advised that the proposal was to convert the Hall into residential apartments. Once complete, the developer would purchase the Hall and rent out the apartments. It was hoped that a planning application would be submitted prior to the end of the year.

In considering the report, Members thanked the Officers involved for resolving the longstanding issues with development of the Hall. It was noted that local residents welcomed the progress and appreciated the appointment of a Clerk of Works to oversee the development on behalf of the Council.

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

44 COMMUNITY PLAN PERFORMANCE REPORT

The Committee considered the report presented by the Transformation Manager which sort to present the year to date performance report covering Quarters 1 and 2 (April to September 2021). Members were asked to review the Community Plan Performance report, attached as Appendix 1 to the report and to note the RIPA and Ombudsman reports, attached as Appendices 3 and 4.

The report set out that performance reporting, going forward, would now be used as a tool for change with the information contained having been sourced by analysing data and progress against key activities, as well as district statistics, customer feedback and workforce information. It was reported that the information measured performance against the updated Community Plan.

In considering the report, Members welcomed the clear and concise new style of reporting.

AGREED (unanimously) that:

- (a) the Community Plan Performance report be reviewed and noted;
and
- (b) the RIPA and Ombudsman reports be noted.

Meeting closed at 7.22 pm.

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, 22 November 2021 at 6.00 pm.

PRESENT: Councillor T Wendels (Chairman)

Councillor M Brock, Councillor Mrs B Brooks, Councillor S Carlton, Councillor R Crowe, Councillor L Goff, Councillor S Haynes, Councillor J Lee and Councillor J Kellas

APOLOGIES FOR ABSENCE: Councillor Mrs R Holloway (Vice-Chairman), Councillor Mrs L Dales (Committee Member) and Councillor T Wildgust (Committee Member)

38 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.

39 DECLARATION OF ANY INTENTION TO RECORD THE MEETING

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

40 MINUTES OF MEETING HELD ON 13 SEPTEMBER 2021

AGREED (unanimously) that the Minutes of the meeting held on 13 September 2021 be approved as a correct record and signed by the Chairman.

41 CHAIRMAN'S REPORT

The Chairman welcomed everyone to the 'new normal' meeting.

The Chairman informed the Committee that as part of the preparations for winter, a refresh of all the emergency flood resilience stores is taking place to ensure contact details and stocks within the stores are replenished prior to winter. The County Council have recently undertaken consultation on their new revised Local Flood Risk Management Strategy, and a joint response from Public Protection and Planning was submitted.

The Council takes its Safeguarding duties seriously and refresher training has been provided over the past few months for all new staff. This will be further supported by training for all Business Managers early in 2022.

The local implementation of the Council's duties under the Domestic Abuse Act continue to be developed in partnership with the County Council and local partners. A domestic abuse case worker has been appointed and additional funding for the sanctuary scheme (which provides additional security measures to enable people to

stay in their home) has been secured. Further actions will be developed over the coming weeks and months.

The Chairman advised that the Annual Tenant Report for 2020-2021 has been produced, detailing performance over the past 12 months, how the rental income we collect from tenants has been spent and how tenants feel about our services, as well as sharing some of the future tasks they are looking to deliver. The Chairman reminded the Committee that it is an online report and to keep an eye out for it.

The Chairman informed the Committee that the Tenant Forum has been busy with digital training and a two-day course on Mystery Shopping, which is hoped to start rolling out early next year. The Forum have reviewed the Repairs Policy and Consumer Regulation Gap Analysis as well as supporting a number of surveys of tenants and events.

A survey of all tenants in Chatham Court has provided further insight to what activities tenants would like to see at the hub (recalling this was part of the Safer Streets legacy) and the best times of day for these to happen. It is clear the children and youth activities are important and we are continuing to hold monthly sessions supported by Play Support and The Youth Service. The weekly drop in to see the Tenancy Officer has also started to gain pace, as has the coffee mornings with involved tenants seeing more new faces. New activities include a Gardening Club hosted by Newark in Bloom, which started in October and Police drop in sessions throughout November are being trialled.

The Chairman advised that currently they are experiencing increased levels of ASB, criminal behaviour and breaches of tenancy on one of our larger estates on the Sherwood side of the district. This has prompted a multi-agency approach involving our housing team, the Police, the local members, colleagues in Environmental Health and Public Protection and the youth service. A number of enforcement actions have already been undertaken and secured at court; including three injunctions prohibiting individuals entering the estate.

The Chairman was pleased to report some great progress in relation to the replacement of the temporary accommodation at Seven Hills, as the project team have reached the milestone of handing the vacant site to the contractors on Monday 1st November 2021 following months of hard work and planning to make alternative arrangements for customers. The new provision will be constructed using modern methods and there are many green initiatives being included, the Chairman advised the Committee to watch this space for further updates.

The team has worked closely with colleagues from the varying departments including Tenancy and Estates and Repairs to source and make ready the alternative provision. All in all it has been a massive team effort to get to this point but the reward for all this hard work will be a brand new facility due to complete in 2023. Demolition of the existing site has commenced and Woodheads, the allocated contractor, will then begin preparing the site to start construction early January 2022.

This followed hot on the heels of the formal opening of The Broadleaves Extra Care Village in Boughton on November 5th. The Chairman was delighted to attend this

event along with the Vice-Chairman and the Chairman of the Council and met some of the residents. This is a very thoughtful and well-designed build that is something it is hoped members, the residents and those who have brought it to life are very proud of.

42 FORWARD PLAN - DECEMBER 2021 TO NOVEMBER 2022

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

It was noted that there would be only 2 meetings of the Committee taking place in the new year as moving from a Committee system to a Cabinet from May. A Committee Member therefore requested that a further Yorke Drive update be provided in March. The Chairman was also mindful that any other relative reports were also included in the January or March meetings.

43 REVIEW AND UPDATE OF DISABLED FACILITIES GRANT POLICY

The Committee considered the report from the Business Manager for Public Protection seeking Members approval for amendments to the Council's Disabled Facilities Grants Policy.

The report highlighted to the Committee that Disabled Facilities Grants are the mandatory grants that are designed to provide adaptations to the home to allow a disabled person to continue living in the community. These grants are subject to a means test and some applicants do have to pay a contribution towards the cost of the work. Referrals for these grants come from the Occupational Therapy team of the County Council.

Providing a policy gives a transparency of approach to service users and they can clearly see the circumstances that might apply to their need.

The Committee were informed that the revised policy does not differ fundamentally from the previous document but seeks to address a number of consistency issues identified via a Nottinghamshire County wide review, which included the seven District Councils and the County Council Adult and Children's Occupational Therapy services.

AGREED (unanimously) that the draft Disabled Facilities Grant Policy be approved.

44 NEWARK AND SHERWOOD COMMUNITY LOTTERY ALLOCATION OF FUNDING FROM INCOME GENERATION PROPOSAL

The Committee considered the report from the Health Improvement and Community Relations Manager providing an update on the progress of Newark and Sherwood Community Lottery since its launch in May 2021 and to secure approval for the process of spend for income generated through both the lottery 'Central Fund' and 'Operator Fund'.

The Committee were informed that there are currently 54 Good Causes within the District signed up to the lottery, meeting the annual target of 50 within 3 months of its launch date. Case studies and positive feedback from registered 'Good Causes' were provided in Appendix A of the report.

The report advised that the lottery is forecast to generate approx. £22,600 each year, with a full breakdown of finances provided in Appendix B.

One of the key proposals was the total income generated through the 'Central Fund' is used to establish a 'lottery within a lottery', whereby funds are distributed to registered 'Good Causes' through a 6 monthly raffle style draw.

AGREED (unanimously) that:

- a) the proposed method and process of spend for income generated through Newark and Sherwood Community Lottery 'Central Fund' (3.1 and 3.2), and the 'Operator Fund' (3.3) be approved.
- b) the process for spending income generated through both the 'Central Fund' and 'Operator Fund' is reviewed on an annual basis, with the flexibility to adapt and modify the process if required, subject to Member approval as part of the annual report.

45 NEWARK AND SHERWOOD EEM LOCAL INITIATIVE FUND PROPOSAL

The Committee considered the report from the Health Improvement and Community Relations Manager to secure Committee approval to use the Council's EEM (Efficiency East Midlands) contribution through the establishment of the Newark and Sherwood EEM Local Initiative Fund and the proposed process of distributing donations within the district.

The report highlighted that EEM is a non-for profit organisation that chooses to distribute a proportion of its operating surplus to its Members in the form of community donations. The council currently holds EEM community donations to the total value of £26,616 (£12,783 2018/2019 and £13,833 2019/2020). Donations for the year 2020/2021 are not yet confirmed and are dependent on a sufficient surplus with consideration of the uncertainty of the pandemic.

EEM have requested that the donation should be spent on a project or multiple projects that benefit a community and for those that are not covered by budgets as standard. EEM also request that details of how the donation is spent are provided to enable good news stories to be shared publically.

AGREED (unanimously) that:

- a) the establishment of the proposed Newark and Sherwood EEM Local Initiative Fund as outlined in 3.1 be approved.
- b) the proposed process for submitting, reviewing and approving applications as outlined in 3.2 and 3.3 be approved.

- c) the proposed reporting and update arrangements as outlined in 3.4 be approved.

46 SAFER STREETS FUND

The Committee considered the report from the Business Manager for Public Protection updating the Members on the progress of the Safer Streets Two project.

The report highlighted the success of the Safer Streets project and how a smaller Safer Streets project continues with a similar focus on crimes associated with the areas identified referring to the map at appendix one.

The partners being involved are:

Newark and Sherwood DC

Office of the Police and Crime Commissioner

Nottinghamshire Police

Nottinghamshire County Council

The project is scheduled to end by 31 March 2022 and the Committee were informed that progress is going well and a table at 2.5 of the report as at end of September 2021 sets out the work achieved so far.

AGREED (unanimously) that Members noted the progress of the Safer Streets Two project.

47 HOUSING SERVICE COMPLIANCE 2ND QUARTER OUT TURN PERFORMANCE

The Committee considered the report from the Director for Housing, Health and Wellbeing providing the Committee with an overview of compliance performance of the housing service at the end of September 2021.

The report provided the compliance performance to provide Members with an oversight and input into the essential services. The report included information on the following:

- Landlord responsibilities for a range of building safety measures including fire protection, gas, lifts, asbestos, electrical and water. It also summarised details of the Council's housing stock.

A committee member referred to Appendix 1 and highlighted how 'Red' performance can be seen as 'good' to then show as working to increase performance.

