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**Monday, 9 October 2023**

**Chair: Councillor C Brooks**  
**Vice-Chair: Councillor J Hall**

**To all Members of the Council:**

**MEETING: Full Council**

**DATE: Tuesday, 17 October 2023 at 6.00 pm**

**VENUE: Civic Suite, Castle House, Great North Road,  
Newark, NG24 1BY**

**You are hereby requested to attend the above Meeting to be held at the time/place  
and on the date mentioned above for the purpose of transacting the  
business on the Agenda as overleaf.**

If you have any queries please contact Nigel Hill Tel: 01636 655243 Email: [Nigel.hill@newark-sherwooddc.gov.uk](mailto:Nigel.hill@newark-sherwooddc.gov.uk)

## AGENDA

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1. Apologies for absence	
2. 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 18 July 2023 and the Extraordinary Meeting held on 20 September 2023	10 - 23
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)	
7. Questions from Members of the Public and Council	
8. Audit & Governance Committee Annual Report	24 - 30
9. Members Allowances Independent Remuneration Panel	31 - 38
10. Notices of Motion	

### **1. United Nations Sustainable Development Goals**

In accordance with Rule No. 3.4.3, Councillor K. Melton will move and Councillor M Spoor, will second a motion to the following effect:

This Council notes with concern the recent Special Report from the United Nations Secretary General – [“Progress towards the Sustainable Development Goals: towards a rescue plan for people and planet”](#)– published in July 2023 to mark the midpoint between 2015 and the delivery date of 2030.

The Secretary General finds that *“... many of the Goals are moderately to severely off track and puts forward five major recommendations to rescue the Goals and accelerate implementation between now and 2030.”*

In particular, this Council notes the third of those recommendations, calling upon Governments to *“... strengthen national and subnational capacity, accountability and public institutions to deliver accelerated progress towards achieving the Sustainable Development Goals.”*

To that end, Newark and Sherwood District Council resolves to adopt the United Nations Sustainable Development Goals (UN SDGs) as a framework for informing our local authority's policies, work programs, functions, and initiatives.

By doing so, we commit to aligning our strategies with the national and global agenda for sustainable development and working towards achieving these goals within our sphere of influence; thus recognising the significance of the UN SDGs as a comprehensive framework for sustainable development at the global level. We shall seek to apply the UN SDGs at the local level for the wellbeing of our residents.

The Council believes that:

1. Adopting the UN SDGs will provide a clear direction for our local authority's policies, work programs, and initiatives, ensuring their alignment with the national and global agenda for sustainable development.
2. Emphasising the importance of multi-stakeholder collaboration and partnerships will help in implementing the UN SDGs effectively.
3. Committing to regular monitoring, reporting, and evaluation of our progress towards achieving the UN SDGs is vital to engage our community in the process.
4. Encouraging cooperation and knowledge-sharing with other local authorities across the UK and world that have already adopted the UN SDGs, will help in promoting collective action and learning both locally and globally.

The Council therefore agrees to:

- A. Adopt the UN SDGs as a framework for informing our local authority's policies, work programs, and initiatives.
- B. Contribute to the achievement of the UN SDGs through delivery of the Community Plan.
- C. Actively engage and collaborates with other local authorities, organisations, and community groups to share best practices, experiences, and lessons learned in advancing the UN SDGs.
- D. Receive an annual report from the Portfolio Holder for Climate Change setting out the Council's contributions to the global agenda for sustainable development.

By taking this step, we can also demonstrate our commitment to contribute to the global effort to achieve a more equitable, sustainable and resilient world for future generations.

## **2. Ocean Recovery**

In accordance with Rule No. 3.4.3, Councillor E. Oldham will move and Councillor K. Melton will second a motion to the following effect:

Introduction:

*What is the Motion for the Ocean?*

The Motion for the Ocean has been created to enable local authorities to play their part in realising a clean, healthy and productive ocean and all of the direct economic, health and wellbeing benefits it will bring. The

#Motion4theOcean is a blueprint for local action, developed by leading ocean experts Emily Cunningham, Dr Pamela Buchan and Nicola Bridge together with Councillors and Council Officers from across England. It is non-partisan.

