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Monday, 10 October 2022

Chairman: Councillor S Saddington
Vice-Chairman: Councillor Mrs L Hurst

To all Members of the Council:

MEETING: Full Council

DATE: Tuesday, 18 October 2022 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. Declarations of Interest by Members and Officers	
3. Notification to those present that the meeting will be recorded and streamed online	
4. Minutes from the meeting held on 19 July 2022	4 - 11
5. Communications which the Chairman, Leader, Chief Executive or Portfolio Holders may wish to lay before the Council	
6. In accordance with Rule No. 3.1 to receive the presentation or the debating of any Petitions from Members of the Council (if any)	
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Agenda Item 4

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of **Full Council** held in the Civic Suite, Castle House, Great North Road, Newark, Nottinghamshire, NG24 1BY on Tuesday, 19 July 2022 at 6.00 pm.

PRESENT: Councillor S Saddington (Chairman)

Councillor R Blaney, Councillor L Brailsford, Councillor L Brazier, Councillor M Brock, Councillor Mrs B Brooks, Councillor M Cope, Councillor Mrs R Crowe, Councillor R Crowe, Councillor Mrs L Dales, Councillor Mrs E Davis, Councillor K Girling, Councillor L Goff, Councillor P Harris, Councillor S Haynes, Councillor Mrs R Holloway, Councillor R Jackson, Councillor J Kellas, Councillor B Loughton, Councillor J Lee, Councillor D Lloyd, Councillor Mrs S Michael, Councillor N Mison, Councillor P Peacock, Councillor M Pringle, Councillor Mrs P Rainbow, Councillor M Skinner, Councillor T Smith, Councillor I Walker, Councillor K Walker, Councillor T Wendels, Councillor R White and Councillor T Wildgust

APOLOGIES FOR ABSENCE: Councillor Mrs L Hurst, Councillor S Carlton, Councillor D Cumberlidge, Councillor T Thompson and Councillor Mrs Y Woodhead

Prior to the transaction of business, the Council stood in silence in memory of District Councillor Michael Brown and Robert Hayden who worked in Grounds Maintenance.

17 DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

There were no declarations of interest from Members or Officers and the Council noted the interests previously declared by Members in Agenda Item No. 11 – Minutes for Noting.

18 NOTIFICATION TO THOSE PRESENT THAT THE MEETING WILL BE RECORDED AND STREAMED ONLINE

The Chairman advised the Council that the meeting was being recorded and streamed online in accordance with the usual practice.

19 MINUTES FROM THE MEETING HELD ON 17 MAY 2022

AGREED that that minutes of the Annual Meeting held on 17 May 2022 be approved as a correct record and signed by the Chairman.

20 COMMUNICATIONS WHICH THE CHAIRMAN, LEADER, CHIEF EXECUTIVE AND PORTFOLIO HOLDERS MAY WISH TO LAY BEFORE THE COUNCIL

The Chairman welcomed Councillor Mike Pringle to the Council following his success in the Ollerton Ward by-election held on 30 June 2022.

The Chairman informed the Council that her chosen charity for her Civic Year was to be Child Bereavement who were based in Newark, but operated across the County and Lincolnshire. She encouraged Members to purchase raffle tickets following the meeting, the proceeds of which would go to them.

The Chairman also advised the Council that she had represented the Council at many events over recent weeks, including the Nottinghamshire County Council Civic Service at Southwell Minster, the Queens Platinum Jubilee Service and the Lord Lieutenant's Garden Party.

The Deputy Leader, Councillor K Girling announced that Newark & Sherwood District Council had been awarded the Employer Recognition Scheme Gold Award for the outstanding support for the Armed Forces Community.

The Leader of the Council, Councillor D Lloyd, confirmed that the Council were now in receipt of the auditor's report on the London Road Municipal Building entitled 'Lessons Learnt'. He confirmed that the report would be considered by the Audit & Governance Committee at their meeting to be held on 27 July 2022, along with a covering report from officers and an action plan arising from the auditor's recommendations.

Councillor D Lloyd stated that the report rightly focused on ensuring sound governance and decision making were in place going forward and he welcomed the learning which was already being acted upon. He reflected that this issue had had a reputational and financial impact on the Council. The Leader stated that many people had been affected by this issue and that he was genuinely sorry for this.

21 IN ACCORDANCE WITH RULE NO.3.1 TO RECEIVE THE PRESENTATION OR THE DEBATING OF ANY PETITIONS FROM MEMBERS OF THE COUNCIL

In accordance with Rule No.3.1 Councillor R Jackson, as the Portfolio Holder for Cleaner, Safer Greener presented a petition to the Council on behalf of the petition organiser Mrs Clare Maydew. The petition called for the need to improve kerbside recycling which should include glass and food waste. The petition had 170 signatures. Councillor R Jackson welcomed the petition, and confirmed that the Council were always looking at different items which can be recycled at the kerbside, as well as encouraging recycling throughout the District.

22 QUESTIONS FROM MEMBERS OF THE PUBLIC AND COUNCIL

In accordance with Rule No. 15.1, members of the public submitted questions to the Council. Details of the questions put forward and the responses given from Councillors R Jackson and D Lloyd are attached as Appendix A to these minutes.

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

The Council considered the report of the Assistant Director – Legal & Democratic Services concerning the allocation of seats on Committees to Political Groups, following the by-election for the vacancy on the Ollerton Ward held on 30 June 2022.

The proposed allocation of seats was set out in Appendix A to the report. The proposed allocation was based on 38 Members given the vacancy in the Edwinstowe & Clipstone Ward.

AGREED (unanimously) that:

- (a) the Council agree the allocation of seats to Political Groups in accordance with Appendix A to the report; and
- (b) three changes be made in the Committee membership as follows:
 1. Councillor P Peacock replacing Councillor J Lee stepping on the Planning Committee;
 2. Councillor M Pringle replacing Councillor E Davis on the Policy & Performance Improvement Committee; and
 3. Councillor E Davis being appointed to the Audit & Governance Committee.

24 RECORD OF URGENT DECISION - SHERWOOD FOREST LANDSCAPE RECOVERY PILOT BID

In accordance with Part D, Section 6 of the Council's Constitution the Council received the urgent decision taken in relation to the Sherwood Forest Landscape Recovery Pilot Bid. To participate in a bid, being led by the Wildlife Trust, which had the potential to transform investment in the habitats, species and landscapes of the Sherwood Forest area, an urgent decision was required given the bid submission date of 24 May 2022.

The urgent decision taken was to approve the inclusion of Intake Wood, Vicar Water Country Park and Sherwood Heath in the Sherwood Forest Landscape Recovery Bid.

AGREED (unanimously) that the urgency item be noted.

25 MINUTES FOR NOTING

25a CABINET - 7 JUNE 2022

25b POLICY AND PERFORMANCE IMPROVEMENT COMMITTEE - 13 JUNE 2022

25c PLANNING COMMITTEE - 10 MAY 2022

25d PLANNING COMMITTEE - 9 JUNE 2022

25e GENERAL PURPOSES COMMITTEE - 23 JUNE 2022

25f LICENSING COMMITTEE - 23 JUNE 2022

25g TRUSTEE BOARD OF THE GILSTRAP AND WILLIAM EDWARD KNIGHT CHARITIES - 5 MAY 2022

25h PLANNING COMMITTEE - 7 JULY 2022

25i CABINET - 12 JULY 2022

Minute No. 19 Community Grant Scheme Awards

Councillor Harris requested that for future meetings, the full details of the community grants awarded are included as an appendix to the minutes.

Meeting closed at 6.40 pm.

Chairman

In accordance with Rule No. 3.3.2 the following questions were submitted to the Council from members of the public:

(i) Darrell Pointing

‘If Newark & Sherwood District Council are as green as they claim to be, can you please tell me why you don’t have a policy of leaving road and path verges along with large areas of open grass to grow naturally during the wildflower season to help bees and other flora and fauna survive. If you are worried about some of the short grass and straight lines brigade getting upset you could get your contractors / groundsmen to cut a narrow strip adjacent to pathways and roads showing that the grass areas are still being managed by the council. This would not only be of great help to wildlife but would save a great deal of resources and energy (fuel) leading to a saving in taxpayers money and help to combat climate change. This is already common practice with many Councils.’

Reply from Councillor Roger Jackson – Portfolio Holder for Cleaner, Safer, Greener

All public highway and path verges are the responsibility of the Highways department of Nottinghamshire County Council. Their remit is to ensure that grass verges are cut for road safety reasons rather than visual appearance. It is believed that they carry out cuts five cuts a year in urban areas and twice a year in rural areas. In urban areas the grass is cut to approximately 75mm and grass cuttings are not collected.

There are a number of verges which are deemed “conservation verges” due to the special flora and fauna they contain. These are only cut once a year, usually in September.

Their responsibility extends to ensuring that verges along all maintained roads meet the road safety standards. They carry out weed control twice a year, during the summer. The season is dictated by the requirement to have 3 consecutive dry days.

Any questions about extending the number of “conservation verges” should be directed towards Nottinghamshire County Council Highways department.

Nottinghamshire County Council will be undertaking a consultation this autumn called ‘Greener Highways’ which will ask for comments about grass verges. The County Council is aware of the public’s concern of how they maintain the verges and will be taking comments.

As far as open grassed areas under the control of NSDC we have a number of open spaces that have Wildflower Meadow Management ongoing. Sites such as:

Clay Lane, Newark
Newbury Road, Newark
Thorpe Oaks, Coddington
Barnby Road Play Area, Newark
Blidworth Church Cemetery
Ossington Church Yard
Bishops Drive Cemetery, Southwell

Boughton Open Space (HRA land)
Rainworth Open Water Meadow (HRA land)
Sconce & Devon Park, Newark
Sherwood Heath
Vicar Water Country Park

We have a number of nature reserves and SSSI sites within our care where our focus is on native woodland, heath and acid grassland. We are constantly increasing the areas of grass, managed as meadow in all our council owned green spaces, alongside specific tree planting projects undertaken to assist with our Climate Emergency response. For the second year NSDC has supported “No Mow May” where 20 sites within the district were allowed to grow throughout the month. Our annual participation in this event constantly reviewed and all feedback is closely monitored.

NSDC have “Green Flag” awards for four of its parks and we hope to retain these this year. These are nationally recognised awards judged by an expert team from Keep Britain Tidy. Judging criteria for these awards is extremely comprehensive and at least 25% of the marks are judged against environmental management and biodiversity, landscape and heritage of the site. The judges take notice of environmental impact, chemical use, peat use, climate change adoption strategies, management of natural features, wild fauna and flora, conservation of landscape features amongst many other things. These awards are also based on the fact that NSDC has robust management plans in place and is acting on those plans.

In addition to our own land, we currently hold Grounds Maintenance contracts with 12 Town and Parish Councils who control open spaces in many areas of the district. Our Service Level Agreements with these organisations contain practical advice and assistance in meadow management and also the reduction of herbicides.

Finally, 2022 will see the completion of a Wildflower Policy for all the open space managed within the district. Officers are currently finalising the content to be submitted for adoption which will see practical policies put in place for wildflower grass management in our parks, open spaces, cemeteries and housing grounds.

(ii) Jennifer Harding

I have read the Assurance Lincolnshire Audit Report - Titled "Lessons Learned", dated 27th June 2022. I would like to know who bears ultimate responsibility for the failures that lead to the lack of the following:-

- due diligence
- asset management plans and disposal plans
- public engagement
- public consultation
- evidence for the need for car parking
- a sound commercial case
- legal and financial opinions
- consideration of the environmental impact

And with reference to Para 1.28 on page 6 of the Audit Report, I ask similarly, who is ultimately responsible for the "deal" which cost the Council over £500,000 of tax-payers money?

Reply from Councillor David Lloyd – Portfolio Holder for Strategy, Performance & Finance

Thank you Jenni for your question. Given that you state that you have read the report then I can only assume you have misinterpreted its purpose and content. The focus of the report, as the title explicitly states, is upon learning and recommending procedural and practice change where necessary. It is not concerned with reprisals and recriminations.