The operational performance of other key housing services was provided as a separate report to the Committee.

AGREED (unanimously) that the Committee noted the performance of the housing service compliance functions.

48 COMMUNITY PLAN PERFORMANCE - YEAR TO DATE

The Committee considered the report from the Transformation Manager presenting the year to date performance report covering Q1 and Q2 (April to September 2021).

The Committee were informed that Quarter 1 had not been reported to the Committee as the development of the new style of reporting had been underway. As an alternative, a year to date (combined quarters 1 and quarter 2) report had been developed and was attached as Appendix 1. Additional performance indicators were provided at Appendix 2 as to the Council's tenanted properties.

The report provided a new approach to performance to develop performance management from a counting device and into a tool for change. This expanded report provides greater learning and feedback and easier for residents to understand. The Chairman noted that tenants were happy as seen as the Council were doing something right.

AGREED (unanimously) that:

- (a) Members reviewed the Community Plan Performance report attached to the report as Appendix 1.
- (b) Members noted the RIPA and Ombudsman reports (Appendices 3 and 4).

49 YORKE DRIVE AND LINCOLN ROAD PLAYING FIELDS REGENERATION - UPDATE

The Committee considered the report from the Growth & Regeneration Lead Officer updating the Committee on progress with the Yorke Drive and Lincoln Road Playing Fields Regeneration project including the successful grant funding award from the Department for Levelling Up, Housing and Communities (DLUHC) of £1.05m.

The report was able to show the next steps to achieving the next milestone of submitting reserved planning.

The Committee were informed that the Residents Panel had resumed, the last meeting being held on 10 November which made clear the Council's ongoing commitment to the regeneration scheme and what the residents can expect to see on the ground in the coming months following the result of a successful bid with DLUHC.

AGREED (unanimously) that:

- (a) progress on the delivery of the York Drive Regeneration Project is noted.
- (b) a further recommendation to Policy & Finance that as and when grant funding is received, that is absorbed into the capital programme budget to enable spend to be achieved within timeframes set.

50 WINTER PROVISION UPDATE

The Committee considered the report from the Assistant Business Manager for

Housing and Estate Management to update Members on the winter provision being provided for any rough sleepers in the Newark and Sherwood district this year.

An update was provided at the meeting to inform the Committee that Public Health had advised both the Council and the Church that plans they wanted to put in place were not Covid safe and to be withdrawn for this year and that the Council would have to revert to looking for self-contained accommodation as Plan B.

Future funding is expected over the next three years and the Committee were advised that currently there is one rough sleeper, who has been made an offer of accommodation but had not at this point taken up the offer.

AGREED (unanimously) that Members noted the content of the report as updated.

51 HOMES & COMMUNITIES REVENUE AND CAPITAL FORECAST OUTTURN REPORT TO 31 MARCH 2022 AS AT 30 SEPTEMBER 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 six months' performance information on the Council's revenue and capital budgets, including:

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

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

The Committee were presented with the report for noting and to be taken to the next Policy & Finance Committee on 25 November 2021.

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

Meeting closed at 7.15 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 NG24 1BY on Tuesday, 16 November 2021 at 6.00 pm.

PRESENT: Councillor R Jackson (Chairman)

Councillor L Brailsford, Councillor S Carlton, Councillor M Cope, Councillor D Cumberlidge, Councillor P Harris, Councillor Mrs L Hurst, Councillor J Kellas, Councillor J Lee and Councillor T Wildgust (substitute).

ALSO IN ATTENDANCE: Councillor L Goff

APOLOGIES FOR ABSENCE: Councillor N Mison (Vice-Chairman) and Councillor Mrs Y Woodhead (Committee Member)

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

Councillor S. Carlton declared an Other Registerable Interest in Agenda Item No. 6 – Update on A4Today's Recovery, as he was a Council appointed Director for Active4Today.

Councillor P Harris declared an Other Registerable Interest in Agenda Item No. 6 – Update on Active4Today's Recovery, as he was a Southwell Leisure Centre Trustee.

The Business Manager – Financial Services declared an Other Registerable Interest in Agenda Item No. 6 – Update on Active4Today's Recovery, as he was a Council appointed Board Member for Active4Today.

30 DECLARATION OF ANY INTENTIONS TO RECORD THE MEETING

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

31 MINUTES OF THE MEETING HELD ON 21 SEPTEMBER 2021

AGREED that the Minutes of the meeting held on 21 September 2021, be approved as a correct record and signed by the Chairman.

32 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 September 2021.

The Chairman reported that it was pleasing to note that a recovery was underway within Active4Today, as it recovered from the challenges of the past 20 months.

The membership base was now at 80% of what was pre-Covid, after stubbornly staying about 30% down since the centres were able to re-open earlier that year. In addition, Southwell Leisure Centre was now also being run by Active4Today, after the transfer was completed on 1 October. The Chairman commented that he was confident that the Council was on the road to recovery, even though the costs associated with running the centres continued to be higher into next year than they were pre-Covid. He commented that when he was the portfolio holder for leisure and culture, he could remember the leisure centres costing around £1-million a year. Pre-Covid the costs were reduced to around £250,000 and that was where the Chairman wanted it to return to or lower, over the medium term.

At the last Leisure and Environment Committee meeting, the Committee received an update on the National Waste and Resources Strategy, which was being wrapped up in the new Environment Bill. When first published in December 2018, the National Waste and Resources Strategy proposed widespread changes to the recycling landscape, including standardised and separate kerbside collection of a range of materials. The Environment Act was last week approved by Parliament, meaning the legislation was now law and ministers had the power to introduce a range of waste reforms. However, the line from government was that DEFRA was still working on responses to a number of consultations on the changes, which remained live until next year. As such, there wasn't a detailed description about what the exact requirements would be or crucially how the new burdens would be funded. As soon as information became available, colleagues would produce a report for committee consideration.

The Committee were informed of the significant growth that had happened in the garden recycling service since the service was brought back in house on 1 April 2020. Due to some minor disruption at the height of the covid response, a decision was taken to offer the service at the discounted rate of £30 in 2021. That price was due to increase next year but given the growth in the service and the Council's recycling rate as a result, a report had been requested to be brought to the January 2022 committee for Member consideration about future pricing. At the September's Leisure and Environment Committee meeting, a report on the Council's Climate Strategy and Action Plan and the progress that had been made in delivering it was considered. The Committee was also informed of the Council's first two electric vehicles, which were being driven by the Community Protection team. This small scale pilot would enable the Council to better understand the opportunities and challenges in operating electric vehicles, ahead of the phasing out of new, petrol and diesel powered vehicles from 2030. In addition, a report would also be presented to the Council's policy and finance committee in November, recommending the Council invested in a range of photovoltaic panels at a number of council assets, including the leisure centres in Newark, Southwell and Ollerton, which were amongst the Council's principle sources of carbon emissions.

It was reported that since the last meeting, the Council had also continued to make excellent progress in their work to make Newark and Sherwood cleaner. At the start of November, the council and its partners undertook a Day of Action in Clipstone which was very well received by the community. Over the course of the day, more than ten tonnes of waste and litter was removed.

It was further reported that Newark town centre had won an award from East Midlands in Bloom, which was the Highest Achievement Level for the area of the Wharf. The Chairman thanked all involved with that project including the streetscene team.

At the last Committee it was agreed to enter into a one-year pilot with a waste enforcement company called WISE. The company started work on Monday, 25 October 2001 and since that time they had issued 354 fixed penalty notices for littering and dog fouling as of Friday, 12 November 2021.

33 UPDATE ON A4T'S RECOVERY

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

It was noted that the business focus of A4T was on rebuilding the membership base to what it was pre-pandemic and that continued to be the priority. Good progress had been made as outlined in the Appendix A to the report, which set out the performance of A4T and its recovery activities over the period 12 April to 31 October 2021.

Given the unprecedented impacts of the virus and the disruption caused to the leisure offer the current performance indicators as outlined in Appendix B to the report showed the comparison of current data against the corresponding period in October 2019 (pre-pandemic) and October 2020 in order to demonstrate the current position in respect of memberships and user figures. In addition to centre based activities, the Sports Development Team had started to re-engage with community partners such as schools, health and sporting organisations and was making good progress in terms of assisting in the regeneration of projects and activities to encourage wider participation in physical activity and sport and further details were provided in Appendix C to the report.

The report highlighted the membership position since the centres re-opened in April 2021 and showed a positive uplift in all areas of membership generally. In addition Southwell Leisure Centre memberships were now included in the data following the successful transfer of its management function to A4T with effect from 1 October 2021. As at 31 October 2021 of the 9,608 live members currently paying a direct debit membership, there were approximately 112 who had frozen their memberships for either medical reasons or financial reasons in line with the Freeze Policy.

On the current live membership base of A4T, it was now operating at 80% of live members against pre-Covid numbers primarily due to its efforts to maintain its relationship with members which had proved to be a successful strategy. After reviewing national industry performance and data available from Sport England and UKActive, the membership nationally was averaging around 55%, which was significantly lower than the position with A4T. Although users were down as expected the improving membership base and a gradual return to business as usual across all

aspects of the leisure offer participation rates were growing and during the period 12 April to 31 October 2021, user visits across all sites reached 468,237 which was encouraging with notable examples such as the increase in users and memberships at the Dukeries following the opening of the new swimming pool.

The report provided the current income and expenditure financial summary of the Company and showed the original, revised and profiled budgeted income and expenditure up to period 7 October, set against actual income and expenditure for the same period.

The budget would be subject to further revisions throughout the year, as a result of the lower than expected starting position of the membership. This was significant for A4T, as the budget for 2021 – 2022 was based on a higher membership and income target starting point. However, conversely expenditure would also continue to be revised as savings (especially in salaries) work through the finance. However, currently the forecast to year end was looking more favourable and it was estimated that the anticipated deficit of £840K would reduce by £98K.

At the time of transfer Southwell Leisure Centre's original forecasted budget for the 2021-2022 financial year had estimated a deficit at year end of approximately £230k. However, having revised the current budget and reviewed all staffing, programming and membership income, A4T had forecasted a new budget position, which now showed a deficit of circa £125k, an estimated saving over the original budget of approximately £105k. Over the next several weeks the remaining processes undertaken at Southwell would be investigated and integrated into A4T, with the revised budget position being used to develop a budget for the site, in readiness for the 2022-2023 financial year.