18 councils have so far passed a locally adapted Motion for the Ocean (see Appendix I). The majority of these are coastal councils; however, the responsibility for ocean action lies equally with inland councils.

*Why is it important for an inland council to pass a Motion for the Ocean?*

No matter where we live in the UK, we are never more than 70 miles from the ocean. We all benefit from our ocean through the air we breathe, the food we eat and the way our ocean regulates the climate. The evidence is clear that our ocean is in a state of emergency and that this impacts us all, no matter where we live.

This Council believes that:

The people of Newark & Sherwood District benefit from our ocean through the air we breathe, the food we eat and the way our ocean regulates the climate. We all impact our ocean not only if we visit the coast, but every day through what we put down the drain, the litter and pollution that flows into our rivers and the carbon emissions we produce. The River Trent, among many others are key features of our District and is our direct links to the ocean.

The burden of taking care of our ocean falls to communities at the coast; but they are at the end of the line, receiving pollution and problems from inland communities. NSDC, as an inland council has an essential role to play in recovering the health of our ocean through increasing awareness of how local actions can affect the ocean and by acting as responsible custodians of the rivers, streams and waterways that run through our district on their way to the sea.

Newark & Sherwood District Council recognises that we have an essential role to play in recovering the health of our ocean.

This Council pledges to champion ocean recovery as outlined below:

1. Work with responsible authorities and others with an interest in the River Trent to bring an action plan and to review the timetable to Cabinet within 12 months. Longer-term, we commit to making this report publicly available on the NSDC website and to subsequent bi-annual progress reporting at the Policy & Performance Improvement Committee.
2. Embed protection and recovery of the River Trent and its tributaries in decision making by the Council (particularly in planning, regeneration, waste, skills and economic policy), in line with our actions to mitigate the Climate and Ecological Emergencies and to consider nature-based solutions in our journey towards a carbon neutral and climate resilient future.

3. Work with Severn Trent, the Environment Agency, developers, and other agencies to explore ways to improve the water quality of our rivers and coastal waters in our district benefitting nature and residents alike.
4. Update the Council's Climate Change plan to recognise how land and rivers connect to and impact the ocean and strive to support ocean recovery through a source-to-sea approach. Ensure any future relevant plans set out in our new Development Plan 2024 to 2029, also adopts this approach.
5. Grow ocean literacy (where a person understands the ocean's impact on them and their impact upon the ocean) and marine citizenship in Newark & Sherwood, including:
  - a) Working with the responsible authorities with the aim of ensuring that all primary school-aged children in Newark and Sherwood have a first-hand experience of the ocean or River Trent- striving to engage home-schooled children.
  - b) Promoting sustainable and equitable experience and awareness of the ocean or River Trent through physical and digital experiences for all residents; and
  - c) Through these actions, embed understanding of the 'source to sea' approach and how all people, wherever they live, impact and are impacted by ocean health.
6. Use our website and other communication channels to provide updates on the recovery of our rivers, and signpost to opportunities and guidance that enable residents to become more ocean literate and to get involved with river and marine citizenship activities and to stop pollution at its source.
7. Ensure that the Council's Biodiversity Portfolio Holder, or Cabinet in any future absence of a designated Portfolio Holder, champions ocean recovery in line with the pledges laid out in this motion.
8. Recognising that wherever we live we share responsibility for sustainable marine management, the Leader will write to the Government calling on them to put the ocean into recovery by 2030, following expert guidance as outlined in Appendix 2.

#### Appendix I

Councils that have passed a Motion for the Ocean:

- Plymouth City Council, 22 November 2021
- Falmouth Town Council, 10 January 2022
- South Tyneside Council, 13 January 2022
- North Norfolk District Council, 9 February 2022
- North Devon Council, 23 February 2022
- Monmouthshire County Council, 3 March 2022
- Seaton with Slingley Parish Council, 16 March 2022

- [Seaham Town Council](#), 22 March 2022
- [Torridge District Council](#), 11 April 2022
- [Portsmouth City Council](#), 17 May 2022
- [Devon County Council](#), 27 May 2022
- [Blandford Forum Town Council](#), 25 July 2022
- [Teignbridge District Council](#), 26 July 2022
- [Blackpool Council](#), 20 November 2022
- [Isle of Wight Council](#), 19 July 2023
- [Canterbury City council](#), 20 July 2023
- North Somerset Council, 19 September 2023
- [Havant Borough Council](#), 21 September 2023

In addition to the local Councils who have individually declared, the Local Government Association also [supported the Motion for the Ocean](#) on 29 September 2022.