Turning to your second question, assuming the first component was a question. Your own parentheses on the word "deal" apply an inference which is curious to me. You refer only to the financial cost, not environmental considerations which is intriguing given as you said you read the report and campaigned to save the trees. You will know from the report, previous reports to committees, and the campaign group's Freedom of Information requests that the Council was under a contractual obligation with a fixed date that required the removal of the trees. I am confused therefore that you seem to suggest that we should not have bought out the contract, that being the only means of saving the trees and now enabling the proposed improvements should public consultation be supportive.

Supplementary Question from Jennifer Harding

Quite obviously you didn't really understand my question and I don't really understand your reply, but it seems to me that nobody is ultimately going to be held responsible or held to account for what happened and I would ask you Councillor Lloyd how is justice served?

Response from Councillor David Lloyd

I can reread my initial reply, it doesn't vary.

(iii) Wendy Patterson

When Protect Newark Green Spaces' representatives met with Lucy Pledge and her colleagues at Assurance Lincolnshire, a range of issues were discussed which related to the substantial written submission PNGs had sent prior to the meeting. These included:

Freedom of Information process

Risk assessments given to contractors informing them that violence towards workers was a risk, including missile-throwing and drone-dropping

The behaviour of council contractors during the protests, including the health and safety concerns

Detailed review of the protest and actions taken

Complaints process

Protect Newark Green Spaces' representatives were told at the meeting that all these issues were within the scope of the inquiry. Who decided that they were not within its scope and when was that decision made?

Reply from Councillor David Lloyd – Portfolio Holder for Strategy, Performance & Finance

Thank you to Wendy for her question which by nature of what the content is we've had to be run past the Head of Assurance Lincolnshire, that being the organisation that conducted the audit. Via them it has been confirmed that indeed Wendy has raised the items listed in the question and when she met with them she was advised that these were not within scope of the review. On the contrary, the scope of the review, which was quite properly set by the Council's Statutory Officers, and this scope was shared with Wendy by Assurance Lincolnshire, both before the meeting in an email and at the meeting itself. It is also a matter of record that the issues that Wendy raises in her question are amongst those that she also raised in a complaint to the Ombudsman whereupon they too decided not to investigate.



Report to: Full Council – 18 October 2022

Lead Officer: John Robinson, Chief Executive, Ext. 5200

Report Summary	
Report Title	East Midlands Devolution Deal
Purpose of Report	To endorse the devolution agreement that has been reached in principle between Government and the four upper tier authorities across Nottinghamshire and Derbyshire.
Recommendations	That the East Midlands Devolution deal, to be agreed by the four upper tier authorities across Nottinghamshire and Derbyshire, be endorsed by the Council.
Reason for Recommendations	To express the Council's support for the East Midlands Devolution Deal.

1.0 Background

- 1.1 As part of the Levelling Up White Paper that was published in February 2022, the Government committed to agree a devolution deal by 2030 with every part of England that wanted one.
- 1.2 Nine County areas were specifically named in the White Paper as places that Government wished to begin advanced negotiations with, including Nottingham and Nottinghamshire and Derby and Derbyshire.
- 1.3 The four authorities had expressed an interest the previous year in working together to progress a devolution agreement and began working towards an Autumn 2022 target date set by Government to agree a deal.
- 1.4 As things turned out, the so-named East Midlands Deal was put on an accelerated timetable which led to a flurry of activity over July and August and resulted in the Leaders of Derby City Council, Derbyshire County Council, Nottingham City Council and Nottinghamshire County Council signing up to a deal in principle at a launch event with Greg Clarke MP, the then Secretary of State for Levelling Up, Housing & Communities, on 30 August 2022.
- 1.5 The Cabinet considered the content of the devolution deal at their meeting held on 4 October 2022, and recommended endorsement by the Council.

2.0 Content of the East Midlands Devolution Deal

- 2.1 The East Midlands Devolution Deal will include the first of a new type of combined authority, designed for two-tier areas, which will be established through new legislation by central government. The legislation would enable the formation of an East Midlands Mayoral Combined County Authority (EMMCCA).
- 2.2 The Devolution Deal is a 'level 3 deal', a reference to the different levels of deals offered through the Levelling Up White Paper, with level 3 offering the most local powers and funding in return for a new elected mayor. Elections for the mayor are currently expected to take place in Spring 2024.
- 2.3 The offer of a devolution deal marks a historic moment for the region and carries the prospect of additional investment, funding and powers with more major decisions being made locally.
- 2.4 The headlines of the deal are set out below with the full deal document available to access through this link [East Midlands devolution deal - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/111111/East_Midlands_devolution_deal_-_GOV.UK.pdf).
- A new investment fund of £1.14 billion, or £38 million a year over the next 30 years;
 - £18 million capital in this spending round period to support local housing and net zero priorities;
 - £17 million for the building of new homes on brownfield land in 2024/25;
 - Control over a range of budgets at a local level to ensure they are better tailored to the needs of people in our communities. This includes the Adult Education Budget;
 - New powers to improve and better integrate local transport and an integrated transport settlement starting in 2024/25;
 - A commitment from Government to work jointly with the EMMCCA and other relevant partners to tackle homelessness, domestic abuse, community safety, social mobility and to support young people through their journey to adulthood.
- 2.5 The agreement entered into is subject to ratification by each of the four upper tier Councils who are signatories to the deal. A period of public consultation will take place afterwards, likely to be November / December 2022 and the deal will also be dependent on the passage through Parliament of primary and secondary legislation to enable the EMMCCA to be established.
- 2.6 While the accelerated timetable had the advantage of cutting out some of the bureaucracy that might otherwise have taken place, it limited the opportunity for engagement with Borough and District Councils that had originally been planned. Frustratingly, Government policy also restricted the sharing of the deal document beyond the upper tiers until the day of the formal launch.
- 2.7 In spite of these constraints, regular briefings were held with Borough and District Leaders and a number of officers represented Boroughs and Districts in deal negotiations with Government officials and through various working groups. As a result, and in the words of the deal document itself, "the deal respects the importance of the continued role of the eight Derbyshire and seven Nottinghamshire District and Borough Councils." This extends to the proposed governance of the Combined Authority which includes Borough / District representation. It is worth drawing attention to paragraph

22 of the deal in particular, which provides reassurance that “no local authority functions are being removed from any local authority in the area, excluding transport functions as agreed with the Constituent Councils.”

3.0 Implications

3.1 In writing this report and in putting forward recommendations, officers have considered the following implications:

Data Protection, Digital and Cyber Security, Equality and Diversity, Financial, Human Resources, Human Rights, Legal, Safeguarding and Sustainability, and where appropriate they have made reference to these implications and added suitable expert comment below where appropriate.

3.2 Financial Implications (FIN22-23/8378)

There are no financial implications arising from this report, though the Council and its communities may well benefit in due course from some of the additional investment referred to above.

Background Papers and Published Documents

Nil



Report to: Full Council – 18 October 2022
 Director Lead: Sue Bearman, Assistant Director – Legal & Democratic Services
 Lead Officer: Nigel Hill, Business Manager – Elections & Democratic Services, Ext. 5243

Report Summary	
Report Title	Political Composition of the Council and allocation of seats on Committees to Political Groups.
Purpose of Report	Following the recent by-election held on 29 September 2022, 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. 1.1.2.
Recommendations	That the Council agree the allocation of seats to Political Groups in accordance with Appendix A to the report. That changes be made in Committee memberships as advised at the meeting.
Reason for Recommendation	To ensure the Council complies with Section 15 of the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990.

1.0 Background

- 1.1 As Members will recall the allocation of seats to Committees was last considered at the meeting held on 19 July 2022. The allocation at that time was calculated on 38 Members given the vacancy due to the sad death of former Councillor Michael Brown and was based on the Council’s new governance arrangements.
- 1.2 The allocation of seats requires a further review at this meeting following the District Ward by-election for the Edwinstowe & Clipstone Ward held on 29 September 2022.
- 1.3 The result of the by-election was as follows:

Nigel Booth (Conservative)	540 votes
Andrew Freeman (Labour)	804 votes

2.0 Present Position

- 2.1 Given the changes referred to above, the seats held by each Group on the Council are now as follows:-

	<u>No. of Seats</u>
Conservative	29
Labour	7
Liberal Democrat	2
Independent	1

- 2.2 Under the new Leader / Executive model of governance only certain Committees are required to reflect the political balance. There are a total of 77 seats on Committees which must comply with political balance rules as follows:-

<u>Committee</u>	<u>No. of Members</u>
Policy & Performance Improvement Committee	15
Planning Committee	15
Licensing Committee	15
General Purposes Committee	15
Audit & Governance Committee	12
Board of Gilstrap Trustees	5
Total	77 seats

Based on these arrangements 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	17.95
Liberal Democrats	5.13
Independent	2.56
	<u>100%</u>

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

			<u>Rounded</u>
Conservative	77 x 74.36%	57.26	57
Labour	77 x 17.95%	13.82	14
Liberal Democrats	77 x 5.13%	3.95	4
Independent	77 x 2.56%	1.97	2
			<u>77</u>

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

Conservative	57
Labour	14
Liberal Democrats	4
Independent	2

- 2.3 The impact of the change in composition is that the Conservative Group lose two seats to the Labour Group.
- 2.4 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.

3.0 Implications

There are no implications arising from this report.

Background Papers and Published Documents

None.

**ALLOCATION OF SEATS TO
POLITICAL GROUPS**

	Conservative	Labour	Liberal Democrats	Independent	Total seats by Committee
Policy & Performance Improvement Committee	11	3	1	0	15
Planning Committee	11	3	1	0	15
General Purposes	10	3	1	1	15
Licensing	10	3	1	1	15
Audit & Governance Committee*	11	1	0	0	12
Board of Gilstrap Trustees	4	1	0	0	5
Total seats by Group	57	14	4	2	77

* Note – the Conservative Group has given a single seat to the Liberal Democrat Group to give a wider representation on the Committee



Report to: Full Council – 18 October 2022
 Director Lead: Sanjiv Kohli, Deputy Chief Executive, Director of Resources, S151 Officer
 Lead Officer: Nick Wilson, Business Manager – Financial Services, Ext. 5317

Report Summary	
Report Title	Treasury Management Outturn Report 2021/22
Purpose of Report	To update Members on the Treasury Management activity and confirm that the Council complied with its Prudential Indicators for 2021/22.
Recommendations	To note and approve, following consideration by the Audit and Governance Committee on 27 th July 2022, the Treasury Management outturn report. To note that for 2021/22 the Council had complied with its Prudential Indicators, which were approved by Full Council on 9 March 2022.
Reason for Recommendation	To allow Members to consider the Treasury Outturn position.

1.0 Background

- 1.1 In January 2010 the Council formally adopted the CIPFA Code of Practice on Treasury Management which requires that the Council receives regular reports on its treasury management activities including, as a minimum, an annual strategy and plan in advance of the year, a mid-year review and an annual report after its close.
- 1.2 The Council delegates responsibility for the implementation and regular monitoring of its treasury management policies and practices to the Audit & Governance Committee and for the execution and administration of treasury management decisions to the Section 151 Officer, who will act in accordance with the Council’s policies and practices.
- 1.3 The attached report (as an appendix) was considered by the Audit & Governance Committee on 27 July 2022 and recommended to Council for approval.

2.0 Implications

In writing this report and in putting forward recommendations officers have considered the following implications; Data Protection, Digital and Cyber Security, Equality and

Diversity, Financial, Human Resources, Human Rights, Legal, Safeguarding and Sustainability and where appropriate they have made reference to these implications and added suitable expert comment where appropriate.

Background Papers and Published Documents

None.



Report to: Audit & Governance Committee Meeting 27 July 2022

Director or Business Manager Lead: Sanjiv Kohli Deputy Chief Executive / Director – Resources and Section 151 Officer

Lead Officer: Andrew Snape, Assistant Business Manager Financial Services on ext 5331

Report Summary	
Report Title	Treasury Management Outturn Report 2021/22
Purpose of Report	To give Members the opportunity to review the Annual Treasury Outturn report, which will be presented to Council on 18 October 2022.
Recommendations	That the Treasury Outturn position for 2021/22 be considered.
Reason for Recommendation	To allow Members to consider the Treasury Outturn position.