As part of the Company's work to rebuild its operations and membership base to levels which it experienced pre-Covid, the Company had successfully launched the new swimming pool at the Dukeries Leisure Centre. Since the opening of the facility, memberships for both adults and children had increased steadily and sessions included swimming lessons, laned swimming, parent and toddler sessions and fun swims with an inflatable for the younger swimmers of the community.

A Member commented on the closure of LA Fitness and whether the Council's leisure facilities could be advertised more as a few members of the public had commented on the limited service the leisure centres provided for them.

The Managing Director Active4Today confirmed that forty of the LA Fitness (Sports Direct) customers had signed over to Active4Today. A corporate deal had also been achieved by Active4Today with some Sports Direct customers where this was appropriate and consistent with A4T's current scheme.

A Member asked whether people living in social housing were being encouraged to use the leisure facilities. The Managing Director confirmed that primary users had been actively targeted first. Various targets were being reviewed to engage with customers that were less likely to engage in fitness. Targeted work was being undertaken in Ollerton and concessionary prices were being offered. Bursaries were

also being made available for young people across the district.

The local Ward Member for Ollerton commented on the pool at Ollerton being a wonderful asset and asked whether there was anything that could be done to encourage customers to become members rather than paying for one off use of the pool. The Managing Director confirmed that customers were encouraged to pre-book swimming, in order to ensure capacity levels and an enjoyable experience. 95% of customers were buying membership on-line, a call centre had also been developed which was able to deal with general queries.

The Committee was also informed of the Changing Places funding scheme that had been pursued for the Dukeries, which offered suitably accessible changing facilities and specialist equipment for severely disabled people. The space configuration available at the Dukeries leisure centre was not to the required standard to secure MHCLG grant funding for the CPT scheme, however that space was being designed to accommodate some equipment. A report regarding the Changing Places proposals and associated costs would be brought to a future meeting of the Committee. A Member commented that funding may be available through Nottinghamshire County Council if there was a need for adults with learning difficulties, with joint funding through Social Care.

AGREED 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.

34 BUDGET MONITORING REVENUE AND CAPITAL OUTTURN REPORT

The Committee considered the report presented by the Business Manager Financial Services which compared the Revised Budgets for the period ending 31 March 2022 with the Projected Outturn forecast for that period, based on meetings with Financial Services staff and the appropriate Business Manager. These were based on six months' performance information on the Council's revenue and capital budgets, including: General Fund (GF) Revenue; and Capital Programme.

The current position for the Council was a favourable variance outturn against usable reserves of £0.188m. This was prior to any return funding from the Nottinghamshire Business Rates Pool, for which S151 Officers across the County were working to review the position.

The forecast outturn position for the Leisure & Environment Committee was a favourable variance of £0.124m. Appendix A of the Policy and Finance Committee report, which was appended to the report, contained the main reasons for this

variance, whilst Appendix B summarised the changes in variance between the report and the previous report.

It was noted that the projected outturn variances were still somewhat indicative, and that those would become more accurate in subsequent months, as officers continued to refine budgets and forecasts in light of the latest information available.

AGREED that the content of the report be noted.

35 COMMUNITY PLAN PERFORMANCE REPORT

The Committee considered the report presented by the Director of Customer Services and Organisational Development, which presented the year to date performance report covering Q1 and Q2 (April to September 2021). The Committee were asked to review and comment on the Community Plan Performance report attached as appendix one to the report and note the RIPA and Ombudsman reports (appendices 3 and 4) to the report.

Quarter 1 had not been reported to Committee as the development of the new style of reporting was underway. Instead a year to date (combined quarter 1 and quarter 2) report had been developed and was attached as appendix one.

It was noted that this report measured performance against the updated Community Plan (as refocused by the Policy and Finance report on 23.09.21) and as such the performance would capture activities not currently mentioned in the Community Plan such as the Levelling Up Fund.

A Member sought clarification regarding the following:

- (i) How many new homes are carbon neutral? And how many are off gas (non gas boilers).
- (ii) 3 fixed CCTV cameras updated to evidential quality, how many more aren't evidential quality?
- (iii) What action had been taken to facilitate intermodal interchange with bus companies and what has happened?
- (iv) Considering our quarter 1 performance shouldn't we revisit our recycling target? Especially as our target is one of the lowest in the country.

The Director of Communities and Environment confirmed that this would be considered for the next year's target.

- (v) The housing repairs end to end time for all reactive repairs, the target was 6 days and we were performing at 27 days at the moment, why?

The Transformation Manager confirmed that the Covid 19 Pandemic had impacted on the repairs response rate, as only major works had been undertaken to minimise the number of maintenance staff entering tenant's homes and reduce the risk of

infection. It was confirmed that the end to end time should reduce as work began to get back to normal. A written answer would be circulated after the meeting to Members of the Committee for the other questions raised.

A Member commented that past achievements such as the compost bin scheme should be included in the achievement data. The Chairman commented that whilst the Council needed to do as much as they could regarding recycling, in terms of the recycling bin the district was limited as to what could be recycled due to the contract in place with Veolia and what they would take.

The local Ward Member for Edwinstowe and Clipstone thanked Officers for delivering the recent day of action in Clipstone and commented that the key element was to create a lasting legacy.

The local Ward Member for Southwell commented that there was an error within the report, the day of action for Southwell was March 2022 and not October as stated.

AGREED that:

- (a) Members review the Community Plan Performance report attached as Appendix 1;
- (b) the RIPA and Ombudsman reports (Appendices 3 and 4 to the report), be noted; and
- (c) Written answer be provided to Members of the Committee regarding the questions raised.

36 FORWARD PLAN (DECEMBER 2021 TO NOVEMBER 2022)

The Committee considered the Forward Plan for the Leisure & Environment Committee for the period 1 December 2021 to 30 September 2022 and were encouraged to submit any areas of work they wanted to address for the forthcoming year.

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

- (i) New Waste Strategy, information from Defra to be reported to a future meeting;
- (ii) Green waste recycling and Glass collection; and
- (iii) Active4Today's Business Plan.

Meeting closed at 6.55 pm.

Chairman

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, 11 November 2021 at 6.55 pm.

PRESENT: Councillor Mrs R Crowe (Chairman)
Councillor R White (Vice-Chairman)

Councillor Mrs B Brooks, Councillor S Carlton, Councillor P Harris, Councillor R Jackson, Councillor Mrs S Saddington, Councillor I Walker and Councillor T Wildgust

APOLOGIES FOR ABSENCE: Councillor L Brazier (Committee Member), Councillor M Cope (Committee Member), Councillor Mrs S Michael (Committee Member), Councillor K Walker (Committee Member) and Councillor Mrs Y Woodhead (Committee Member)

17 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.

18 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.

19 MINUTES OF THE MEETING HELD ON 2 SEPTEMBER 2021

Minute No. 12 – Satisfaction Surveys for Taxi Users and the Taxi Trade

It was reported that the response to the above survey had been disappointing. Members were requested to encourage their constituents to participate in the Survey if possible.

AGREED that the Minutes of the meeting held 2 September 2021 were a correct record and signed by the Chairman.

20 FORWARD PLAN (DECEMBER 2021 TO NOVEMBER 2022)

AGREED (unanimously) that the following items be added to the Forward Plan:

- (i) Review of Taxi Fares (*This was put forward for inclusion following the recent increases in the price of petrol and diesel.*)
- (ii) Attendance by Representative of the Gambling Commission.
- (iii) Inspection of Taxis/Night of Action for Taxis
- (iv) Satisfaction Surveys for Taxi Users and the Taxi Trade – verbal update on comments in relation to the Kirkgate Taxi Rank.

21 REVIEW OF STATEMENT OF GAMBLING POLICY - CONSULTEES RESPONSE

The Committee considered the report presented by the Business Manager – Public Protection which sought to provide Members with the consultation feedback of the Review of the Gambling Policy together with onward recommendation to full Council for adoption of the Statement of Gambling Policy.

The report set out that the Policy must be reviewed at least every three years and that the Council were responsible for issuing premise licences for gambling premises, issuing permits in respect of gaming on licensed premises and for registering small society lotteries. The Council were not responsible for licensing operators or individuals concerned in carrying out the business as they were licensing by the Gambling Commission and subject to stringent statutory controls.

It was noted that since the adoption of the original Statement in 2006 the Council had considered a resolution under Section 166 of the Gambling Act 2005 not to issue any premise licenses for casinos. This had again been agreed by full Council in 2018.

Appendix 1 to the report set out the responses received to the review, with paragraph 4.2 of the report noting that the low response would appear to be indicative of the low level of general concern with this particular licensing function.

In considering the report a Member raised concern as to the issue with online gambling. The Business Manager advised that this was regulated by the Gambling Commission with the Chairman requesting that a representative be invited to a future meeting of the Committee to discuss the issue.

AGREED (unanimously) that:

- (a) the consultee responses be noted and that the draft Statement of Gambling Policy be supported and forwarded to full Council for approval; and
- (b) full Council be recommended to renew the 'no casino' resolution as referred to in paragraph 3.0 of the report.

22 SAFEGUARDING ISSUES AND TAXI DRIVERS

The Committee considered the report presented by the Business Manager – Public Protection which sought to provide Members with an update on the steps taken to increase safeguarding controls for taxi drivers within Newark & Sherwood.

The report set out the measures agreed in 2015 to ensure that robust safeguarding measures were in place, details of which were reported in paragraph 3.0 of the report. It was noted that some of these consisted of face to face training with Licensing Officers but that due to the pandemic this had not been possible. This had resulted in a backlog of drivers who required the training. It was further reported that dates for training sessions had been set, now that restrictions were lifting and that drivers who had not yet undertaken the training would be issued with reminder letters. It was likely that the sessions would commence in January 2022.

AGREED (unanimously) that the report be noted.

23 UPDATE ON PERFORMANCE AND ENFORCEMENT MATTERS

The Committee considered the report presented by the Senior Licensing Officer which provided members with activity and performance of the Licensing Team which included details of current ongoing enforcement issues.

Information contained within 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.

In considering the report, a Member noted that statistical information had previously been supplied in relation to the number of inspections carried out and any issues arising therefrom. The Business Manager – Public Protection advised that during the pandemic there had been little activity with taxis as there had been no night time economy. He added that there was a programme of inspections scheduled and that Officers were looking to carry out a 'Night of Action' for taxis.

AGREED (unanimously) that the report be noted.

Meeting closed at 7.10 pm.

Chairman

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, 11 November 2021 at 6.00 pm.