## Appendix 2

We will write to the Government calling on them to put the ocean into recovery by 2030, following expert guidance as follows:

- a) Ensuring Inshore Fisheries and Conservation Authorities have the resources they need to effectively research and monitor our growing number of marine protected areas, and to set and enforce appropriate fishing levels that support local economies and deliver environmental sustainability.
- b) Working with coastal communities to co-develop marine policy to ensure it delivers equitable and sustainable outcomes in local placemaking.
- c) Appointing a dedicated Minister for Coastal Communities.
- d) Embedding ocean and civic literacy into the national curriculum.
- e) Stopping plastic pollution at source by strengthening the regulations around single-use plastics and set standards for microfibre-catching filters to ensure that all new domestic and commercial washing machines are fitted with a filter that captures a high percentage of microfibres produced in the wash cycle.
- f) Improve the water quality of our rivers, coastal waters and ocean to benefit nature and the health and wellbeing of all UK residents, including by stopping the regular pollution of our rivers and seas.
- g) And by listening to marine and social scientific advice to update the Marine Policy Statement and produce a national Ocean Recovery Strategy which will:
  - i. Enable the recovery of marine ecosystems rather than managing degraded or altered habitats in their reduced state.

- ii. Consider levelling up, marine conservation, energy, industrial growth, flood and coastal erosion risk management, climate adaptation and fisheries policy holistically rather than as competing interests.
- iii. Develop a smarter approach to managing the health of the entire ocean that moves beyond Marine Protected Areas and enables links to be made across sectors towards sustainability.
- iv. Establish improved processes for understanding the benefits of ocean recovery, leaving no doubt the links between this and human lives, livelihoods and wellbeing.

#### Glossary

Ocean recovery - bringing our seas back to life so they are clean, healthy and productive, for people, climate and nature.

Ocean literacy – where a person understands the ocean's influence on them and their influence on the ocean.

Marine citizenship - exercising the right to participate in the transformation of the human-ocean relationship for sustainability. This means taking individual and collective responsibility to consider one's own and society's impacts on the ocean; and exercising rights as a marine citizen, e.g., writing to a local Councillor to ask them to take action for ocean recovery; or promoting or making local, national or international policy changes.

### **3. Disposal of Single Use Vapes**

In accordance with Rule No. 3.4.3, Councillor R Jackson will move and Councillor J Lee, will second a motion to the following effect:

Although the Government is looking at banning single use vapes because of health reasons and their use by young children, in recent weeks it has been reported that discarded single use vapes have found their way into general waste and recycling bins and have unfortunately been responsible for causing fires in refuse collection lorries and at waste transfer stations and recycling centres around the country. Can Newark & Sherwood District Council encourage people and make provision to collect single use vapes and ask people put them on top of their wheelie bins similar to how we encourage people to recycle batteries so that they can be collected separately and safely and stored in a safe compartment on the refuse vehicle, to help safeguard members of staff who collected bins and work at the recycling centres from the potential fire hazard from the lithium batteries.

### **4. Housing of Asylum Seekers at RAF Scampton**

In accordance with Rule No. 3.4.3, Councillor A Freeman will move and Councillor C Penny, will second a motion to the following effect:

This Council believes that the Home Office decision to use the historic home of the former Dambusters airfield, RAF Scampton, to house Asylum Seekers, will have a detrimental effect on the employment opportunities for residents in Newark & Sherwood District. A Judicial Review of the decision commences at the end of this month and this Council resolves to send a letter of support to West Lindsey District Council in its campaign to stop the proposal. We recognise that this site is not the right site at the right location for asylum seekers and further, that the loss of the planned £300 million investment in a “landmark deal” to bring thousands of highly-skilled jobs to the area will be a serious blow to the Government’s stated commitment to Levelling Up our areas.