1.0 Background

- 1.1 In January 2010 the Council formally adopted the CIPFA Code of Practice on Treasury Management which requires that the Council receives regular reports on its treasury management activities including, as a minimum, an annual strategy and plan in advance of the year, a mid-year review and an annual report after its close.
- 1.2 The Council delegates responsibility for the implementation and regular monitoring of its treasury management policies and practices to the Audit & Governance Committee and for the execution and administration of treasury management decisions to the Section 151 Officer, who will act in accordance with the Council's policies and practices.
- 1.3 The Treasury Management Strategy Statement for 2021/22 was approved by Full Council on 9 March 2021, and the Outturn report is the last report for the financial year, as required by the Code. It has been prepared based on the draft final accounts, which appear elsewhere on the agenda. If there are significant changes resulting from the audit of the accounts, they will be reported at the next meeting of this Committee.

2.0 Summary of Treasury Balances as at 31 March 2022

2.1 Below is a summary of the Councils borrowing position as at 31 March 2022. Further detail can be found in appendix A at section 4.

Balance on 01/04/2021 £m		Balance on 31/03/2022 £m
95.212	Total Borrowings	97.110
5.510	Total Other Long Term Liabilities	5.373
100.722	Total External Debt	102.483

2.2 Below is a summary of the Councils investment position as at 31 March 2022. Further detail can be found in appendix A at section 5.

Balance on 01/04/2021 £m		Balance on 31/03/2022 £m
39.770	Total Short Term Investments	49.790
7.500	Total Long Term Investments	12.500
47.270	Total Investments	62.290

2.3 There have been no breaches of the approved prudential indicators during 2021/22. Further information can be found at section 6 of appendix A.

Background Papers and Published Documents

Nil.

ANNUAL TREASURY REPORT 2021/22

1. Background

- 1.1 This Council is required by regulations issued under the Local Government Act 2003 to produce an annual treasury management review of activities and the actual prudential and treasury indicators for 2021/22. This report meets the requirements of both the CIPFA Code of Practice on Treasury Management, (the Code), and the CIPFA Prudential Code for Capital Finance in Local Authorities, (the Prudential Code).
- 1.2 Treasury management is defined as: 'The management of the local authority's investments and cash flows, its banking, money market and capital market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks.'
- 1.3 Overall responsibility for treasury management remains with the Council. No treasury management activity is without risk; the effective identification and management of risk are integral to the Council's treasury management strategy.

2.0 Economic Background

- 2.1 **UK. Economy.** Over the last two years, 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 until raising it to 0.25% at its meeting on 16 December 2021, 0.50% at its meeting of 4 February 2022 and then to 0.75% in March 2022.
- 2.2 The UK economy has endured several false dawns through 2021/22, but with most of the economy now opened up and nearly back to business-as-usual, the GDP numbers have been robust (9% y/y Q1 2022) and sufficient for the MPC to focus on tackling the second-round effects of inflation.
- 2.3 Gilt yields fell towards the back end of 2021, but despite the war in Ukraine gilt yields have shot higher in early 2022. At 1.38%, 2-year yields remain close to their recent 11-year high and 10-year yields of 1.65% are close to their recent six-year high. These rises have been part of a global trend as central banks have suggested they will continue to raise interest rates to contain inflation.
- 2.4 Historically, a further rise in US Treasury yields will probably drag UK gilt yields higher. There is a strong correlation between the two factors. However, the squeeze on real household disposable incomes arising from the 54% leap in April utilities prices as well as rises in council tax, water prices and many phone contract prices, are strong headwinds for any economy to deal with. In addition, from 1 April 2022, employees also pay 1.25% more in National Insurance tax. Consequently, inflation will be a bigger drag on real incomes in 2022 than in any year since records began in 1955.

- 2.5 **Average inflation targeting.** This was the major change in 2020/21 adopted by the Bank of England in terms of implementing its inflation target of 2%. The key addition to the Bank's forward guidance in August 2020 was a new phrase in the policy statement, namely that "it does not intend to tighten monetary policy until there is clear evidence that significant progress is being made in eliminating spare capacity and *achieving the 2% target sustainably*". That mantra now seems very dated. Inflation is the "genie" that has escaped the bottle, and a perfect storm of supply side shortages, labour shortages, commodity price inflation, the impact of Russia's invasion of Ukraine and subsequent Western sanctions all point to inflation being at elevated levels until well into 2023.
- 2.6 **Central banks' monetary policy.** During the pandemic, the governments of western countries have provided massive fiscal support to their economies, which has resulted in a big increase in total government debt in each country. It is therefore very important that bond yields stay low while debt to GDP ratios slowly subside under the impact of economic growth. This provides governments with a good reason to amend the mandates given to central banks to allow higher average levels of inflation than we have generally seen over the last couple of decades. Both the Fed and Bank of England have already changed their policy towards implementing their existing mandates on inflation (and full employment), to hitting an average level of inflation. Greater emphasis could also be placed on hitting subsidiary targets e.g. full employment before raising rates. Higher average rates of inflation would also help to erode the real value of government debt more quickly.

Local Context

- 3.1 During 2021/22, the Council maintained an under-borrowed position. This meant that the capital borrowing need (the Capital Financing Requirement), was not fully funded with loan debt, as cash supporting the Council's reserves, balances and cash flow was used as an interim measure. This strategy was prudent as investment returns were low and minimising counterparty risk on placing investments also needed to be considered.
- 3.2 A cost of carry remained during the year on any new long-term borrowing that was not immediately used to finance capital expenditure, as it would have caused a temporary increase in cash balances; this would have incurred a revenue cost – the difference between (higher) borrowing costs and (lower) investment returns.
- 3.3 The policy of avoiding new borrowing by running down spare cash balances, has served well over the last few years. However, this was kept under review to avoid incurring higher borrowing costs in the future when this authority may not be able to avoid new borrowing to finance capital expenditure and/or the refinancing of maturing debt.
- 3.2 The Council's Capital Financing Requirement (CFR) at 31 March 2022 was £137.541m, while usable reserves and working capital which are the underlying resources available for investment were £65.566m.

3.3 The Council has an increasing CFR over the next 2 years of £34m, due to the borrowing requirement of £43.4m (GF £27.4m / HRA £16m) for financing the capital programme over the forecast period, if reserve levels permit internal borrowing will be considered. The CFR reduces when Minimum Revenue Provision (MRP) are made and the repayment of debt, over the forecast period there are two loans due for repayment with a combined total value of £6.5m.

4 **Borrowing Strategy**

4.1 Borrowing Activity in 2021/22

	Balance 1/4/21 £m	New Borrowing £m	Debt Maturing £m	Balance 31/3/22 £m
CFR	138.162			137.541
Short Term Borrowing	10.211	2.440	2.513	10.138
Long Term Borrowing	85.001	8.500	6.529	86.972
Total Borrowing	95.212	10.940	9.042	97.110
Other Long Term Liabilities – Finance Lease Liability	5.510	0	0	5.373
Total External Debt	100.722	10.940	9.042	102.483
Increase/(Decrease) in Borrowing £000				1.761

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

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

Long-dated Loans borrowed	Amount £m	Rate %	Term
PWLB	5.000	1.640	50 Years
PWLB	3.500	1.470	49 Years

4.4 **LOBOs:** The Council holds £3.5m of LOBO (Lender's Option Borrower's Option) loans where the lender has the option to propose an increase in the interest rate at set dates, following which the Council has the option to either accept the new rate or to repay the loan at no additional cost. All of the £3.5m of LOBOs had options during the year, none of which were exercised by the lender.

4.5 **Debt Rescheduling:** The premium charge for early repayment of PWLB debt remained relatively expensive for the loans in the Council's portfolio and therefore unattractive for debt rescheduling activity. No rescheduling activity was undertaken as a consequence.

5 Investment Activity

- 5.1 The Council's investment policy is governed by MHCLG investment guidance, which has been implemented in the annual investment strategy approved by the Council on 9 March 2021. The policy sets out the approach for choosing investment counterparties, and is based on credit ratings provided by the three main credit rating agencies, supplemented by additional market data, (such as rating outlooks, credit default swaps, bank share prices etc.). During 2021/22 the Council's investment balances have ranged between £49.35 and £81.19 million.

	Balance 1/4/21 £m	New Investments £m	Investments Redeemed £m	Balance 31/3/22 £m
Short Term Investments	39.770	200.180	190.160	49.790
Long Term Investments	7.500	5.000	0	12.500
Total Investments	47.270	205.180	190.160	62.290
Increase/(Decrease) in Investments £000				15.020

- 5.2 Security of capital remained the Council's main objective. This was maintained by following the Council's counterparty policy as set out in its Treasury Management Strategy Statement for 2021/22.
- 5.3 Counterparty credit quality is assessed and monitored by Link the Council's treasury advisors, with reference to credit ratings; credit default swap prices, financial statements, information on potential government support and reports in the quality financial press. Link provide recommendations for suitable counterparties and maximum investment periods.

6 Compliance with Prudential Indicators

- 6.1 The Council has complied with its Prudential Indicators for 2021/22, which were set on 9 March 2021 as part of the Council's Treasury Management Strategy Statement.
- 6.2 **Interest Rate Exposure:** These indicators allow the Council to manage the extent to which it is exposed to changes in interest rates for both borrowing and investments. The upper limit for variable rate exposure allows for the use of variable rate debt to offset exposure to changes in short-term rates on our portfolio of investments.

	Approved Limit for 2021/22 %	Maximum during 2021/22 £m
<u>Fixed Rate</u>		
Borrowing	100%	99.89%
Investments	75%	36.92%
<i>Compliance with Limit</i>		<i>Yes</i>
<u>Variable Rate</u>		
Borrowing	20%	0.11%
Investments	100%	63.08%
<i>Compliance with Limit</i>		<i>Yes</i>

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

	Upper Limit %	Fixed Rate Borrowing 31/03/22 £m	Fixed Rate Borrowing 31/3/22 %	Compliance?
Under 12 months	15%	10.000	10.31%	Yes
12 months to 2 years	15%	5.500	5.67%	Yes
2 years to 5 years	30%	11.000	11.34%	Yes
5 years to 10 years	100%	21.970	22.65%	Yes
10 years and above	100%	48.530	50.03%	Yes

- 6.4 **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 Indicator	Limit 2021/22	Actual 31/03/22	Compliance?
Limit on principal invested beyond year end	£15m	£12.5m	Yes

- 6.5 **Authorised Limit and Operational Boundary for External Debt.** The Local Government Act 2003 requires the Council to set an Affordable Borrowing Limit, irrespective of their indebted status. This is a statutory limit which should not be breached. The Operational Boundary is based on the same estimates as the Authorised Limit but reflects the most likely, prudent but not worst case scenario without the additional headroom included within the Authorised Limit. The s151 Officer confirms that there were no breaches to the Authorised Limit and the Operational Boundary during 2021/22; borrowing at its peak was £104m.

	Approved Operational Boundary 2021/22 £m	Authorised Limit 2021/22 £m	Actual External Debt 31/03/22 £m
Borrowing	160.350	167.550	97.110
Other Long Term Liabilities	6.400	6.600	5.373
Total	166.750	174.150	102.483

- 6.6 In compliance with the requirements of the CIPFA Code of Practice this report provides members with a summary of the treasury management activity during 2021/22. A prudent approach has been taken in relation to investment activity with priority being given to security and liquidity over yield.
- 6.7 The Council also confirms that during 2021/22 it complied with its Treasury Management Policy Statement and Treasury Management Practices.

Public Document Pack Agenda Item 12a

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of **Cabinet** held in the Civic Suite, Castle House, Great North Road, Newark, NG24 1BY on Tuesday, 4 October 2022 at 6.00 pm.

PRESENT: Councillor D Lloyd (Chairman)

Councillor K Girling, Councillor Mrs R Holloway, Councillor P Peacock and Councillor T Wendels

ALSO IN ATTENDANCE: Councillor L Goff, Councillor Mrs P Rainbow and Councillor Miss R White.

APOLOGIES FOR ABSENCE: Councillor R Jackson (Committee Member)

22 DECLARATIONS OF INTEREST FROM MEMBERS AND OFFICERS

There were no declarations of interest.

23 NOTIFICATION TO THOSE PRESENT THAT THE MEETING WILL BE RECORDED AND STREAMED ONLINE

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

24 MINUTES FROM THE PREVIOUS MEETING HELD ON 12 JULY 2022

The minutes from the meeting held on 12 July 2022 were agreed as a correct record and signed by the Chairman.