PRESENT: Councillor Mrs R Crowe (Chairman)
Councillor R White (Vice-Chairman)

Councillor Mrs B Brooks, Councillor S Carlton, Councillor P Harris,
Councillor R Jackson, Councillor Mrs S Saddington, Councillor I Walker
and Councillor T Wildgust

APOLOGIES FOR ABSENCE: Councillor L Brazier (Committee Member), Councillor M Cope
(Committee Member), Councillor Mrs S Michael (Committee Member),
Councillor K Walker (Committee Member) and Councillor
Mrs Y Woodhead (Committee Member)

20 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.

21 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.

22 MINUTES OF THE MEETING HELD ON 2 SEPTEMBER 2021

AGREED that the Minutes of the meeting held on 2 September 2021 were a correct record and signed by the Chairman.

23 ATTENDANCE AT COMMITTEE BY CHAIRMAN OF NEWARK PUB WATCH

The Committee considered a verbal presentation by the Chairman of the Newark Pub Watch Scheme, Mr. Paul Goodman, who was in attendance.

Mr. Goodman outlined to Members his personal licensing history and that he had been Chairman of the Group for three and a half years. He advised that he had visited all the public houses in Newark with one of the Council's Licensing Enforcement Officers (LEO) in an attempt to get them involved with the Scheme, however, some remained uninterested.

Members were advised of how frequently the meetings were held and how they were run together with information as to which external organisations and individuals also attended.

Referring to when a decision was taken to bar a customer from entering licensed premise, Mr. Goodman advised that letters were sent to the individual, explaining the reason for the decision and that these were hand delivered by either the Police or the LEO. Should an individual breach the ban, they would receive a further letter with an additional one month ban from entering the premises. Mr. Goodman also advised that the Group were part of the SchemeLink app which was a useful tool for licensed premises. It was noted that should a licensed premise not attend for 3 consecutive meetings they would be informed that they would be suspended from using the SchemeLink app.

The Chairman thanked Mr. Goodman for his presentation and asked Members if they wished to raise any issues.

In response to how the Licensing Committee could assist with increasing participation in the Group, Mr. Goodman advised that he worked closely with the LEO in an attempt to encourage participation. He added that, if possible, he would like to see it as a licensing condition.

A Member queried as to whether the behaviour of customers had changed since the recent lockdowns due to the pandemic. Mr. Goodman advised that there were currently sixty people barred from entering premises in Newark but that most of these were due to drug taking and/or dealing and not violent behaviour due to drunkenness, noting that this was not just an issue for Newark. He advised that the Group would continue to bar the individuals but that a lack of Police resource had an impact. He highlighted that due to the Newark Police Station no longer having its own custody suite, any individual arrested by the Police had to be transported to Mansfield, thereby removing an Officer from the Newark area.

In relation to whether an individual's behaviour was changed by being barred from a premise, Mr. Goodman advised that some only ever received one such sanction. However, some individuals reoffended regularly. They argued with door supervisors and designated premise supervisors when trying to gain entry. After the ban was lifted they would 'behave' for a short period of time and then be barred again.

A Member queried whether customers knew what the Group were trying to achieve. Mr. Goodman advised that all premises who were part of the Group displayed signage in their premises to make customers aware. He added that the Newark Group worked closely with the national group.

In relation to the length of a ban, Mr. Goodman provided the Members with examples of an incident and the length of the ban therefrom e.g. a minor scuffle – 3-6 months; unprovoked fight – 1-2 years. He added that the Police also had powers to impose a criminal ban which could be for a period of 5 years.

The Chairman advised that some of the Committee would welcome the opportunity of attending meetings and queried what would be an acceptable number. Mr. Goodman welcomed the interest but advised that the current location was too small to accommodate a large number of people. He advised that the Group met on the last Thursday of each month and with the meeting commencing at 9.30am.

A Member queried whether any decision to bar an individual was communicated with other Groups e.g. Southwell or Ollerton Pub Watch. Mr. Goodman advised that this did not happen at present but understood that the SchemeLink app could be linked with other Groups. The Senior Licensing Officer confirmed that this could be done if requested.

In relation to increasing participation, the Vice-Chairman queried whether it would help if the Council promoted the premises which were part of the Group: that they were a safe venue to visit. Members agreed and felt that it would encourage other premises to join the Group.

The recent incidents surrounding 'spiking' was raised with a Member querying whether there had been any incidents in the Newark area. Mr. Goodman advised premises were actively trying to prevent the spiking of drinks by offering customers covers for their drinks when they left them unattended. The Business Manager – Public Protection added that any incidents of drinks being spiked or individuals being spiked with a needle were reported to the Police and would be investigated by the CID. To date, most of the needle spiking incidents had not involved any drugs.

On behalf of the Committee, the Chairman thanked Mr. Goodman for his attendance and presentation which had been worthwhile and informative.

24 FORWARD PLAN FOR DECEMBER 2021 TO NOVEMBER 2022

AGREED that the following items be added to the Forward Plan.

- (i) Verbal Update on Night Time Economy Visits (March 2022)
- (ii) Promotion of Pub Watch Scheme (March 2022)

25 UPDATE ON LICENSING APPEAL - MADISON'S LOUNGE BAR & BISTRO

The Committee considered the report presented by the Business Manager – Public Protection which sought to provide Members with an update on the licensing appeal lodged by Madison's Lounge Bar & Bistro.

The report set out that attempts had been made in the summer months to reach an agreement between Madison's, the Police and the Council which would have resulted in the withdrawal of the appeal lodged with the Magistrates but that these had been unsuccessful. During this time it became known that the premise were proposing to hold a special event night consisting of UK drill, a genre of music often associated with urban gangs. Discussions were held between the Police and the Designated Premise Supervisor (DPS), Wezley Ranyard, about what controls would be in place to manage the event. The Police visited the premises during the event and found that a number of the agreed measures had not been implemented and it was subsequently agreed, between the Police and Council, that any further negotiations with the DPS were of no benefit and that the matter would go to appeal. As a result of this decision the management of Madison's announced on social media that they had closed the premises 'due to the actions of the Council'.

AGREED (unanimously) that the report be noted.

26 UPDATE ON LICENSING APPEAL - THE CORN EXCHANGE, 18 CASTLEGATE, NEWARK

The Committee considered the verbal report of the Business Manager – Public Protection in relation to the latest position of the licensing appeal submitted by the Corn Exchange, Castle Gate, Newark.

The Business Manager provided Members with a reminder of the outcome of the Licensing Hearing; that the application had been granted but with amended hours, following which the applicant had submitted an appeal to the Magistrates Court. The Council were currently gathering their evidence for submission. It was noted that it was likely that the appeal would be heard in 2022.

AGREED (unanimously) that the verbal report be noted.

27 TEMPORARY EVENT NOTICES RECEIVED AND ACKNOWLEDGED BETWEEN 1 JULY AND 30 SEPTEMBER 2021

The Committee considered the report presented by the Senior Licensing Officer in relation to the Temporary Event Notices received between 1 July and 30 September 2021. The appendix to the report listed all the TENs received.

Members were advised that there was a change to the number of TENs which could be applied for which would come into effect in January 2022. The number dates was rising from 15 to 20. The number of days was rising from 21 to 26.

The Business Manager – Public Protection also drew Members' attention to the application fee payable for a TEN. He noted that the fee had been set in 2004 and came into effect in 2005 when the Licensing Act 2003 came into force. The fee set at the time was £21 and this still remained the same some 17 years later despite the increased cost in administering such an application.

AGREED (unanimously) that the report be noted.

28 UPDATE ON PERFORMANCE AND ENFORCEMENT MATTERS

The Committee considered the report presented by the Senior Licensing Officer in relation to the activity and performance of the Licensing Team between 1 July and 30 September 2021.

The Senior Licensing Officer advised Members that a series of test purchases was being undertaken and that the new Licensing Apprentice was acting as the customer. The Apprentice, who was 19 years of age, was attempting to buy alcohol to see whether the premise was operating the Challenge 25 scheme.

A Member noted that some of the investigations listed in the report appeared to be taking a considerable amount of time to resolve. In response, it was noted that it could be that an application for a premise licence had been submitted and was still within its representation period. The Business Manager added that the length of investigations varied from premise to premise and that each was dealt with on an individual basis e.g. noise monitoring at a premise which did not operate on a regular basis would lengthen the time required to gather evidence.

AGREED (unanimously) that the report be noted.

Meeting closed at 6.55 pm.

Chairman

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of **Trustee Board of the Gilstrap and William Edward Knight Charities** held in the Civic Suite, Castle House, Great North Road, Newark NG24 1BY on Tuesday, 19 October 2021 at 6.00 pm.

PRESENT: Councillor Mrs R Crowe (Chairman)

Councillor M Cope, Councillor K Girling, Councillor L Goff, Councillor S Haynes, Councillor R Crowe, Councillor J Kellas and Councillor D Lloyd

APOLOGIES FOR
ABSENCE: Councillor M Skinner

16 DECLARATIONS OF INTERESTS FROM MEMBERS AND OFFICERS

NOTED that the following voting Members declared an interest in Agenda Item No. 7 as elected Members of Newark Town Council.

Councillor Max Cope
Councillor Rita Crowe
Councillor Laurence Goff

that the following non-voting Members declared an interest in Agenda Item No. 7 as elected Members of Newark Town Council.

Councillor Robert Crowe
Councillor David Lloyd

17 DECLARATION OF INTENTION TO RECORD THE MEETING

The Chairman advised that the meeting was being recorded and livestreamed by the Council on social media.

18 MINUTES OF THE MEETING HELD ON 4 MARCH 2021

AGREED that the Minutes of the Meeting held on 4 March be approved and signed by the Chairman as a correct record.

19 APPOINTMENT AS CLERK TO THE TRUSTEES

The Trustees considered the report presented by the Democratic Services Officer which sought approval for the appointment of Sue Bearman, the Assistant Director – Legal & Democratic Services as the Clerk to the Trustees with immediate effect, following the retirement of the previous Clerk, Karen White.

In considering the report the Trustees welcomed Mrs Bearman to the role of Clerk to the Trustees.

AGREED (unanimously) that Sue Bearman, Assistant Director – Legal & Democratic Services, be appointed as Clerk to the Trustees with immediate effect.

20 TRUST ACCOUNTS FOR THE FINANCIAL YEAR ENDING 31 MARCH 2021

The Trustees considered the report presented by the Assistant Business Manager – Financial Services which sought approval for the Statutory Accounts for the W.E. Knight and Gilstrap Charities for the financial year ended 31 March 2021.