**5. Proposal for Closure of Ticket Office at Newark Northgate Railway Station**

In accordance with Rule No. 3.4.3, Councillor M Spoor will move and Councillor M Shakeshaft will second a motion to the following effect:

This Council demands that LNER take serious note of the concerns of the residents of Newark & Sherwood District raised during the recent public consultation and reverse its proposals to close the ticket office at Newark Northgate Railway Station. Residents and travellers across the district have pointed out that should the closure take place, they will be forced to rely on apps and remote mobile teams to be available to assist them rather than having trained staff on stations.

This would be catastrophic for elderly, disabled and vulnerable passengers trying to access the rail network.

**11. Minutes for Noting**

(a)	Cabinet - 12 September 2023	39 - 41
(b)	Cabinet - 19 September 2023	42 - 49
(c)	Executive Shareholder Committee - 12 September 2023	50 - 52
(d)	Policy and Performance Improvement Committee - 11 September 2023	53 - 59
(e)	Policy and Performance Improvement Committee - 25 September 2023	60 - 62
(f)	Planning Committee - 10 August 2023	63 - 68
(g)	Planning Committee - 7 September 2023	69 - 76
(h)	Audit and Governance Committee - 27 September 2023	77 - 83

(i)	General Purposes Committee - 14 September 2023	84 - 85
(j)	Licensing Committee - 14 September 2023	86 - 87
(k)	Planning Committee - 5 October 2023	To Follow

# 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, 18 July 2023 at 6.00 pm.

PRESENT: Councillor C Brooks (Chair)  
Councillor J Hall (Vice Chair)

Councillor J Hall, Councillor N Allen, Councillor A Amer, Councillor A Brazier, Councillor L Brazier, Councillor I Brown, Councillor R Cozens, Councillor S Crosby, Councillor L Dales, Councillor D Darby, Councillor P Farmer, Councillor A Freeman, Councillor P Harris, Councillor S Haynes, Councillor R Holloway, Councillor R Jackson, Councillor J Kellas, Councillor J Lee, Councillor K Melton, Councillor S Michael, Councillor D Moore, Councillor E Oldham, Councillor P Peacock, Councillor C Penny, Councillor M Pringle, Councillor P Rainbow, Councillor N Ross, Councillor S Saddington, Councillor T Smith, Councillor M Shakeshaft, Councillor M Spoons, Councillor P Taylor, Councillor L Tift, Councillor T Thompson, Councillor T Wendels and Councillor T Wildgust

APOLOGIES FOR Councillor S Forde and Councillor K Roberts  
ABSENCE:

### 21 DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

There were no declarations of interest from Members and Officers and the Council noted the interests previously declared by Members in Agenda Item No. 13 – Minutes for Noting.

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

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

### 23 MINUTES FROM THE ANNUAL MEETING HELD ON 23 MAY 2023

AGREED that that minutes of the meeting held on 23 May 2023 be approved as a correct record and signed by the Chairman.

### 24 COMMUNICATIONS WHICH THE CHAIR, LEADER, CHIEF EXECUTIVE OR PORTFOLIO HOLDERS MAY WISH TO LAY BEFORE THE COUNCIL

The Chair announced that the Safer Streets project in Chatham Court had been selected as a finalist in the prestigious 2023 Municipal Awards – Transforming Lives category; and the same project had been shortlisted as a finalist in the APSE (Association of Public Service Excellence) Awards for Best Community and Neighbourhood initiative with the awards ceremony to take place in September.

The Chair also informed the Council that the Director – Planning & Growth won  
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Community Partner of the Year at the NHS Foundation Trust Excellence Awards 2023, in recognition of his excellent partnership work with the Sherwood Forest Hospital Trust on the Newark Hospital Car Parks and collaborative working on other opportunities within the District.

Finally the Chair advised Members that the Council had been shortlisted for the Employer Forces Hero Award in the Boots and Beret Awards, hosted to celebrate those companies and individuals who play an important role in supporting ex-military personnel.

The Leader of the Council reported that Green Flag status had been granted for the gardens adjacent to Newark Library and the government had given the Council permission for the gardens to be named as the Queen Elizabeth Memorial Gardens.