25 CHAIRMAN'S UPDATE

The Leader and Chairman informed the Cabinet that proposals would be coming forward regarding helping residents during the current cost of living issue. He advised of the work the Council had already started and the increasing engagement with the relevant and necessary partners in order to bring about the appropriate help and support to residents.

26 EAST MIDLANDS DEVOLUTION DEAL

The Leader and Portfolio Holder for Strategy, Performance & Finance presented a report which advised the Cabinet of the devolution agreement that had been reached in principle between government and the four upper tier authorities across Nottinghamshire and Derbyshire. The report recommended that Cabinet seek endorsement for the agreement from the Full Council.

The East Midlands Devolution Deal would include the first of a new type of combined authority, designed for two-tier areas, which would be established through new legislation by central government. The legislation would enable the formation of an

East Midlands Mayoral Combined County Authority with a 'level 3' deal which offered the most local powers and funding in return for a new elected mayor. The report set out the headline details of the deal and the Chief Executive confirmed the ongoing and strong influential roles the district and boroughs would have on the combined authority.

AGREED (unanimously) to seek Full Council's endorsement of the East Midlands Devolution deal.

Reason for Decision

To express support for the East Midlands Devolution Deal

Options Considered

There is no requirement for Borough and District Councils to endorse the devolution deal – the agreement is between Government and the four upper tier authorities. Nevertheless, we have contributed to the content of the deal and will have a relationship with the new Mayor and Combined Authority. The deal document respects and recognises the distinct responsibilities of Boroughs and Districts and our endorsement is considered to be an appropriate expression of support for the principle of devolution and the specific content of the East Midlands deal.

27 PROJECTED GENERAL FUND AND HOUSING REVENUE ACCOUNT REVENUE AND CAPITAL OUTTURN REPORT TO 31 MARCH 2023 AS AT 30 JUNE 2022

The Leader and Portfolio Holder for Strategy, Performance & Finance presented a report which provided an updated forecast outturn position for the 2022/23 financial year for the Council's General Fund and Housing Revenue Account revenue and capital budgets. The report showed performance against the approved estimates of revenue expenditure and income. The accounts showed a projected unfavourable variance against the revised budget of £0.947m on service budgets, with an overall unfavourable variance of £0.457m that was forecast to be transferred from usable reserves. Appendix A to the report detailed the variances in service areas and other budgets.

It was noted that the unfavourable variance of £0.947m included an unfavourable variance of £0.873m on employee spend which was due to the significant recruitment issues across the Council. The unfavourable variance of £0.873m on employee spend also included the total estimated additional cost of the forecast 2022/23 pay award.

AGREED (unanimously) that Cabinet:

- a) note the General Fund projected unfavourable outturn variance of £0.457m to usable reserves;
- b) note the Housing Revenue Account projected unfavourable outturn variance of £0.524m to the Major Repairs Reserve;

- c) approve the variations to the Capital Programme at Appendix C; and
- d) approve the Capital Programme revised budget and financing of £89.944m (£53.787 GF, £36.207 HRA).

Reasons for Decision

To consider the forecast outturn position for the 2022/23 financial year for the Council's General Fund and Housing Revenue Account revenue and capital budgets.

To show performance against the approved estimates of revenue expenditure and income; report on major variances from planned budget performance; and report on variations to the Capital Programme for approval; all in accordance with the Council's Constitution.

28 COMMUNITY PLAN PERFORMANCE FOR QUARTER 1 - 2022/23

The Transformation & Service Improvement Manager presented the Community Plan Performance report for Quarter 1. The performance information was assessed against the Council's Community Plan objectives. The Transformation & Service Improvement Manager reported that the Policy & Performance Improvement Committee had sought assurance in relation to the performance indicator concerning the percentage of homes with valid gas compliance certificates which they would review again at their next meeting; they also reflected on the over performance in respect of fly tipping and considered that these targets could be stretched further in the second quarter; and they also considered the performance in relation to the time to process claims which linked into the work to be undertaken in relation to the cost of living issues.

The Cabinet welcomed the comments of the Policy & Performance Improvement Committee and confirmed these would be reviewed accordingly. The Cabinet also highlighted positive performance in relation to the new local influence networks for tenants; the new empty homes standard and starting well scheme; the number of web chats; the day of action in Bilsthorpe; and the evolving engagement with customers.

AGREED (unanimously) that the Community Plan Performance Quarter 1 report be noted, with the Cabinet considering the Council's performance against its objectives.

Reason for Decision

To enable the Cabinet to review the Quarter 1 Community Plan Performance report.

29 CONSULTATION AND ENGAGEMENT STRATEGY (KEY DECISION)

The Portfolio Holder for Organisational Development & Governance presented a report which sought to approve the Consultation & Engagement Strategy and

associated action plan. The current Consultation & Engagement Strategy required updating in line with the Council's values and engagement aspirations. The proposed Consultation and Engagement outlined the Council's high-level approach to engagement to ensure communities and stakeholders were involved in decision making and could influence the future of where they live by directing change and informing service developments. The Portfolio Holder reported that the Strategy had been endorsed by the Tenant Engagement Board.

AGREED (unanimously) that Cabinet:

- a) approve the Consultation & Engagement Strategy and associated Action Plan;
- b) endorse the creation and use of operational guidance for officers to sit below this strategy; and
- c) request that Policy & Performance Improvement Committee review the impact of this strategy after one year.

Reason for Decision

To put an appropriate framework in place to ensure decision making is informed by resident views and services are shaped by an understanding of resident priorities and needs.

30 NEWARK TOWN FUND UPDATE AND LORRY PARK OPTIONS FOR RELOCATION (KEY DECISION)

The Portfolio Holder for Economic Development & Visitors presented a report which provided an update on the Newark Town Fund Programme including recommendations to continue to progress the relocation of Newark Lorry Park and the redevelopment of the Newark Gateway site.

Since the update report to the Cabinet on 7 June 2022, a number of Towns Fund projects had progressed at pace including assessment and in many cases assurance of Outline and Full Business Cases via the Council's external independent assurers and the Council's S151 Officer. The report provided an update on all Towns Fund projects but substantively dealt with the SisCLog proposals and linked activity surrounding the Newark Lorry Park and its need for relocation given the proposals emerging through the A46 Newark Northern Bypass scheme.

With regard to the Lorry Park, it was reported that the preferred route for the Newark A46 Northern Bypass would significantly impact on the existing lorry park site. Given that and the associated income loss to the Council, it was still recommended to relocate the lorry park, with the preferred location still being the Newark Showground.

AGREED (unanimously) that Cabinet:

- a) note the progress on the Newark Town Fund Programme and associated projects being delivered;
- b) authorise the Director – Planning & Growth in consultation with the Portfolio Holders for Strategy, Performance & Finance and Economic Development & Visitor Economy to respond to National Highways Statutory Consultation on the A46 Newark Northern Bypass to outline the strong support for the proposals alongside the need to deliver the Council’s aspirations to relocate the Lorry Park, redevelop the Gateway site, and to secure adequate compensation for the impacts of the Bypass proposals;
- c) authorise the Business Manager, Corporate Property, in consultation with the Director – Planning & Growth and Portfolio Holders for Strategy, Performance & Finance and Economic Development & Visitor Economy, to progress negotiations with landowner(s) for a proposed new Newark Lorry Park site in order to allow terms to be considered as part of development of a Business Case for the Lorry Park relocation; and
- d) authorise the Business Manager, Corporate Property, in consultation with the Director – Planning & Growth and the Portfolio Holders for Strategy, Performance & Finance and Economic Development & Visitor Economy, to develop a business case (including where appropriate identifying a development partner), and planning applications for a relocated Newark Lorry Park and redevelopment of the Gateway site, supported by additional revenue budget of £200,000 funded from the Change Management Reserve to cover necessary fees.

Reasons for Decision

A retained but relocated and expanded Newark Lorry Park will continue to offer an important facility to the logistics and transport sector, as reflected by its increase in use and importance in recent years. The relocation will also allow for the delivery of the Gateway site, specifically the SiSCLog proposals as supported by the Government, this Council, and the Newark Towns Board. The proposals support all of the Community Plan objectives given their scale and scope of outputs in continuing to provide opportunities and aspiration for residents and businesses.

Options Considered:

The development of the Newark Town Investment Plan and selection of priority Towns Fund projects was part of a significant assessment process undertaken by the Newark Towns Board, in consultation with a range of partners and industry, including the Council. With respect to the Gateway site and the existing Newark Lorry Park the report explored various options available to the Council as a result of the impact of the A46 Newark Northern Bypass.

31 NEWARK & SHERWOOD PLAN REVIEW - AMENDED ALLOCATIONS & DEVELOPMENT MANAGEMENT DEVELOPMENT PLAN DOCUMENT UPDATE

The Portfolio Holder for Economic Growth & Visitors presented a report which

updated the Cabinet on recent national planning guidance and its impact on the publication of the Amended Allocations & Development Management Development Plan Document (DPD) for a period of public representation.

It had been intended that a finalised version of the Allocations & Development Management DPD be presented to this meeting of the Cabinet, however updated guidance on flood risk was issued by the government in late August which significantly increased the time for the purposes of plan making. An additional programme of work had been agreed with the Council's flood risk consultants which commenced in September, to ensure findings are available in such time to provide recommendations to the 1 November 2022 Cabinet meeting.

AGREED (unanimously) that:

- a) the report be noted; and
- b) the Chief Executive be requested to call an Extraordinary Full Council meeting to be held on Wednesday, 9 November 2022 to agree publication of the amended Allocations & Development Management DPD.

Reasons for Decision

To update Cabinet on recent national planning guidance and its impact on the publication of the Amended Allocations & Development Management Development Plan Document (DPD) for a period of public representation. To allow the Council to agree to the publication of the Amended Allocations & Development Management DPD in November 2022.

Options Considered

Without this work being undertaken it is considered that the Council would not be able to demonstrate that a sound DPD had been produced in line with National Policy and Guidance and therefore there is no alternative to the course of action proposed. In order to carry out the consultation in 2022, full Council needs to have approved the consultation by the second week of November therefore it would not be possible to wait until the meeting of the full Council in December.

32 NEWARK SOUTHERN LINK ROAD PROJECT (KEY DECISION)

The Portfolio Holder for Economic Development & Visitors presented a report which provided an update on the funding and delivery of the Newark Southern Link Road (SLR), including updates to the Council's Capital Program.

It was reported that government funds were now being released to the Council in agreed tranches as per the Memorandum of Understanding with the Department for Transport. Work had progressed at pace to ensure the SLR delivery was accelerated. This included securing amended detailed highway design and assembling a contractor package to present to market. The Director – Planning & Growth confirmed to the Cabinet that five tender documents had been returned which were now to be analysed.

AGREED (unanimously) that Cabinet:

- a) note the progress on the Newark Southern Link Road (SLR), including the pending receipt of tender returns from contractors to build the remainder of the SLR; and
- b) subject to the outcome of the tender returns, delegate authority to the Director - Planning & Growth, in consultation with the Portfolio Holders for Strategy, Performance & Finance and Economic Development & Visitors to request Nottinghamshire County Council to provide an appropriate financial contribution to the Newark Southern Link Road (SLR).

Reasons for Decision

To deliver the Newark SLR, addressing local congestion and unlocking significant growth in delivering the Middlebeck Sustainable Urban Extension (SUE) including associated housing, employment, education, and open space in accordance with the Council's Amended Core Strategy (2019) and Community Plan (2020-2023).

Options Considered

A range of options, over many years, have previously been explored to deliver the SLR (in full or in part) and its associated growth and congestion-reduction benefits. The funding package now in place represents the most viable option to accelerate delivery of the full SLR and associated growth.

33 SHARED PROSPERITY FUND

The Portfolio Holder for Economic Development & Visitors presented a report which sought approval for the next steps in the delivery of the Shared Prosperity Fund.

Following the Cabinet report on 7 June 2022, and agreement by the Newark & Sherwood Place Board on 26 July 2022, Officers submitted the Newark & Sherwood Investment Plan to government by the required date of 1 August 2022. The expected date for confirmation that the Investment Plan would release the grant funding allocation for 2022/23 was October 2022. This would provide a sum of £399,360 for defrayment by 31 March 2023, and a further £798,720 in 2023/24, and £2,092,646 in 2024/25.