The report set out the income and expenditure for both charities and that the annual accounts must be submitted to the Charities Commission within 10 months of the end of their financial year, this being 31 January 2022. The report also stated that an audit of the accounts was required if the annual income was over £25,000 but that this was only necessary for the Gilstrap Charity whose income breached that threshold..

In relation to the W.E. Knight Charity, a Trustee queried when it was likely to be disbanded as it no longer received income and all funds therefrom had been allocated. The Assistant Business Manager advised that there remained a balance of unallocated funds of £26,612.29 in addition to that already committed to the Newark R&M Cricket Club.

In relation to the Gilstrap Charity and in response to a query raised, the Assistant Business Manager confirmed that the lease income was solely from the former Gilstrap Library. The Trustee also queried as to the current arrangements for the MUGA at Cedar Avenue, in relation to maintenance costs and the lease income that would have been derived therefrom as this was relevant to any potential sale of the land. The Clerk to the Trustees advised that she would forward the relevant information to the Trustees.

AGREED (unanimously) that:

- (a) the W.E. Knight accounts for the financial year ended 31 March 2021 and the publication on the charities commission be approved;
- (b) the draft Gilstrap accounts for the financial year ended 31 March 2021 and the publication on the charities commission pending any audit amendments be approved; and
- (c) delegated authority be given to the Assistant Business Manager – Financial Services to sign a revised set of accounts if required, as detailed in paragraph 4.3 of the report.

21 LAND OFF CEDAR AVENUE/LINCOLN ROAD, NEWARK - UPDATE

The Trustees considered the report presented by the Clerk to the Trustees which provided an update on progress since the Board's last meeting in March 2021.

It was reported that at that meeting the Board had resolved to seek to have the land designated as public open space and to approach the District and Town Councils for expressions of interest in acquiring the land. Valuation advice on the proposal was also sought. Wood Moore & Company had re-confirmed their previous indicative valuation for the land in the sum of £45,000, based on the land being sold as public open space, with a covenant preventing future development and/or overage

provisions to protect the Gilstrap Trust's position in respect of any future development potential. An alternative option of leasehold had also been suggested by Wood Moore & Company, which would retain the land in the Trust's ownership.

The Clerk to the Trustees advised that she had spoken with the District and Town Councils and provided a verbal update as follows:

Response from Newark Town Council

From a consistency perspective it would make sense for the land to be transferred to Newark Town Council as it owns and operates most of the public open spaces in the town as opposed to the District Council which now only has a residual interest in such sites. The Clerk to the Town Council stated that he could advise the Trust therefore that the Town Council was interested, in principle, in acquiring the site and, subject to the Trust agreeing the sale to the Town Council, it would be considered formally at a Committee of the Town Council on 24 November and then on to their full Council in December for formal approval.

Informal Indicative Officer Response from Newark & Sherwood District Council

The District Council would not wish to express an interest but the matter had not been discussed with elected Members.

In relation to paragraph 2.4 of the report, the Clerk advised that she had received an update subsequent to the Agenda being published. The consultation referred to which had ended on 21 September had resulted in a limited response but that of those responses received, they had been supportive of deallocating the land as housing land. The next stage of the process was to publish a draft Plan early in 2022 at which point the District Council would formally propose the deallocation of the land as housing land.

In considering the report a Trustee sought assurance that as well as the land being deallocated for housing, that a covenant to prevent future building would be applied. The Clerk confirmed that the discussion held in March 2021 had resulted in the land being protected to prevent any future development, as referred to in paragraphs 2.2 and 2.3 of the report. In noting this, another Trustee stated that he would wish to ensure that the land be protected from future development but that should development be proposed, the Trustees would be able to claw back some monies. In order to clarify the position, a Trustee referred to the current consultation on an Open Space Strategy being undertaken by the District Council, such allocation of open space being by type e.g. play areas. He sought clarity as to what category/ies the land was being preserved as to ensure the aspirations of the community were not excluded.

In listening to the debate a Trustee commented that he was sure that the representatives from the Gilstrap Charity Children's Wood and Wildlife Meadow Committee, who were in attendance at the meeting, would be grateful that the Trustee Board was seeking to keep the area green for the people of Newark and that the Town Council may be grateful for their contribution in the future too.

At this point in the meeting advice was sought from the Clerk as to whether those Trustees who had declared an interest were able to vote on the matter. The advice given was that if the Trustees felt that their position in being able to vote at the Town Council would be prejudiced then they should refrain from voting.

AGREED (unanimously) that the Trustee Board noted the report and confirmed external legal advisors be instructed as necessary.

(Having declared an interest in this item Councillors Max Cope, Rita Crowe and Laurence Goff did not vote.)

22 NEWARK R&M CRICKET CLUB PROJECT - UPDATE

The Trustees considered the report presented by the Clerk which sought to provide the Trustees on the progress made by Newark R&M Cricket Club in respect of their Ground Development Project.

The report set out that the Board had previously approved grant funding of £100,000 from the W.E. Knight Charity to fund Phase 2 of the project with a further £13,134 being approved in October 2020 towards the installation of a lift for the changing room building. Attached to the report was a letter from the Club with a target date for completion being noted as in time for the 2022 cricket season.

In considering the report a Trustee referred to the allocation of funding, noting that it had been a considerable time ago. He sought assurances that the project was progressing towards completion. Another Trustee raised the issue of the significant implications that the dualling of the A46 would have on the club and the possible need to demolish some of the building to accommodate its expansion. He suggested that the Club be advised of the dualling together with details of the compensation scheme, noting that if the club were able to demonstrate intent and commencement of some building works then compensation would be awarded. He suggested further that the Council advise the Club accordingly. It was noted that the Club had previously lost land when the Newark by-pass had been built.

The Clerk to the Trustees advised that she would acknowledge the Club's letter attached to the report and also seek reassurances on the progress of the project.

AGREED (unanimously) that the report be noted.

23 DATE FOR REFRESHER TRAINING SESSION ON PURPOSE OF CHARITY AND ROLE OF TRUSTEES

AGREED (unanimously) that a date be arranged for the new Trustees to attend a training session in relation to the purpose of the charity and the role of the Trustees. It was also noted that existing Trustees could attend if they wished.

24 DATE OF NEXT MEETING

AGREED (unanimously) that the date of the next meeting be held on:

Tuesday, 11 January 2022 @ 18:00 hours

Meeting closed at 6.20 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, 1 December 2021 at 10.00 am.

PRESENT: Councillor Mrs S Michael (Chairman)

Councillor Mrs B Brooks, Councillor R Crowe and Councillor D Cumberlidge

APOLOGIES FOR Councillor M Brown (Committee Member)

ABSENCE:

26 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.

27 DECLARATION OF ANY INTENTIONS TO RECORD THE MEETING

There were no declarations of intention to record the meeting.

28 MINUTES OF THE MEETING HELD ON 29 SEPTEMBER 2021

AGREED that the Minutes of the meeting held on 29 September 2021 be approved as a correct record and signed by the Chairman.

29 AUDIT COMMITTEE WORK PLAN

The Committee noted the Work Plan provided by the Business Manager for Financial Services providing those items currently on the Work Plan for February and April 2022 meetings apart from the Partnership Register.

Other items have not so far been identified for the new Governance Structure and will change what is brought to the Committee.

30 EXTERNAL AUDITORS' ANNUAL AUDIT COMPLETION REPORT

Jon Machej attended the meeting, giving apologies for his colleague David Hoose who was unable to attend the meeting.

The Committee considered the report from the Business Manager for Financial Services providing the Committee with the External Auditors Annual Audit Completion Report, as provided at Appendix 1.

The Mazars representative Jon Machej, present at the meeting referred to the Audit Completion Report at page 8 advising one matter to be resolved, at page 10 one property to resolve and currently finalising to bring to a conclusion. Page 15 onwards referring to the Pension fund highlighting a couple of errors. The Chairman enquired as to when the opinion is expected, the Mazars representative expected this to be in the next couple of weeks.

The report confirmed that the external auditor anticipates issuing an unqualified opinion, without modification, of the 2020/21 Statement of Accounts. Once all the audited areas are finalised a supplementary letter and report will be presented to the next committee detailing any further amendments.

AGREED (unanimously) that:

- a) the Committee received the External Auditors Annual Audit Completion Report for 2020/2021; and
- b) the Committee noted the adjustments to the financial statements set out in the Audit Completion report.

31 RISK MANAGEMENT

The Committee considered the report from the Safety and Risk Manager taken at the meeting by the Business Manager for Public Protection providing an update to Members on the status of the Council's 2021/22 Strategic Risk Register.

The report highlighted that the strategic risk register is reviewed annually to ensure it remains relevant and effective.

Performance of all strategic risks continue to be reported to the Senior Leadership Team (SLT) quarterly via the Transformation team's assurance reporting system. This includes identification of failing or "red" risks.

All of the strategic risks identified in the report are owned by a member of SLT. Risk owners, with the assistance of lead officers and the Safety and Risk Manager meet on a quarterly basis to review and develop the risk. All of the current risks have been reviewed and action plans developed.

AGREED that the Members noted the content of the report.

32 INTERNAL AUDIT PROGRESS REPORT

The Committee considered the Internal Audit progress report at Annex A from Assurance Lincolnshire providing a summary of Internal Audit work undertaken during 2021/22 against the agreed audit plan.

The Acting Principal Auditor for Assurance Lincolnshire informed the Committee of an error to the pie chart on page 57 of the agenda which also impacted on the bar chart. The 14 actions due should in fact be 11, the Committee were advised that an updated version would be provided.

The Audit Plan for 2021/22 was agreed at the Audit and Accounts Committee in February 2021 and throughout the year it has reported on the progress made and any changes to the plan are forwarded to the Committee.

The report received provided the Committee to comment upon the latest Internal Audit Progress Report which covered the period up to 31 October 2021.

AGREED (unanimously) that the Committee considered and commented upon the latest internal audit progress report and approved the extensions to the implementation dates.

33 TREASURY MANAGEMENT 2021-22 MID YEAR REPORT

The Committee considered the report from the Assistant Business Manager for Financial Services providing an update on the Council's treasury activity and prudential indicators for the first half of 2021/22.

The report provided a summary of the Councils borrowing, investment and capital expenditure position as at 30 September 2021. It was noted on page 68 of the report at 2.3 that the fourth column heading should have been 2021/22 and not 2020/21.