The government had recognised that local authorities would require support in terms of capacity to deliver the Shared Prosperity Fund programme and had allocated an up to 4% top slice to enable delivery. It was proposed that this funding be utilised to appoint a Programme Manager to provide dedicated support.

AGREED (unanimously) that:

- a) Cabinet support the establishment of a Shared Prosperity Fund Programme Manager;
- b) the Council's base budget be increased to include the new SPF Programme

Manager by £72,745 (based on 4% of the grant allocation) or £65,121 (based on 6% of the grant allocation) depending on outcome of the request to increase the top slice percentage; and

- c) delegated authority be given to the Section 151 Officer, in consultation with the Portfolio Holder for Economic Development & Visitors to approve projects and interventions in line with SPF Guidance and the identified priorities.

Reasons for Decision

The selected option will allow the Council to implement a structured programme management approach, providing the necessary capacity and capability in contract management, procurement, commissioning and engagement.

Options Considered

Use of the allocation of Shared Prosperity Fund for additional capacity through acquiring a consultant on a fixed term contract or recruitment of a part time programme manager.

Meeting closed at 7.00 pm.

Chairman

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of **Policy & Performance Improvement Committee** held in the Civic Suite, Castle House, Great North Road, Newark NG24 1BY on Monday, 26 September 2022 at 6.00 pm.

PRESENT: Councillor R White (Chairman)
Councillor Mrs P Rainbow (Vice-Chairman)

Councillor L Brailsford, Councillor L Brazier, Councillor Mrs B Brooks, Councillor S Carlton, Councillor M Cope, Councillor D Cumberlidge, Councillor P Harris, Councillor S Haynes, Councillor J Kellas, Councillor N Mison, Councillor Mrs R Crowe and Councillor Mrs Y Woodhead

APOLOGIES FOR ABSENCE: Councillor Mrs L Dales (Committee Member), Councillor Mrs L Hurst (Committee Member) and Councillor M Pringle (Committee Member)

ALSO IN ATTENDANCE: Councillor L Goff

16 DECLARATION OF INTEREST BY MEMBERS AND OFFICERS

There were no declarations of interest.

17 NOTIFICATION TO THOSE PRESENT THAT THE MEETING WILL BE RECORDED AND STREAMED ONLINE

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

18 MINUTES OF THE MEETING HELD ON 13 JUNE 2022

Minute No. 9 – Community Plan Performance for Quarter 4 – 2021/2022

It was noted that the referred to attachment to the minutes in relation to responses to questions asked by Members had been omitted from the Minutes.

AGREED that, subject to the omission of the aforementioned attachment, the Minutes of the meeting held on 13 June 2022 were a correct record and signed by the Chairman.

19 RESIDENT SURVEY OUTCOMES

The Committee considered the report and presentation delivered jointly by the Transformation & Service Improvement Manager and the Transformation Service Improvement Officers, which sought to update Members on the findings from the 2022 Residents' Survey undertaken between May and July 2022 using three elements: an open survey that could be completed by any district resident over 16; a representative sample gathered to sense check the open survey; and a series of focus groups held to gather the views of underrepresented groups.

The presentation provided Members with some of the changes that had occurred since the last Residents' Survey was undertaken in 2018 together with details as to who had completed the open survey. Each slide of the presentation provided an analysis of the responses received to the questions asked with the final slide summarising what was important to residents with a suggestion of where the Council should focus resources.

In considering the presentation Members welcomed the positive results and comments received. In noting the diversity within the area and wards which the Council covered, a Member requested that she would wish to be provided with a further breakdown of the data gathered.

Members noted the comments received in relation to glass recycling with a Member stating that it should be progressed further as the response had been that the public wanted this service to be provided.

In summing up, the Chairman welcomed the positive comments received in relation to the cleanliness within the district. She noted that anti-social behaviour remained an issue, adding that this was being considered by the ASB Working Group, established by the Committee at their previous meeting. In relation to kerbside glass recycling, she confirmed that a meeting of the Committee had been arranged for 17 October 2022 to look specifically at that issue with onward recommendations to the Cabinet meeting in November 2022. She also advised that information in relation to the Newark Town Fund would be presented to a future meeting of the Committee and also requested that an update on the Sherwood Levelling Up funding be brought to a future meeting once a decision had been made on the bid. It was also noted that consideration would be given to a Customer Strategy Working Group, looking to improve the customer experience, at the next meeting.

AGREED (unanimously) that:

- a) the above comments on the findings of the 2022 Residents' Survey be noted; and
- b) the findings of the Residents' Survey be used to shape the 2023/2027 Community Plan, to be developed by Officers and Members in early 2023.

20 BASSETLAW AND NEWARK & SHERWOOD COMMUNITY SAFETY PARTNERSHIP PROGRESS & PERFORMANCE UPDATE AND REVIEW OF PRIORITIES

The Committee considered the report presented by the Business Manager – Public Protection which sought to provide Members with an update on the work undertaken by the Bassetlaw and Newark & Sherwood Community Safety Partnership (BNSCSP). Information as to the current performance was also reported together with an explanation as to the choice of priorities for the current year.

The report set out that the establishment of a Community Safety Partnership (CSP) was a statutory requirement and the responsible authorities that formed that partnership. Further details specific to the BNSCSP were provided and how it operated in practice. Paragraph 2.5 listed the priorities for 2022/2023 together with the rationale for each one.

In considering the report Members queried how the list of priorities were reached and whether anything more local or specific could be added. The Business Manager advised that they were broad-based throughout the district but that meetings were held every 3 months to look at the Police statistics as to emerging crime and their priorities. It was at this point that more local priorities would be considered. In response to whether Members could feed into those priorities, the Business Manager advised that it was the intention going forward to bring the draft priorities to Committee near year end to ask the Committee for their recommendations for inclusion of items on the priority list.

Members welcomed the flexible and agile approach to the priority setting and queried whether any comments on social media were taken into consideration. The Business Manager advised that the statistical data used to set the priorities was generated by the Police but added that Council Officers were able to gather local intelligence and that such information would be considered in the local priority setting process.

In noting that a performance report based on all crime together with a smaller report based on antisocial behaviour were produced monthly, Members queried whether this was used to detect patterns in crime. The Business Manager advised that Officers were beginning to look at crime patterns and also to monitor any chronological patterns.

AGREED (unanimously) that:

- a) the CSP performance and priorities be noted;
- b) the priorities proposed for 2022/2023 be endorsed

Councillor P. Harris left the meeting at 7pm – part way through the above item and therefore did not participate in the unanimous vote.

21 ASB PRESENTATION BY T/INSPECTOR MATTHEW WARD

The Committee received a presentation on Anti-Social Behaviour (ASB) by Temporary Inspector, Matthew Ward. He advised that he undertook the setting of his policing agenda on a 3 monthly basis. ASB had been on that agenda for 6 months and would remain on there for the following 3 month period.

Overall, for the past financial year, ASB had seen a decrease of 4% but there had been an increase in the last month of 6%, noting that this correlated with school holidays. The main 3 areas of concern were: off-road biking; swimming in open water; and neighbour disputes. Of the 21 wards within T/Insp. Ward's area, 11 had seen a reduction in ASB, 3 had remained static; and 7 had seen an increase. He noted that there was a known risk that if a specific area was targeted, it could result in the ASB moving to another area.

Swimming in Open Water: in order to address this, the Police were looking into setting up a multi-agency group with consideration being given to the use of dispersal orders.

Off-Road Biking: this was most prevalent in the Magnus and Devon Wards. Evidence and the reporting of incidents were required in order for a funding bid to be made to tackle the issue. Comments on social media were not sufficient to support the funding bid the police require official reports.

Patrols were undertaken weekly in 3 key areas. The location for the patrols was based on incident reporting and risk. Police Officers could also provide intelligence they had gathered about whether something may happen in a specific area.

School Engagement: this was a long-term initiative and offered to primary schools. Currently these were carried out annually, but the Police would be willing to increase their visits noting that the Police's Early Intervention Officers targeted secondary schools. Officers would be maintaining a high-profile presence during the Halloween and Bonfire Night periods as these typically saw an increase in ASB.

In considering the presentation, Members noted that the public often failed to report incidents as the perception was that no action would be taken by the Police and that improvement to communication channels needed to be progressed. T/Insp. Ward noted the comments and advised that there was a push to improve communications.

A Member queried how the issue of speeding might be considered as a priority for inclusion on the 3 monthly policing agenda. T/Insp. Ward advised that priorities were set by statistical information but that anecdotal information could also be considered, which would be the case for speeding. He commented that it was very much a community feeling and would probably be localised.

T/Insp. Ward was asked as to how dispersal orders were managed and monitored so as to ensure that problems were not merely moved to a different location. In response he advised that Newark Town Centre, Balderton and Fernwood all had such an order and that for him to authorise any he would require evidence that ASB was happening at that time. Beat Officers were able to feed into the process, advising where the persons involved had relocated to. He added that when ASB Contracts were issued, work was undertaken with schools and social workers in an attempt to change the behaviour of those involved. However, he noted that this was not a 'quick fix' and could take several years.

Members noted that regular conversations with residents within their wards about their feelings of safety and what reassurances could be given to them about policing in their area. T/Insp. Ward advised that some activity was not visible for operational reasons. He advised that if a resident had any specific concerns to contact his Officers who would be able to speak to him directly.

A Member raised the issue of an increase in his ward of the theft of catalytic converters but despite the incident being reported, the Police did not attend. T/Insp. Ward acknowledged the issue and advised that the reporting of crimes was triaged in the control room. He added that if the person who had reported the crime was unhappy with the result, they should complain as this may help, in part, to changing the way that crime reporting was dealt with.

In relation to county line drug issues, T/Insp. Ward noted that the increase was due to the Police identifying the issues more easily and not because the number of incidents had increased. He added that it was not a significantly bad situation.

Again in relation to the reporting of crime, a Member noted that when using the 101 telephone reporting service, Option 7 was that in relation to crimes committed by which time many callers had rung off. T/Insp. Ward suggested that during the ASB WGs visit to the control room at Police HQ, the issue be raised, noting that there needed to be a push to alternative options for reporting.

AGREED (unanimously) that T/Insp. Ward be thanked for his presentation and attendance at the Policy & Performance Improvement Committee.

22 FINANCIAL PERFORMANCE Q1

The Committee considered the report presented by the Business Manager – Financial Services which sought to update Members with the forecast outturn position for the 2022/2023 financial year for the Council's General Fund and Housing Revenue Account (HRA) revenue and capital budgets. The report also provided Members with information as to the performance against the approved estimates of revenue expenditure and income and on major variances from planned budget performance, in accordance with the Council's Constitution.

Details of the General Fund Revenue Projected Outturn for 2022/23 were provided, showing a projected unfavourable variance together with an unfavourable variance for the General Fund Revenue Outturn for 2022/23 as at 30 June 2022. Further detail of the projected unfavourable variance against revised budgets for the HRA Outturn for 2022/23 were also provided alongside the overview of projected Capital Outturn for 2022/23.

In response to the reason as to why there had been a reduction in income from rents due to the average period of time that dwellings remained vacant, the Business Manager advised that he would provide Members with a written response.

AGREED (unanimously) that:

- a) the General Fund projected unfavourable outturn variance of £0.947m on services be noted;
- b) the Housing Revenue Account projected unfavourable outturn variance of £0.444m on services be noted; and

the capital outturn position of £89.994m be noted.

23 COMMUNITY PLAN PERFORMANCE Q1

The Committee considered the report presented by the Transformation & Service Improvement Officer which sought to present to Members the Quarter 1 Community Plan Performance Report (April – June 2022). Members were asked to review the Community Plan Performance Report attached as Appendix 1.

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.

In considering the report a Member raised a query in relation to fly-tipping and how this was being dealt with. The Transformation & Service Improvement Officer advised that Officers from Environmental Services were carrying out checks on incidents reports more quickly than in the past with details being kept of the type of waste being tipped, together with the location of the land and what its use was. He advised he would supply a written response as to whether it was commercial or residential waste.

In noting the drop of 5.3% of tenants surveyed as to whether they were satisfied or very satisfied with repairs to tenants' homes, the Director – Housing, Health & Wellbeing advised that this was being kept under close review. She added that a new contractor had been engaged and that a 10-month rolling programme of works was now operational which should secure improved access to properties. A survey of tenants was to be undertaken, asking why they did not wish to allow access to their properties and it was anticipated that access to carry out repairs would improve by October 2022. She also advised that a new way of reminding tenants of the contractor's visit had been implemented. It was agreed that an update report on this would be presented to the next meeting of the committee.

AGREED (unanimously) that the Community Plan Performance Report for Quarter 1, 2022/2023 be noted.

24 STAR SURVEY

The Committee considered the report and presentation delivered by the Director – Housing, Health & Wellbeing which sought to provide Members with the results of the Survey of Tenants & Residents (STAR) for 2021/2022. It was reported that the aim of the survey was to establish the satisfaction levels of Council tenants on a range of measures relating to their Council home, tenancy, communal services and neighbourhoods.

It was reported that the results of the STAR had been considered by SLT, the Portfolio Holder for Homes & Health and the Tenant Engagement Board, who had recommended that the Repairs & Maintenance Service be an area of focus and to identify areas of service development and modernisation.

The report provided Members with the background as to the collection and collation of data in relation to Tenant Satisfaction Measures and how these were used and aligned to the STAR. Paragraph 3 of the report set out the key highlights of the STAR report with further details being provided in relation to: repairs; ASB; lettings; complaints and queries; neighbourhood; home; empowerment; and value for money.

In considering the presentation Members commented that the outcome of the survey had, on the whole, been positive. They queried whether contactors were routinely showing their ID when entering tenants' houses, adding that it should be standard

practice. The Director confirmed that this had been raised with the contractors. In relation to necessary gas safety checks, she added that all tenants had been written to advising of a change in contractor and that all checks would be booked in advance with the tenants notified of the date and time.

AGREED (unanimously) that:

- a) the overall positive levels in satisfaction for housing services be noted;
- b) the full STAR Report attached at Appendix 1 be noted;
- c) the feedback from the Tenant Engagement Board to consider the Repairs & Maintenance Service as an area of focus for the Directorate in 2023/2024 be noted; and

the changes from 2023 onwards with the introduction of the Tenant Satisfaction Measures that, in part, replicate the current arrangements for STAR be noted.

25 TENANT ENGAGEMENT BOARD

The Committee considered the verbal update from Councillor Penny Rainbow, the Vice-Chairman of the Committee and a Member of the Tenant Engagement Board.

She advised that the first meeting of the Board had taken place on 25 August 2022 where principles and standard agenda items were agreed, these being performance and complaints. In relation to performance this would focus on gas servicing and how this could be improved with a view to getting early access to properties to carry out the works. The STAR results were also considered and it was agreed that the repairs service would be reviewed. The Housing Ombudsman Self-Assessment for Effective Complaint Handling and associated action plan was also considered and how the role of the Ombudsman might be better promoted together with how a tenant might make a complaint about housing services. It was agreed that information be provided on the recorded message that tenants heard when they telephoned the service. It was noted that tenant satisfaction measures were being introduced with further updates to come. The Consultation & Engagement Strategy and associated action plan were endorsed, approved and recommended to Cabinet.

26 UPDATE ON ASB WORKING GROUP

The Committee considered the verbal update of Councillor Ronnie White, the Chairman of the Committee and the Chairman of the ASB Working Group.

She advised that the group had met on three occasions with the fourth one scheduled the following day. They had received and discussed a broad overview of ASB, where the hotspots were in the district and what tools were available to the Council to assist in tackling the issue. They had visited the CCTV Control Room at the Nottinghamshire Police HQ and also had a more in-depth discussion in relation to ASB itself and statistical information.

Councillor White advised that there were clear themes emerging from the group:

- i. How the work of the Community Protection Officers could be maximised to have a positive impact on ASB throughout the district.
- ii. How to pursue a collaborative and partnership focussed approach to reduce ASB where possible.
- iii. Exploration of whether it is possible to optimise the use of current CCTV further.
- iv. Tackling ASB with education.
- v. Trying to improve the rate of reporting incidents by promoting the issue and how it might be made easier.

It was further noted that: a visit to the Control Room at Nottinghamshire Police HQ had been arranged; that the Community Safety Charter was to be considered by the group; review the issue of ASB in housing stock; how to progress working in partnership with schools; and engagement with the relevant Portfolio Holders.

27 UPDATE ON DIGITAL TOOLS WORKING GROUP

The Committee considered the verbal report of Councillor Simon Haynes, the Chairman of the Digital Tools Working Group.

He advised that two meetings of the group had been held. They had looked at the current equipment being used; whether additional training was required to enable better and more efficient utilisation of equipment; better use of available software e.g. Microsoft Teams.

Councillor Haynes provided information as to the hardware available currently to Members these being: iPads which were considered not fit for purpose in terms of Member requirements; a Microsoft device (similar to an iPad) being trialled by Councillor Linda Dales with positive feedback; and a Dell Laptop. He also advised that there were two other options which were for Members to: either bring their own device, currently being trialled by Councillor Skinner; or to utilise their mobile phones which Councillor Haynes stated he would be trialling.

It was noted that any recommendations agreed by the group would be presented to the Committee for consideration. They would then be forwarded to the Portfolio Holder for Organisational Development for onward recommendation to Cabinet noting that any changes to Members' devices would be actioned after the May 2023 elections.

Councillor Haynes advised Members that he would welcome any comments which the group could then consider and that the next meeting was scheduled for the following day.

28 MINUTES OF CABINET MEETING HELD ON 12 JULY 2022

NOTED the Minutes of the Cabinet meeting held on 12 July 2022.

29 CABINET FORWARD PLAN - SEPTEMBER TO DECEMBER 2022

NOTED the Forward Plan of the Cabinet for the period September to December 2022.

30 ITEMS FOR NEXT AGENDA

NOTED the items for the future meetings on 17 October and 28 November 2022.

Meeting closed at 8.11 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 Thursday, 11 August 2022 at 4.00 pm.

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

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

ALSO IN ATTENDANCE: Councillor R Jackson, Councillor Mrs S Michael and Councillor T Wendels

APOLOGIES FOR ABSENCE: Councillor Mrs R Holloway (Committee Member), Councillor P Peacock (Committee Member) and Councillor S Saddington (Committee Member)

25 DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

The Chairman declared a Non-Registerable Interest on behalf of all Members of the Planning Committee regarding Planning Application Item No. 21/01830/FUL, Agenda Item No. 5 – Site Adjacent ‘The Old Grain Store’, Old Epperstone Road, Lowdham as one of the joint applicants was a district councillor and known to all Members of the Committee.

Councillors Mrs L Dales and I Walker both declared a Non-Registerable Interest regarding Planning Application Item No. 21/01830/FUL, Agenda Item No. 5 – Site Adjacent ‘The Old Grain Store’, Old Epperstone Road, Lowdham as appointed representatives on the Trent Valley Internal Drainage Board.

26 NOTIFICATION TO THOSE PRESENT THAT THE MEETING WILL BE RECORDED AND STREAMED ONLINE

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

27 MINUTES OF THE MEETING HELD ON 7 JULY 2022

AGREED that the Minutes of the meeting held on 7 July 2022 were approved as a correct record and signed by the Chairman.

28 SITE ADJACENT 'THE OLD GRAIN STORE', OLD EPPERSTONE ROAD, LOWDHAM - 21/01830/FUL

The Committee considered the report of the Business Manager – Planning Development, following a site visit, which retrospectively sought a change of use of agricultural land and extension to the existing wood fuel production business, retention of earth bunds, retention of concrete retaining wall/clamp, retention of re-

sited biomass boiler, wood drying kiln and roof cover over. It was noted that the application was before Committee for determination as a District Councillor was one of the joint applicants. The application had previously been deferred at its Planning Committee meeting in February 2022 to enable the applicant to undertake a noise impact assessment.

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 from a neighbouring property after the Agenda had been published.

Councillor Tim Wendels, Local Ward Member was in attendance and spoke in support of the application.

Prior to opening the application for debate, the Chairman read out to the Committee the advice from the Council's Monitoring Officer in relation to determining an application submitted by a fellow District Councillor.

Members discussed the application, considering the concerns raised in relation to the encroachment of development within Green Belt together with potential noise and emissions from the operation at the site. They noted the proposed operations of the site in response to the noise impact report with the chipper to no longer be used and an acoustic barrier required to be used when the saw was in operation. Members were evenly split in their support for rejection of the application.

AGREED (with 6 votes for and 6 votes against) (following which the Chairman used his casting vote to vote for refusal) that planning permission be refused for the reason stated within the report.

29 THURGARTON QUARTERS FARM, PRIORY ROAD, THURGARTON - 22/00947/FUL

The Committee considered the report of the Business Manager – Planning Development, following a site visit, which sought the conversion of an existing stable building to one dwelling and the redevelopment of the remaining site with the construction of 4 dwellings.

Members considered the presentation of the Senior Planner, which included photographs and plans of the proposed development.

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

Parish Councillor Katie Chan, representing Thurgarton Parish Council, was in attendance and spoke in support of the application noting that support of the application by the Parish Council had been unanimous and that no objections had been received by local residents.

Councillor Roger Jackson, local Ward Member, representing Thurgarton Parish Council and local residents, also spoke in support of the application.

Members discussed the application, considering the proposed development and commented how this might improve the current site.

A vote was taken and lost for refusal with 5 votes for and 6 votes against with 1 abstention.

The meeting was adjourned under paragraph 13.5(ii) of the Protocol for Members on Dealing with Planning Matters to allow for reasons to be discussed.

AGREED (with 6 votes for, 3 votes against and 3 abstentions) that contrary to Officer recommendations, planning permission be approved due to the proximity of the development to adjoining housing meaning it was not remote and therefore was considered as sustainable and the existing character and use of the site lent itself to improvement. It was, therefore, considered to comply with the development plan. Such approval be subject to appropriate conditions being agreed together with reasons for approval, as determined by the Business Manager – Planning Development, following consultation with the proposer and seconder of the motion to approve (Councillors Penny Rainbow and Malcolm Brock).

In accordance with paragraph 13.5 of the Protocol for Members on Dealing with Planning Matters, as the motion was against officer recommendation, a recorded vote was taken.

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

30 CHAPEL FARM, CHAPEL LANE, EPPERSTONE - 22/00291/FUL

The Committee considered the report of the Business Manager – Planning Development, following a site visit, which sought permission for the demolition of an existing dwelling and the erection of a replacement dwelling.

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 from Epperstone Parish Council in support of the application after the Agenda had been published.

Parish Councillor Paul Bracegirdle, Chairman of Epperstone Parish Council was in attendance and spoke in support of the application and the proposed development of the site.

Councillor Roger Jackson, local Ward Member was in attendance at the meeting and also spoke in support of the application.

Members discussed the application, noting that agreement had been reached between Planning Officers and the applicant that the existing dwelling required demolition with the report outlining the reasons for the Officer recommendation of refusal in paragraph 10.

AGREED (with 9 votes for, 2 votes against and 1 abstention) that planning permission be refused for the reason stated within the report.

Councillor M Skinner left the meeting room prior to discussion on the following item and therefore did not take part in the vote.

31 LAND AT POST OFFICE FARM, MAIN STREET, OSSINGTON - 22/00701/FUL

The Committee considered the report of the Business Manager – Planning Development which sought planning permission for the erection of agricultural livestock buildings.

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 from a neighbouring property after the Agenda had been published.

Councillor Sylvia Michael, local Ward Member, was in attendance and spoke in support of the application.

Members considered the application acceptable.

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

32 FOOTBALL GROUND, STATION ROAD, COLLINGHAM - 22/01336/FUL

The Committee considered the report of the Business Manager – Planning Development which sought retrospective permission for a change of use from residential garden to leisure sports facilities and to change an area of leisure sports facilities to residential garden including the realignment of new boundary fencing.

Members considered the presentation from the Senior Planner which included photographs and plans of the proposed development.

A schedule of communication was tabled at the meeting, which detailed correspondence received from the parish council after the Agenda had been published.

Members considered the application acceptable.