AGREED (unanimously) that:

- a) the Treasury Management activity be noted and recommended to Full Council on 14 December ; and
- b) the Prudential Indicators detailed in section 9 of the report be noted.

34 COUNTER-FRAUD ACTIVITIES FROM 1 APRIL 2020 TO 30 SEPTEMBER 2021

The Committee considered the report from the Business Manager for Financial Services informing the Committee of counter-fraud activity undertaken since the last update reported on 21 April 2021.

The report highlighted the role of the Audit & Accounts Committee is to provide assurance to the Council that its anti-fraud arrangements are operating effectively. In order to do this, counter-fraud activity reports are brought to the Committee twice a year. These reports detail the number of cases detected, amounts lost, the outcome of cases and amounts recovered, together with any other counter fraud work that has been undertaken.

In order to promote a strong counter-fraud culture, Members of the Committee are aware of the Council's response to fraud and the results of any action taken.

AGREED that the Members noted the content of the report.

35 RESULTS OF THE ASSESSMENT OF EFFECTIVENESS OF THE INTERNAL AUDIT FUNCTION

The Committee considered the report from the Business Manager for Financial Services informing the Committee of the results of the recent assessment of the effectiveness of the Internal Audit function including a self-assessment of the Committee.

The report advised that at the Audit & Accounts Committee held on 27 November 2019, the Committee had considered a report which reviewed the effectiveness of the Internal Audit function and the self-assessment of the Audit & Accounts Committee.

This recent assessment had been attended by the Business Manager for Financial Services, the Chairman and one other Committee Member meeting with Assurance Lincolnshire to review the effectiveness of the Internal Audit function.

The self-assessment was undertaken using a questionnaire provided within CIPFA's Practical Guidance for Audit Committees. The self-assessment was facilitated by the Internal Audit Manager (Assurance Lincolnshire) and the Business Manager – Financial Services with the panel, scoring the assessment. The questionnaire aimed to determine whether the Audit Committee within a council meets with best practice as outlined in the guidance.

The subscription to CIPFA's Better Governance Forum, the Service Plan for this was attached at Appendix C. By subscribing to this network, the authority will gain access to a wide range of webinars and face-to-face events at various regional venues as well as expert support and guidance that is centred on all aspects of governance and internal audit and to take out the subscription from 1 April 2022.

It is no longer a statutory requirement that an annual review of effectiveness be carried out, and the Audit & Accounts Committee had previously determined that an assessment should be carried out every two years.

AGREED (unanimously) that:

- a) the Committee noted the results of the review of the effectiveness of the Internal Audit function;
- b) the Committee noted the results of the Self-Assessment of the Effectiveness of the Audit & Accounts Committee;
- c) the action plan is adopted;
- d) the Committee recommends to the Policy and Finance Committee through the budget process to add £4,610 (subject to inflationary increase that CIPFA may apply) into the base budget for 2022/23 and beyond in respect of the subscription to the Better Governance Forum; and
- e) the Committee agreed that the next assessment should be undertaken in September 2023.

36 APPOINTMENT OF EXTERNAL AUDITORS

37 DATE OF NEXT MEETING

The next meeting would be held on Wednesday 2 February 2022.

Meeting closed at 11.10 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 NG24 1BY on Tuesday, 5 October 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 T Smith, Councillor I Walker, Councillor Wildgust and Councillor Mrs Y Woodhead

ALSO IN ATTENDANCE: Councillor Mrs M Dobson and Councillor T Wendels

APOLOGIES FOR ABSENCE: Councillor K Walker (Committee Member)

49 DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

Councillor Mrs L Dales declared an other registerable interest as a Council's appointed representative on the Trent Valley Internal Drainage Board and Upper Witham Valley Drainage Board.

Councillor Mrs S Saddington declared a non-registerable interest in Agenda Item No. 8 – The Bothy, Mill Lane, Caunton (21/01704/FUL) as she had visited the applicant.

Councillor R Blaney declared a non-registerable interest in Agenda Item No. 10 – Land Adjacent Hockerton Grange Farm, Kirklington Road, Hockerton (21/01516/FUL) as he was known to the applicant.

Councillor Mrs P Rainbow declared a disclosable pecuniary interest in Agenda Item No. 12 – Seven Hills, Quibells Lane, Newark (21/01902/DEM)), as land she owned abuts the site.

The Director of Planning & Growth declared a pecuniary interest in Agenda Item No. 11 – 1 Beacon Hill Road, Newark.

50 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.

51 MINUTES OF THE MEETING HELD ON 7 SEPTEMBER 2021

AGREED that the minutes of the meeting held on 7 September 2021, were approved as a correct record of the meeting and signed by the Chairman.

(Councillor M Skinner entered the meeting at this point).

52 LAND OFF A17, CODDINGTON (20/01452/OUTM)

The Committee considered the report of the Business Manager – Planning Development, which sought outline planning permission for the development of site for distribution uses (Use Class B8) including ancillary offices and associated works including vehicular and pedestrian access, car parking and landscaping.

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 Agent; Coddington Parish Council; and Planning Case Officer.

Councillor D Armstrong on behalf of Coddington Parish Council spoke in accordance with the views of Coddington Parish Council, as contained within the report.

Councillor Mrs M Dobson, adjacent Ward Member for Collingham Ward, spoke against the application on the following grounds: Approving a logistics park in the open countryside would cause more traffic and planning permission on this site had been refused on a number of occasions. This application was considered a speculative development and there was no guarantee that Curry's wanted extra space or any other business. They were supportive of jobs but that needed to be in the right place.

Members considered the application and commented that the economic growth of 525 jobs and income this development would bring was an attractive proposition. Members were however uncomfortable with development in the open countryside and the loss of green field land and the traffic impact that a development of this size would bring. It was commented that there were more appropriate sites in the district that could be secured. The current traffic problems around the show ground were discussed. The larger future master plan on this site also raised concern as Members hadn't been informed of the details. Members also commented that this was development on an archaeological site and hoped that would be closely monitored. Concern was raised regarding the creation of an additional roundabout on a dangerous section of road and the bridge in close proximity. The noise and impact of the existing site was commented as huge. The proposed shuttle bus into Newark was considered good and would ease traffic entering into Newark. During reserve matters the need for EV charging points was required. The visual impact of the current Curry's warehouse was different to this and it was considered that this wouldn't be as intrusive as the current warehouse. The closeness to the open break and Yew Tree Wood was also commented upon.

The Chairman informed Members that the local Ward Member Balderton North and Coddington - Councillor J Lee could not attend the meeting but had asked the Chairman to inform Members that he couldn't add any further comments and was supportive of and agreed with the Ward comments.

The Chairman commented that this was a speculative development, if there was a named tenant a different approach could be taken. It was further commented that if the named tenant was known the design of the structure could be amended to close

proximity of the existing buildings and perhaps the additional roundabout would not be required.

A vote was taken to approve planning permission and lost, with 3 votes For and 11 votes Against.

AGREED (with 13 votes For and 1 Abstention) that the application be deferred to allow officers to push the agent for a named occupier.

53 GROVE BUNGALOW, BARNBY ROAD, NEWARK NG24 2NE (20/02499/OUTM)

The Committee considered the report of the Business Manager – Planning Development, which sought planning permission for the residential development of 10 dwellings, following removal of Grove Bungalow and existing outbuildings.

The application was considered by the 2 March 2021 Planning Committee where it was resolved to approve the scheme in line with the officer recommendation. This resolution was subject to the completion of a section 106 legal agreement within 4 months of the date of the Planning Committee (by 2nd July) and that failure to do so would result in a refusal on the grounds that the scheme failed to secure an appropriate drainage scheme and developer contributions.

Since the committee, the applicant's agent had approached officers to advise that it had now become apparent that the proposed means of site drainage was not feasible. A revised drainage strategy had been put forward as detailed on drawing no. 100334_01_0500_01 (Proposed Drainage Strategy Sheet 1 of 1) and the indicative layout plan amended to reflect this strategy as shown on drawing no. 1506G/001 (Site Block Plan) contained within the report. This showed that surface water would now also need to be pumped off site in addition to foul sewage. An indicative area for the proposed pumping stations had been identified to the south-western corner of the site resulting in plot 5 indicatively moved east towards plot 6, bearing in mind that layout was not being fully considered at this stage.

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

Members considered the application acceptable.

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

- a) the conditions shown on the original report (with plan references updated where appropriate, condition 8 to have the words 'Unless the bungalow is demolished before 18 May 2021' removed and condition 16 amended to:

Revised Condition 16:

No part of the development hereby approved shall commence until a detailed surface water drainage scheme based on the *principles* put forward by the approved Dice Flood Risk Assessment (FRA) dated July

2021 ref 100334/LD/November-19/01 Rev B has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented and retained in accordance with the approved details prior to first occupation of the development.

Due to the inherent complexities of the surface water proposals it is crucial that all elements of any surface water condition are discharged prior to commencement on site. The final surface water scheme to be submitted shall:

- Demonstrate that the development will use SuDS throughout the site as a primary means of surface water management and that design is in accordance with CIRIA C753.
- Limit the discharge rate generated by all rainfall events up to the 100 year plus 40% (for climate change) critical rain storm 5 l/s rates for the developable area.
- Provide detailed design (plans, network details and calculations) in support of any surface water drainage scheme, including details on any attenuation system, and the outfall arrangements. Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 2 year, 1 in 30 year, 1 in 100 year and 1 in 100 year plus climate change return periods.
- For all exceedance to be contained within the site boundary without flooding new properties in a 100year+40% storm.
- Evidence STW approval for connections to existing network and adoption agreement of site drainage infrastructure including pumping stations and associated rising mains.
- Evidence of how the on-site surface water drainage systems shall be maintained and managed after completion and for the lifetime of the development to ensure long term

Reason: A detailed surface water management plan is required to ensure that the development is in accordance with NPPF and local planning policies. It should be ensured that all major developments have sufficient surface water management, are not at increased risk of flooding and do not increase flood risk off-site.

and

- b) the completion of the section 106 agreement to secure the developer contributions set out in the original report (except the community facility contribution which is no longer sought) and the maintenance of the on-site pumping stations/drainage infrastructure where necessary within 3 months of the date of Planning Committee; and
- c) failure to do so would result in a refusal on the grounds that the scheme fails to secure sustainable development by failing to provide for the necessary infrastructure by way of developer contributions.