AGREED (unanimously) that planning permission be approved, subject to the conditions as set out in paragraph 10 of the report and subject to the expiry of the consultation period with no further material issues, not already considered, being raised.

Councillor M Skinner returned to the meeting room.

33 PLANNING COMMITTEE SCHEME OF DELEGATION TO OFFICERS AMENDMENTS

The Committee considered the report of the Business Manager – Planning Development which sought approval for the proposed changes to the Planning Committee Scheme of Delegation to Officers.

The Business Manager – Planning Development informed Committee of the proposed amendments referring Members to the specific change in relation to applications supported by Town & Parish Councils/Meeting that are recommended for refusal by Officers.

AGREED (unanimously) that Planning Committee:

- a) adopt the amended Planning Committee Scheme of Delegation to Officers. Such amendments to include the amendments relating to applications supported by Town & Parish Councils/meetings that were recommended for refusal by Officers.; and
- b) note the trial in relation to HRA applications.

34 APPEALS LODGED

AGREED that the report be noted.

35 APPEALS DETERMINED

AGREED that the report be noted.

36 DEVELOPMENT MANAGEMENT PERFORMANCE REPORT

The Committee considered a report presented by the Business Manager - Planning Development which related to the performance of the Planning Development Business Unit over the three month period April to June 2022. In order for the latest quarter's performance to be understood in context, in some areas data going back to

April 2020 was provided. The performance of the Planning Enforcement team was provided as a separate report.

AGREED (unanimously) that the report be noted.

37 QUARTERLY PLANNING ENFORCEMENT ACTIVITY UPDATE REPORT

The Committee considered the report presented by the Business Manager – Planning Development which provided an update as to the activities and performance of the planning enforcement function for the first quarter of the current financial year. The report also provided examples of cases that had been resolved through negotiation and Notices that had been complied with.

In considering the report, Members commented that many members of the public had limited knowledge of the planning process. They agreed it could be beneficial if promotion of the planning system could be provided.

AGREED (unanimously) that the report be noted.

Meeting closed at 6.25 pm.

Chairman

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of **Audit and Governance Committee** held in the Civic Suite, Castle House, Great North Road, Newark, NG24 1BY on Wednesday, 27 July 2022 at 6.00 pm.

PRESENT: Councillor Mrs S Michael (Chairman)
Councillor R Crowe (Vice-Chairman)

Councillor R Blaney, Councillor Mrs B Brooks, Councillor D Cumberlidge, Councillor Mrs E Davis, Councillor P Harris, Councillor B Laughton, Councillor J Lee, Councillor T Smith and Mr C Richardson (Non-Voting Co-Optee)

ALSO IN ATTENDANCE: Councillor Mrs P Rainbow

APOLOGIES FOR ABSENCE: Councillor S Haynes (Committee Member) and Councillor J Kellas (Committee Member)

One minutes silence was observed at the start of the meeting to remember Councillor Michael Brown who had recently passed away having been a Member of the Audit & Accounts Committee.

The Chairman welcomed Clive Richardson to his first meeting as an Independent Non-Voting Member.

1 DECLARATIONS OF INTEREST FROM MEMBERS AND OFFICERS

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

2 NOTIFICATION TO THOSE PRESENT THAT THE MEETING WILL BE RECORDED AND STREAMED ONLINE

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

3 MINUTES OF THE MEETING HELD ON 27 APRIL 2022

AGREED that the minutes of the meeting held on 27 April 2022 be approved as a correct record and signed by the Chairman.

4 ORDER OF BUSINESS

With the agreement of the Committee, the Chairman changed the order of business. Agenda Item 5 Audit & Governance Committee Work Plan was taken after Item 15 Committee Member Training followed by Agenda Item 18 Date of Next Meeting, then the agenda resumed to its stated order.

5 AUDIT REPORT - LONDON ROAD MUNICIPAL BUILDINGS

The Committee considered the report from the Chief Executive appending the findings and suggested improvements from Assurance Lincolnshire following their audit of decision-making surrounding the sale of Municipal Buildings and proposed extension to London Road car park.

The Chief Executive highlighted how the circumstances had brought the Council into conflict with some members of the community, which was distressing for the community, and also some Members and staff. The Council would not want a repeat of these circumstances. By undertaking an independent review, the Council will be able to learn from this going forward, which was really important. The Chief Executive wanted those present at the Audit & Governance Committee meeting to understand how really sorry he was for the upset caused.

The report provided background to the reasons the audit was commissioned. At an extraordinary meeting of Full Council held on 24 November 2021, it was agreed to rescind a previous decision taken by the Council on 12 October 2021 to proceed with an extension to London Road car park.

The circumstances leading up to this decision were considered in the audit report. Assurance Lincolnshire was commissioned to provide an independent review of the facts surrounding the decision-making process and to identify any lessons learnt.

Members were advised that the report had been shared with two external stakeholders before the Committee meeting took place as Assurance Lincolnshire had consulted with them as part of the review – Newark Civic Trust and Protect Newark Green Spaces.

Members were asked to consider the action plan appended to the report.

Councillor Harris asked a number of questions, including in respect of the scope of the review, the Council's current approach in relation to exempt items, the Council's approach to engagement and the legal advice referred to in the report. In relation to Suggested Improvement 2.6 in the action plan, he asked whether 'environmental case' could be included as a key question in all business cases. This was confirmed. Councillor Harris also expressed his view that a wider debate should be held on the report, rather than focussing on the action plan.

Councillor Blaney referenced Suggested Improvement 2.12 in the action plan regarding 'corporate memory' and suggested that there should be a commitment to implement a process.

Councillor Smith asked for further information in relation to Suggested Improvement 2.4 regarding communication and engagement. It was confirmed that an updated strategy is due to be presented to Cabinet in November 2022.

Other Councillors expressed the view that now was the time to move forward and acknowledged actions that had been completed already.

The Chairman concluded that the results of the internal audit were never going to satisfy everyone and that was why an independent audit was commissioned, that the Council has taken stock of its procedures to ensure a similar situation does not arise again, and that it is now time to move on.

AGREED (with 9 votes For and 1 vote Against) that the Audit & Governance Committee approved the action plan set out at Appendix 2 to this report in response to the audit.

6 ANNUAL INTERNAL AUDIT REPORT

The Committee considered the report from the Head of Internal Audit for Assurance Lincolnshire providing a summary of Internal Audit work undertaken during 2021/22 and to support the Annual Governance Statement by providing an opinion on the organisation's governance, risk, financial and internal control environment.

The report highlighted that the opinion remained unchanged since the 2020/21 financial year and that the direction of travel was positive in all four areas.

The Director for Housing, Health and Well-Being provided an update with regard to landlords compliance informing the Committee that all modules relating to the compliance function would be in place by 30 September. For assurance purposes the Apex module will run alongside the existing monitoring arrangements before running Apex as the primary data source. This applies to all compliance management, that is gas, legionella, fire, electrical safety, asbestos, lifts and hoists.

The Director for Housing, Health and Well-Being gave the added assurance that the new contractor who would be starting on 1 August had already been setting appointments with tenants, providing added benefits of tenants such as receiving a text message to remind them of their appointment, and a 10 month style MOT service retaining the anniversary date with the ability to co-ordinate servicing with gas repairs if the service is due in the following 2 months.

The Chairman requested that a further update be provided at the next meeting of the Audit & Governance Committee and that the Director for Housing, Health and Well-Being returns in November to be able to confirm that everything has been carried out.

AGREED (unanimously) that the Audit & Governance Committee considered and commented upon the annual internal audit report and noted its content.

7 TREASURY MANAGEMENT OUTTURN REPORT 2021/22

The Committee considered the report from the Assistant Business Manager for Financial Services giving Members the opportunity to review the Annual Treasury Outturn report, which will be presented to Council on 18 October 2022.

The report explained that the Treasury Management Strategy Statement for 2021/22 was approved by Full Council on 9 March 2021, and the Outturn report was the last report for the financial year, as required by the Code. It had been prepared based on the draft final accounts, which appeared elsewhere on the agenda. If it is found that

there are significant changes resulting from the audit of the accounts, they will be reported at the next meeting of this Committee.

AGREED (unanimously) that the Treasury Outturn position for 2021/22 be considered.

8 GOING CONCERN STATUS OF THE COUNCIL

The Committee considered the report from the Business Manager for Financial Services setting out the Council's assessment by the Council's Section 151 officer of the Council's Going Concern status.

The report explained that the concept of a 'going concern' assumes that an authority, its functions and services will continue in operational existence for the foreseeable future. This assumption underpins the accounts drawn up under the Local Authority Code of Accounting Practice and is made because local authorities carry out functions essential to the local community and are themselves revenue-raising bodies (with limits on their revenue-raising powers arising only at the discretion of central government).

Councillor Lee queried how the District Council operates in relation to its assets and their valuation. The Business Manager for Financial Services advised that infrastructure improvements to an asset will always be revalued, every single asset is valued every five years, carrying out 20% every year and the top ten assets every year to ensure that valuations are materially correct.

AGREED (unanimously) that Members noted the conclusion of the assessment made of the Council's status as a going concern for the purposes of the Statement of Accounts 2021/22.

9 UNAUDITED STATEMENT OF ACCOUNTS 2021/22

The Committee considered the report from the Business Manager for Financial Services which asked Committee to review the Council's draft Statutory Accounts for the financial year ended 31 March 2022.

The Committee Members had attended an End of Year Statement of Accounts training session prior to Committee in order to gain an understanding of the financial statements and notes to the accounts, in order to be able to objectively challenge the information in the accounts.

The report informed the Committee that the Accounts and Audit Regulations 2015 required that the authority to prepare and publish its approved draft and audited Statement of Accounts by 31 July and 30 November respectively. It is proposed that these deadlines revert back to 31 May and 30 September respectively, subject to consultation, with effect from the 2022/23 accounts onwards. The Regulations only require the Section 151 Officer to sign and certify that the unaudited Statement of Accounts present a true and fair view of the financial position of the Council. However, in the interests of transparency and good governance, these are still being presented to this Committee in order to give the Members of the Committee a chance

to review the contents rather than first inspection being when the audited Statement of Accounts need approving in November.

Councillor Blaney referred to the Appendix on page 5 of the document with a map of the District and highlighted that Balderton was missing off the map. As did Councillor Smith to advise that Blidworth had also not been included. The Members asked that this is rectified before the final version is published.

AGREED (unanimously) that:

- a) Members noted the Annual Governance Statement for the financial year ended 31 March 2022; and
- b) Members noted the draft Statement of Accounts for the financial year ended 31 March 2022 and agreed to them being submitted to the external auditor (Mazars) for audit and certification.

10 ANNUAL EXTERNAL AUDIT STRATEGY MEMORANDUM 2021/22

The Committee considered the report from the Business Manager for Financial Services presenting the External Audit Strategy Memorandum for the 2021/22 Statement of Accounts work.

The Mazars representative presented to the Committee the External Audit Strategy Memorandum at Appendix A setting out the proposed work of the Council's external auditors for 2021/22. The appendix provided a breakdown of the audit scope, approach and timeline in order to meet the deadline of 30 November.

AGREED (unanimously) that Members noted the External Audit Strategy Memorandum.

11 FRAUD RISK ASSESSMENT

The Committee considered the report from the Business Manager for Financial Services informing Members of the update of the Fraud Risk Register undertaken during April 2022.

The report informed the Committee that all of the existing risks have had an in depth review by the Business Manager for Financial Services, a Principal Investigator from Assurance Lincolnshire and the risk owner. Consideration was given as to whether there are new fraud types within the risk and whether the controls reflected the current environment.

The risk scores were reviewed to determine whether the impact or likelihood of any of the frauds occurring had changed since the last review.

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

12 INTERNAL AUDIT PROGRESS REPORT 2022/23

The Committee considered the report from the Head of Internal Audit for Assurance Lincolnshire providing a summary of Internal Audit work undertaken during 2022/23 against the agreed audit plan and any remaining reports from 2021/22.

The report informed Members that there were eleven actions due for implementation and that there were no overdue actions for the Committee to review.

AGREED (unanimously) that the Audit & Governance Committee considered and commented upon the latest internal audit progress report and noted its content.

13 ANNUAL STANDARDS REPORT FOR THE PERIOD 1 APRIL 2021 - 31 MARCH 2022

The Committee considered the Annual Standards Report for the period 1 April 2021 to 31 March 2022 from the Assistant Director for Legal & Democratic Services and Monitoring Officer.

At its meeting on 17 May 2022, the Council adopted Executive Arrangements, also known as the Cabinet System. Under the new arrangements, the Audit & Governance Committee has responsibility for promoting and maintaining high standards of conduct by Members and Co-opted Members of the Council. It is also responsible for maintaining an overview of the Member Code of Conduct and arrangements for dealing with complaints.

The report highlighted the high standards to be expected of Members, Councillor Lee reminding Members when accepting gifts, to make reference to the Gifts and Hospitality provisions in the Constitution. It was confirmed that a reminder would be issued to Members.

AGREED (unanimously) that the Annual Standards Report be noted.

14 COMMITTEE MEMBER TRAINING

The Committee considered the report from the Business Manager for Financial Services proposing a training programme for Members of the Committee for the 2022/23 financial year.

Councillor Lee requested that the Treasury Management training be offered to all Councillors so that everyone receives the knowledge not just those who are currently Members of the Audit & Governance Committee.

AGREED (unanimously) that Members noted the training programme suggested.

15 AUDIT & GOVERNANCE COMMITTEE WORK PLAN

The Committee considered the Audit & Governance Committee Work Plan.

AGREED (unanimously) that the Audit & Governance Committee Work Plan be approved.

16 DATE OF NEXT MEETING - WEDNESDAY 23 NOVEMBER 2022

The date of the next meeting was discussed by the Committee to bring forward to the 23 November 2022.

AGREED (unanimously) to bring forward the date of the next meeting to the 23 November in order to meet the Accounts statutory deadline.

17 EXCLUSION OF THE PRESS AND PUBLIC

Agreed (unanimously) that under Section 100(A) of the Local Government Act 1972, the press and public be excluded from the meeting during discussion of this item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 3 of Schedule 12A of the Act and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

18 FRAUD RISK ASSESSMENT APPENDIX A EXEMPT

The Committee considered the exempt report with regard to the Fraud Risk Assessment.

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

Meeting closed at 7.45 pm.

Chairman

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

Document is Restricted

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of **General Purposes Committee** held in the Castle House, Great North Road, Newark, NG24 1BY on Thursday, 22 September 2022 at 6.00 pm.

PRESENT: Councillor Mrs R Crowe (Chairman)
Councillor I Walker (Vice-Chairman)

Councillor Mrs B Brooks, Councillor P Harris, Councillor R Jackson, Councillor S Saddington, Councillor T Thompson, Councillor T Wildgust and Councillor Mrs Y Woodhead

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 R White (Committee Member)

9 DECLARATIONS OF INTERESTS FROM MEMBERS AND OFFICERS

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

10 NOTIFICATION TO THOSE PRESENT THAT THE MEETING WILL BE RECORDED AND STREAMED ONLINE

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

11 MINUTES OF THE MEETING HELD ON 23 JUNE 2022

AGREED that the Minutes of the meeting held 23 June 2022 were a correct record and signed by the Chairman.

12 GENERAL PURPOSES COMMITTEE FORWARD PLAN (OCTOBER 2022 TO SEPTEMBER 2023)

The Committee considered and noted the Forward Plan from 1 October 2022 to 30 September 2023.

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

- i. Findings of Review of Taxi Fares (March 2023)
- ii. Possible Changes to the Livery of Hackney Carriage Vehicles (June 2023)

13 URGENT REVIEW OF HACKNEY CARRIAGE FARES

The Committee considered the report presented by the Business Manager – Public Protection which sought to update Members on the taxi fare review carried out and the options put forward for consideration. The report set out the results of the consultation on the proposed fare increase.

It was reported that the majority of comments had not been supportive of the proposed change to increase the basic cost represented on the taximeter prior to the journey commencing (the flag) by £1.00 with most respondents preferring a larger increase in fares. Paragraph 2 of the report set out the 3 options before Members for consideration.

In considering the report Members noted the comments of the respondents and that only 7 out of a potential 136 taxi drivers had replied to the consultation. The Business Manager advised that any increase needed to be balanced between still offering a fair price to the customer but also assisting the trade.

A Member queried whether it would be possible to progress the proposed increase as set out in Option 1 but then undertake a further review. The Business Manager advised that the cost of recalibrating the metre would be met by the Council but that the responsibility for any further costs would be a decision for the Committee. He also advised that if Members proposed alternative amendments these would need to be readvertised and consulted on again with the trade.

Members discussed the need to find a suitable balance to any changes, noting that a £1 increase on the flag was a relatively high percentage on £2.90. It was suggested that consideration also be given to lengthening the evening hours, subsequent mileage charges and the soiling charge.

Members also noted that any change to the metre had to be carried out in Nottingham and queried whether it was possible for it to be done within the district. The Business Manager advised that the company who carried out the work was based in Nottingham, but enquiries could be made as to whether it was possible for them to do this elsewhere.

AGREED (unanimously) that:

- a) the standard rate (Tariff 1) of £2.90 be increased by £1.00 to £3.90;
- b) the cost of recalibrating the taximeter to £3,90 would be met by the Council; and
- c) a full review of the current taxi fares be undertaken with immediate effect, such review to include all charges, with a report being presented to the March 2023 meeting of the Committee.

14 HACKNEY CARRIAGE VEHICLE LIVERY IN NEWARK & SHERWOOD

The Committee considered the report presented by the Business Manager – Public Protection which sought to update Members on the review of the current specification for the livery of Hackney Carriage Vehicles together with options for consideration.

The report set out the current controls in relation to vehicle specification requirements contained within the Taxi Policy, specifically advertising and taxi signage. Paragraph 2 of the report set out the proposals and options considered with a recommendation that no change be made to the livery of both Hackney Carriage and Private Hire Vehicles.

In considering the report Members noted the comments of the Business Manager that any change to vehicle specifications for Hackney Carriage or Private Hire Vehicles would be a financial burden on the trade.

In noting the comments, a Member stated that it was very difficult for a member of the public to know whether a taxi they were using was local to the area or from elsewhere and that a distinctive external livery would enable them to know. In acknowledging the current cost of living crisis he suggested that the trade be given an indication that the Council were considering the measure. He added that it would also be beneficial if signage inside the vehicle enabled passengers to identify the driver as, at present, it was only displayed on the windscreen. He suggested that it also be available on the back of the passenger seat.

AGREED (unanimously) that:

- a) no changes be made to the external livery of Hackney Carriage or Private Hire Vehicles;
- b) Officers undertake an immediate review of the internal livery of vehicles e.g. additional signage on the rear of passenger seats and report back to Committee their findings; and
- c) a further report be presented to Committee in June 2023 on possible changes to the livery of Hackney Carriage Vehicles in the district.

15 UPDATE ON PAVEMENT LICENCES AND REVIEW OF FEES

The Committee considered the report presented by the Business Manager – Public Protection which sought to advise Members of the current position with regard to Pavement Licences issued under the Business & Planning Act. Members' consideration of the current fees charged by the Council was also sought.

The report set out the background to the current pavement licence regime that had been introduced to support businesses with arrangements to trade effectively during the controls imposed as part of the response to the coronavirus pandemic, noting that it had not replaced the regime already in existence. It was reported that the Government had committed to making the provision of pavement licences, in England

and Wales, under the Business & Planning Act permanent. The new regime was set out within the Levelling Up & Regeneration Bill and would become law once that had passed through parliament.

It was reported that only 3 pavement licences had been issued by the district council, noting that there were no powers that could be used to enforce the requirement to have a valid licence. In considering the cost-of-living crisis for households and businesses, it was proposed to make no change to the current fees charged as set out in paragraph 2.3 of the report and that no changes be made to the licence conditions, as detailed in Appendix 1 to the report.

In considering the report Members noted that under the Levelling Up & Regeneration Bill the proposed application fee for a new licence was £500. They considered this to be too high as any increase in business by utilising such a licence would be marginal and requested that the proposed fee be challenged. It was suggested that there should be a scale of charges e.g. the larger the pavement area utilised the higher the fee.

AGREED (unanimously) that:

- a) the temporary extension to the pavement licence regime until 30 September 2023 be noted;
- b) the Government's policy proposal that the regime become permanent, subject to parliamentary approval, be noted; and
- c) the fee for a new licence application and the renewal of an existing licence remain unchanged.

16 UPDATE ON PERFORMANCE AND ENFORCEMENT MATTERS

The Committee considered the report presented by the Senior Licensing Officer into the 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.

AGREED (unanimously) that the report be noted.

Meeting closed at 6.54 pm.

Chairman

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of **Licensing Committee** held in the Castle House, Great North Road, Newark, NG24 1BY on Thursday, 22 September 2022 at 6.00 pm.

PRESENT: Councillor Mrs R Crowe (Chairman)
Councillor I Walker (Vice-Chairman)

Councillor Mrs B Brooks, Councillor P Harris, Councillor R Jackson, Councillor S Saddington, Councillor T Thompson, Councillor T Wildgust and Councillor Mrs Y Woodhead

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 R White (Committee Member)

12 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.

13 NOTIFICATION TO THOSE PRESENT THAT THE MEETING WILL BE RECORDED AND STREAMED ONLINE

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.

14 MINUTES OF THE MEETING HELD ON 23 JUNE 2022

AGREED that the Minutes of the meeting held 23 June 2022 were a correct record and signed by the Chairman.

15 LICENSING COMMITTEE FORWARD PLAN (OCTOBER 2022 TO SEPTEMBER 2023)

AGREED (unanimously) that the Licensing Committee's Forward Plan from 1 October 2022 to 30 September 2023 be noted.

NOTED that the Committee were invited to attend Night-Time Economy Visits within Newark town. Dates to be emailed to all Members.

Councillor T. Wildgust left the meeting at 7pm.

16 PROMOTION AND SUPPORT OF THE PUBWATCH SCHEME

The Committee considered the report presented by the Business Manager – Public Protection which sought to update Members on the Pubwatch Schemes currently operating in the Newark & Sherwood district and to also seek approval for the local initiatives being developed.

The report set out the background to the scheme, noting its aim was to promote best practice in the trade by achieving a safer drinking environment in all licensed premises throughout the UK.

It was reported that there were currently 4 active schemes in the Newark & Sherwood district, based in: Newark; Ollerton; Southwell; and Rainworth & Blidworth, meeting monthly to discuss issues that affects them and sharing information such as problematic customers, licensing issues, previous incidents and how they were handled, together with future events and the potential impact on their premises.

The proposals reported, for Members' consideration, to promote the schemes to a wider range of licensed premises and to encourage a wider membership were detailed in paragraph 2 of the report.

AGREED (unanimously) that support be given to the initiatives below to promote and enhance the local Pubwatch Schemes:

- a) encourage sign-up to the newsletter;
- b) use of the evaluation tool to identify potential improvements;
- c) promotion of the free Citizen Card; and
- d) working with Newark Pubwatch on Safer Streets.

17 REVIEW OF POOL OF POTENTIAL CONDITIONS

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

The report provided background information as to how conditions could be attached to a licence, together with details of the three types of conditions available: mandatory; proffered; and imposed, noting that any imposition of conditions must be appropriate and proportional and promote the four licensing objectives.

In considering the report and noting that the Nottinghamshire Authorities Licensing Group had been delayed in developing the pool of conditions, a Member requested that an additional condition be inserted as follows: that a yellow outline on a plan denotes any vertical standing/drinking areas within a premise. The Member also stated that he wished to be able to consider any comments made by Environmental Health Officers.

AGREED (unanimously) that:

- a) when the amended pool of potential conditions was received they be forwarded to all Members for consideration; and
- b) a report be presented to the Committee at their meeting scheduled for 1 December 2022 for consideration.

18 TEMPORARY EVENT NOTICES - 1 APRIL TO 30 JUNE 2022

The Committee considered the report presented by the Senior Licensing Officer in relation to the Temporary Event Notices received between 1 April and 30 June 2022. The appendix to the report listed all the TENs received.

AGREED (unanimously) that the report be noted.

19 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 April and 30 June 2022.

AGREED (unanimously) that the report be noted.

Meeting closed at 7.10 pm.

Chairman