54 WAREHOUSE, THE WHARF, NEWARK (20/02498/FUL)

The Committee considered the report of the Business Manager – Planning Development, which sought planning permission for the Change of use and internal and external alterations to warehouse to new business hub, co-working office space and cafe (Classes E(b) and E (c)(ii)).

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

Members considered the application and commented that this was a great plan, which would bring a disused building back into use, there was also plenty of car parking in front of the building in public car parks. A Member commented that this building would be direct competition with the Beacon and may challenge that business, however given the pandemic, the world had changed and it was felt that there would be a demand for these facilities.

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

55 THE BOTHY, MILL LANE, CAUNTON NG23 6AJ (21/01704/FUL)

The Committee considered the report of the Business Manager – Planning Development, which sought planning permission for the erection of a 3 bedroom detached dwelling.

Members considered the presentation from the Planning Case Officer, 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 a local resident.

The Planning Case Officer informed Members that there was a proposed change to Condition 13, which was the removal of Class AA: Enlargement of a dwelling house by construction of additional storeys within this condition.

Members considered the application and it was commented that this had been referred to the Planning Committee by the local Ward Member on the grounds of Health & Safety issues regarding the open sewer on site. Concern was raised that there was no main sewer servicing this area and there was an over spill to the open sewage drain at the Bothy. The Bothy was situated at the end of a private drive, which had been tree lined, but subsequently the trees had been removed in anticipation of planning permission. It was commented that the addition of this property would exasperate existing problems. The drive to the proposed development would be built over the existing open drain, here raw sewage could be seen going down the drain. Sewage was drained onto the adjacent field which ran onto a footpath connecting to the village, which was considered unhealthy. It was commented that the Council should not continue to allow permission to build

properties with inadequate sewage disposal. It was suggested that if the Planning Committee were minded to approve the application, a condition be imposed seeking the applicant to put in larger treatment plants.

The Chairman commented that the sewage issues were not strictly planning matters and the comments of the Council's Environmental Health as contained within the report made reference that the drain would run over private sewage and must comply with building regulations. He suggested that the application be deferred in order for advice to be sought from the Council's Environmental Health, regarding what mitigating matters might be desirable to the applicant, making clear the concerns that had been raised.

AGREED (unanimously) that the application be deferred to the 2 November 2021 Planning Committee, to allow discussions with Environmental Health on what mitigation measures would be desirable to compensate for the drainage impact to the surrounding area.

56 PLOT 3, LAND AT 10 EPPERSTONE ROAD, LOWDHAM NG14 7BU (21/01667/FUL)

The Committee considered the report of the Business Manager – Planning Development, which sought planning permission for 'Plot 3', referred to as such in acknowledgment of the above planning history whereby the consideration of this plot was removed during the life of the application reference 20/02253/FUL.

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 neighbouring party.

Councillor P Harrison on behalf of Lowdham Parish Council spoke in accordance with the views of Lowdham Parish Council, as contained within the report.

Councillor T Wendels Local Member for Lowdham Ward, spoke against the application on the grounds of significant impact to amenity space of No. 12 Epperstone Road. The roof line remained 0.61 metres higher than the adjacent bungalow. The footprint had increased from the previously submitted four bedroomed house and was 1.8 metres closer to No. 12 Epperstone Road, to maximise floor space.

Members considered the application and noting the objections of Councillor P Harrison and Councillor T Wendels it was suggested that a bungalow replicating plots 4 and 5 would be better and would provide best planning on site. Concern was also raised regarding the visual impact from the velux roof lights on to the garden of No. 12 Epperstone Road. Members also noted the proposed applications inability to deliver the 3 full parking spaces required by the SPD on cycle and residential car parking standard. Although the third space was only just short of the policy requirement, members considered that this was indicative of the cramped and compromised nature of the proposed development.

A vote was taken to approve planning permission and lost with 13 votes Against and 1 Abstention.

AGREED (unanimously) that contrary to Officer recommendation planning permission be refused on the grounds of cramped and compromised position. An Informative to be added to state a 2 bed bungalow would be more sympathetic.

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
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
T. Wildgust	For
Mrs Y. Woodhead	For

57 LAND ADJACENT HOCKERTON GRANGE FARM, KIRKLINGTON ROAD, HOCKERTON (21/01516/FUL)

The Committee considered the report of the Business Manager – Planning Development, which sought planning permission to erect a two storey (rooms in the roof) L shaped 3 bedroomed detached dwelling with 3 parking spaces within the grounds.

Members considered the presentation from the Planning Case Officer, 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 Planning Case Officer, with a proposed additional/amended informative.

Members considered the application and commented that they were struggling to see that the proposed application was not in the village envelope and given that there had been no comments received from Hockerton Parish Meeting and no objection from local residents, they felt that the application was acceptable.

A vote was taken and lost to refuse planning permission with 3 votes For and 11 votes Against.

AGREED (with 11 votes For and 3 votes Against) that contrary to Officer recommendation planning permission be approved subject to reasonable conditions delegated to the Business Manager - Planning Development.

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	Against
Mrs L. Dales	For
L. Goff	For
Mrs R. Holloway	Against
Mrs P. Rainbow	For
Mrs S. Saddington	For
M. Skinner	For
T. Smith	For
I. Walker	For
K. Walker	Absent
T. Wildgust	For
Mrs Y. Woodhead	Against

58 1 BEACON HILL ROAD, NEWARK NG24 1NT (21/02002/HOUSE)

The Committee considered the report of the Business Manager – Planning Development, which sought planning permission for the proposed two storey side extension (resubmission of 21/01283/HOUSE, to change bricks to white render on front and east (side) elevations).

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

Members considered the application acceptable.

(Having declared a disclosable pecuniary interest the Director of Planning & Growth left the meeting).

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

59 SEVEN HILLS, QUIBELLS LANE, NEWARK NG24 2FE (21/01902/DEM)

The Committee considered the report of the Business Manager – Planning Development, which provided notification for Prior Approval for demolition of the existing Seven Hills Community Centre and associated ancillary buildings.

Members considered the presentation from the Business Manager - Planning

Development, which included photographs and plans of the proposed development.

Members considered the application acceptable.

AGREED (unanimously) that prior approval is required and approved for the demolition of the buildings subject to the conditions and reasons contained within the report.

60 LAND AT LORD HAWKE WAY AND BOWBRIDGE ROAD, NEWARK 21/01831/S73M

The Committee considered the report of the Business Manager – Planning Development, the application had been submitted as a Section 73 application to amend the wording of condition 11 which related to land contamination.

The application was presented as a late item in order to meet timescales agreed.

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.

Members considered the application acceptable.

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

61 APPEALS LODGED

AGREED that the report be noted.

62 APPEALS DETERMINED

AGREED that the report be noted.

Meeting closed at 6.36 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, 2 November 2021 at 4.00 pm.

PRESENT: Councillor R Blaney (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 T Smith, Councillor I Walker, Councillor K Walker and Councillor Wildgust

ALSO IN ATTENDANCE: Councillor J Lee

APOLOGIES FOR ABSENCE: Councillor Mrs L Dales (Vice-Chairman) and Councillor Mrs Y Woodhead (Committee Member)

63 DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

Councillor Mrs S. Saddington declared a Non-Registerable Interest in Agenda Item No. 67 – The Bothy, Mill Lane, Caunton (21/01704/FUL) as she had visited the applicant.

Councillor Mrs R. Holloway declared an Other Registerable Interest in Agenda Item No. 69 – Former Noble Foods Ltd., The Moor, Bilsthorpe (21/01503/RMAM) as a Member of Bilsthorpe Parish Council.

64 DECLARATION OF ANY INTENTIONS 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.

65 MINUTES OF THE MEETING HELD ON 5 OCTOBER 2021

AGREED that the Minutes of the meeting held on 5 October 2021 were approved as a correct record and signed by the Chairman.

66 LAND OFF A17, CODDINGTON (20/01452/OUTM)

The Committee considered the report of the Business Manager – Planning Development which sought outline planning permission for the development of a site for distribution uses (Use Class B8) including ancillary offices and associated works including vehicular and pedestrian access, car parking and landscaping. It was noted that the report had been considered and deferred at the previous meeting to allow Officers to push the Agent for a named occupier. Subsequently the applicant had provided additional information as details in the report.

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 had been published from Fieldsend Associated on behalf of Tritax and Simons Developments; NSDC Planning Policy; Councillor Mrs L. Dales; and Curry's Group Limited.

Councillor D. Armstrong, on behalf of Coddington Parish Council, spoke in accordance with the views of Coddington Parish Council, as contained within the report. He noted that the name of the tenant was still unknown despite the application being deferred at the previous meeting to allow Officers to acquire the information.

Councillor J. Lee, Local Ward Member for Balderton North & Coddington, spoke against the application on the grounds that it would set a precedent for largescale industrial development to take place adjacent to the small village of Coddington. He stated that there were more suitable sites in the Newark area for such development.

It was reported that subsequent to the last meeting of the Committee, a meeting had taken place with the applicant, the Chairman, Vice-Chairman and Planning Officers. The applicant was asked for the name of the occupier but stated that until planning permission was approved an occupier would not sign any agreement and therefore the information was not available.

Members considered the application and reiterated their comments from the previous meeting in relation to it being a speculative development in the open countryside with the loss of green field land and the impact that a development of that size would bring to existing traffic congestion.

The Business Manager advised that prior to submission of the application, the applicant had sought advice from both Highways England and the Highways Department at Nottinghamshire County Council. It was noted that the application was contrary to the Development Plan but would potentially form part of the first phase of the NewLink Business Park. It was further noted that the big box sector was a growing business to support the increase in online shopping. Large scale sites were required to facilitate this, providing onshore storage of goods. Noting that the East Midlands region was attractive to investors in this type of business, the levelling up funding could provide such development in the southern area of the district.

Members proceeded to discuss the economic benefits of the current application together with the uncertainty as to whether the dualling of the A46 would proceed. It was suggested that the development of big box sites would change the landscape of the district and a strategic discussion on the matter should be held at the Local Development Framework Task Group.

A vote was taken to approve planning permission and was lost with 3 votes for, 9 votes against with 1 abstention.

AGREED (by 9 votes for, 3 votes against with 1 abstention) that contrary to Officer recommendations, planning permission be refused on the grounds of the application being contrary to strategic employment policies of the adopted Development Plan and it would have a detrimental visual impact on the character and appearance of the open countryside.

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

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

67 THE BOTHY, MILL LANE, CAUNTON, NG23 6AJ (21/01704/FUL)

The Committee considered the report of the Business Manager – Planning Development, which sought planning permission for the erection of a 3 bedroom detached dwelling. It was noted that the report had been considered and deferred at the previous meeting to allow discussion to be held with Environmental Health on what mitigation measures would be desirable to compensate for the drainage impact to the surrounding area.

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 a local resident.

The Business Manager advised that the report had been updated since the last meeting to provide Members with information in relation to the alleged removal of trees within the Conservation Area and issues surrounding drainage. She advised that the trees had formed part of a different application and permission had been granted for their removal. In relation to the drainage issues, Environmental Health had advised that it would be for building regulations to ensure how the appropriate drainage and sewerage systems were installed. It was recommended that the applicant be informed via an informative that they would need to engage with building regulations and specialist drainage engineers should planning permission be granted and subsequently implemented.

In considering the application a Member commented on the open ditch which ran alongside the road, stating that it carried sewage; it was open to the elements which could lead to overflowing; and the sides of the ditch were not reinforced which could

lead to collapse. The Business Manager advised that proposed Condition 10 would ensure the provision of satisfactory means of foul sewage/surface water disposal for the proposed development.

AGREED (with 11 votes for, 1 vote against with 1 abstention) that full planning permission be approved subject to the conditions and reasons contained within the report.

68 LAND AT GREEN PARK, TOLNEY LANE, NEWARK ON TRENT, NG24 1DA (21/00891/S73M)

The Committee considered the report of the Business Manager – Planning Development which sought planning permission for the variation of Condition 1 of Planning Permission 18/01443/FUL to amend the temporary permission to permanent. The application had been considered by Planning Committee at its meeting on 7 September 2021 where it was resolved to grant a temporary permission, subject to a re-notification with the Environment Agency at their request. The matter was reported back to Committee as the Agency continued to object.

Members considered the presentation from the Planning Case Officer, which included photographs and plans of the proposed development. The Planning Case Officer updated Members, stating that the Agency continued to object.

Members considered the application and commented that traveller sites had been situated on Tolney Lane for many years and that the travellers were aware of the associated flood risks for the site. A Member commented that additional sites were needed to allow the travellers to move to alternative locations. Another Member commented on his concerns for the safety of the emergency services should they be required to attend to evacuate the occupants should flooding occur.

The Chairman referred to the comments of the Environment Agency who had acknowledged the challenges faced in finding suitable alternative sites. He added that a consultation had recently been completed by the Council to source alternative sites, the outcome of which was awaited.

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

Having declared an interest, Councillor Mrs Holloway left the meeting during the following item and did not take part in any discussion or voting thereon.

69 FORMER NOBLE FOODS LTD, THE MOOR, BILSTHORPE (21/01503/RMAM)

The Committee considered the report of the Business Manager – Planning Development which sought planning permission for the erection of 136 No. dwellings.

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

A schedule of communications was tabled at the meeting which detailed correspondence received after the Agenda was published by the Agent.

Councillor M. Ward, on behalf of Bilsthorpe Parish Council, spoke in accordance with the views of Bilsthorpe Parish Council as contained in the report. She commented that should the application be successful, that consideration be given to what conditions could be put in place to mitigate the effects of three planning permissions being developed simultaneously. In response, the Business Manager advised that conditions could not be applied retrospectively to applications already granted but that Officers could liaise with the developers of all three sites to highlight the parish council's concerns.

In considering the application, Members commented that they hoped that the CCG would acknowledge the pressure which would be placed on the doctors' surgery by the development of some 360 additional dwellings in the area.

AGREED (by 11 votes for, 1 vote against with 1 abstention) that reserved matters approval be given subject to the conditions and reasons contained within the report and subject to the amendments set out in the late representations.

Councillor Brazier left the meeting at 17:21 hours.

70 LAND AT SHANNON FALLS, TOLNEY LANE, NEWARK ON TRENT, NG24 1DA (21/01900/FUL)

The Committee considered the report of the Business Manager – Planning Development which sought retrospective planning permission for use of land at Shannon Falls, Tolney Lane as a Gypsy and Travellers' site for the erection of amenity blocks and associated works.

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

A schedule of communications was tabled which detailed correspondence received after the Agenda had been published from the Applicant; the Agent; and NCC Highway Authority.

The Planning Case Officer informed Members that works had already commenced and that the site was currently partially occupied. She also informed Members that additional plans had been submitted showing a visibility splay and swept paths. This had resulted in the Highways Authority raising no objections, subject to the imposition of 2 conditions. The recommendation to Members had therefore been amended to remove the second reason for refusal.

In considering the report a Member commented that the occupants of the sites knew the associated risks of living within a flood plain, adding that better alternative sites were needed. Another Member agreed with this, noting that the site was not subject to flash flooding and that it was possible to safely evacuate prior to flood water levels rising. A Member queried what, if any, building works could be carried out to mitigate

flooding. The Case Officer advised that the site was located within a functional floodplain and therefore waters should be able to flow freely. Any mitigation works would merely disperse the waters and worsen the situation on adjacent sites.

The Chairman noted that the Council had investigated whether it was possible to raise the level of the road or provide an alternative access towards the A46, which would be extremely costly.

Members commented that if the application was for temporary permission, it would provide time for alternative sites to be sought, noting that to grant a permanent permission would put residents at risk. In response to where the families had lived previously, it was noted that they had moved to Shannon Falls from other sites on Tolney Lane.

The Chairman advised that the results of the consultation new site availability for gypsy and travellers was awaited and alternative sites may be identified therefrom, and that these would not be located in Flood Zone 3.

AGREED (by 7 votes for with 3 votes against) that planning permission be refused in line with the reasons contained within the report with the omission of the second reason for refusal.

71 LAND NEXT TO 53 PHILIP ROAD, NEWARK ON TRENT, NG24 4PD (21/02176/FUL)

The Committee considered the report of the Business Manager – Development Planning which sought planning permission for the demolition of existing outbuildings, the creation of 2 parking spaces with associated dropped kerbs, the relocation of an outbuilding to the rear garden of No. 55, a proposed one detached dwelling with 2 parking spaces with associated dropped kerbs, with secure storage for 2 bicycles (resubmission).

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

A schedule of communications was tables at the meeting which detailed correspondence received after the Agenda had been published from Newark Town Council.

Members considered the application to be acceptable.

AGREED (unanimously) that planning permission be approved subject to the conditions and reasons contained within the report and subject to no new material planning considerations being raised that had not been considered before the expiry of the consultation period on 3 November 2021.

Councillor R. Crowe left the meeting at 17:50 hours.

72 HAMILTONS BUTCHERS, MAIN STREET, FARNSFIELD, NEWARK ON TRENT, NG22 8EF
(21/01386/FUL)

The Committee considered the report of the Business Manager – Planning Development which sought retrospective planning permission for the retention of an external canopy and food serving counter operating in connection to an existing butchers.

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

Members considered the application noting the reasons for the Officer’s recommendation of refusal and noted the comments of the Conservation Officer in relation to the canopy not being in keeping with a barn and that it was situated in the Farnsfield Conservation Area.

A vote was taken to refuse planning permission which lost unanimously.

AGREED (unanimously) that contrary to Officer recommendation that planning permission be approved subject to the following additional conditions:

- To remove the canopy in the event the food counter use ceases;
- The hours of operation to be the same as the butchers shop; and
- The food counter to remain ancillary to the butcher’s shop and not create an independent facility.

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	Left the meeting
M. Brock	For
R. Crowe	Left the meeting
Mrs L. Dales	Absent
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	For
T. Wildgust	For
Mrs Y. Woodhead	Absent

73 APPEALS LODGED

AGREED that the report be noted.

74 APPEALS DETERMINED

AGREED that the report be noted.

75 DEVELOPMENT MANAGEMENT PERFORMANCE REPORT

AGREED that the Development Management Performance report be noted.

76 QUARTERLY ENFORCEMENT ACTIVITY UPDATE REPORT

AGREED that the Quarterly Enforcement Activity Update report be noted.

Meeting closed at 6.15 pm.

Chairman

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of the **Councillors Commission** held virtually by Teams on Thursday, 2 December 2021 at 6.00 pm.

PRESENT: Councillor R Blaney (Chairman)

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

50 MINUTES OF MEETING HELD ON 28 SEPTEMBER 2021

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

51 DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

There were no declarations of interest.

52 PROPOSALS FOR NEW GOVERNANCE ARRANGEMENTS

The Assistant Director – Legal and Democratic Services presented a report which updated the Commission on the progress made by the Governance Review Working Party on the design of the new governance arrangements for implementation in May 2022. The report set out the proposals of the Working Party, which were to be recommended to the Full Council at their meeting to be held on 14 December 2021.

During the debate, the Commission raised the following points which it considered required further consideration, prior to the governance arrangements being formally agreed in a final form.

- Appointment of Portfolio Holders – it was considered that the appointments of portfolio holders (including any change in numbers and remits), although appointed by the Leader of the Council, should be subject to endorsement by the Full Council.
- Proposed Shareholder Committee – it was considered that if the scrutiny of the Council's wholly owned companies was an executive function, then there should be two bodies created in order to separate the scrutiny of Arkwood Developments and Active4Today.
- Key decision threshold – the Commission sought an explanation for the proposed increase in thresholds to £150,000 revenue and £300,000 capital. It was also considered that although a decision may be on a specific site or area, its impact may be far greater than just on two or more Wards.
- Policy & Performance Improvement Committee – Working Groups – it was considered that there needed to be a formal process by which all Members of the Council were made aware of specific working groups as they are convened given that the membership can be drawn from the whole of the Council. It was also considered that where appropriate, local Ward Members would also need to be allocated a place on relevant working groups. The Commission were also of the view that non-councillor representatives could also be invited to attend such working groups where external advice and expertise were required.

- Call-In Procedure – the Commission expressed concerns about the proposed officer role in considering the merits of a call-in. It was felt that as drafted the criteria was too restrictive and a further ground should be added to read ‘concerned with public interest’.
- Strengthening the representative role of Members – it was considered that the proposed ‘What’s Going On’ presentation should be held at least twice per year. The Commission also agreed that the points made at the end of the Area Committee discussion paper should also be included as ideas to progress to strengthen the representative role of Members.
- Training – it was suggested that a further training session could be set up with Members from Melton Borough Council to share experiences.

AGREED that:

- (a) the progress to date be noted; and
- (b) the Councillors Commission meet when required to discuss further details once agreed with the Governance Review Working Party.

Meeting closed at 7.15 pm.

Chairman