The Leader of the Council also informed the Council that he had written a to the Minister for Local Government on 20 June 2023, concerning the financial pressure being placed on the Council in fulfilling the number of gypsy and traveller pitched the government had imposed. He advised that this had been the third such letter without reply and that he would continue to engage with the government to seek additional financial support that was needed to meet the pitch provision targets.

25 IN ACCORDANCE WITH RULE NO. 3.1 TO RECEIVE THE PRESENTATION OR THE DEBATING OF ANY PETITIONS FROM MEMBERS OF THE COUNCIL (IF ANY)

In accordance with Council Procedure Rule No. 3.1, Councillor M Spoor as the Portfolio Holder for Sustainable Economic Development presented a petition with 60 signatures which called for larger parking spaces in District Council car parks with no height restrictions which would enable parking for vehicles transporting multiple wheelchair users.

It was noted that officers had been in touch with the petitioner to explore the issues raised and were implementing short term changes such as relocating some existing disabled car parking spaces on the London Road car park and increasing the length of other spaces where possible.

26 QUESTIONS FROM MEMBERS OF THE PUBLIC AND COUNCIL

In accordance with Rule No. 3.3.2 one question had been submitted by a member of the public to the Council. Details of the question put forward and the response given by Councillor R Cozens are attached as Appendix A to the minutes.

27 LEADER'S APPOINTMENTS

The Council considered the report of the Chief Executive which advised of the appointments of the Leader of the Council in respect of the Deputy Leader, Cabinet Members and Portfolio Holders. These appointments reflected the announcement made by the Leader of the Council on 3 July advising of the new Cabinet and portfolios, and the remits for the new portfolios were attached as an appendix to the

report.

Given the change in portfolios and the increase in the number of Portfolio Holders from five to eight, it was noted that there would be a requirement to convene the Independent Remuneration Panel to review the scheme of Members Allowances. The proposals for convening the Panel were set out in Section 2.0 of the report, and within that it was proposed that as an interim measure, the three new Portfolio Holders would be paid the current Special Responsibility Allowance of £8,500 per annum pro rata, effective as from the appointment date of 3 July 2023.

Councillor J Kellas proposed, and Councillor P Farmer seconded an amendment to the specific proposal to pay the £8,500 Special Responsibility Allowance to the three additional Portfolio Holders in the interim period. The amendment moved and seconded was to pay all Portfolio Holders £5312.50 per annum in this interim period in order to keep within the current budget for Members Allowances, pending the report from the Independent Remuneration Panel. In accordance with Rule 5.4 a recorded vote on the amendment was requested and taken as follows:

<b>Councillor</b>	<b>Vote</b>
Neil Allen	For
Adrian Amer	Against
Alice Brazier	Against
Lee Brazier	Against
Celia Brooks	Against
Irene Brown	Abstain
Rowan Cozens	Against
Susan Crosby	Against
Linda Dales	For
Debbie Darby	Against
Phil Farmer	For
Andy Freeman	Against
Jean Hall	Against
Peter Harris	Against
Simon Haynes	For
Rhona Holloway	For
Roger Jackson	For
Jack Kellas	For
Johno Lee	For
Keith Melton	Against
Sylvia Michael	For
David Moore	Against
Emma Oldham	Against
Paul Peacock	Against
Claire Penny	Against
Mike Pringle	Against
Penny Rainbow	For
Neil Ross	Against
Susan Saddington	For

Maurice Shakeshaft	Against
Tom Smith	For
Matthew Spoons	Against
Paul Taylor	Against
Tina Thompson	Against
Linda Tift	Against
Tim Wendels	For
Tim Wildgust	For

The amendment was declared lost with 14 votes for, 22 against and 1 abstention.

AGREED (with 22 votes for, 14 against and 1 abstention) that the Council:

- (a) note the appointments of the Deputy Leader, Cabinet Members and Portfolio Holders;
- (b) convene a Members' Allowances Independent Remuneration Panel in accordance with Section 2.0 of the report (including the interim arrangements for the payment of the three additional Portfolio Holders as set out in paragraph 2.9); and
- (c) agree a payment for Panel members of £1,000 to the Chair and £600 to the other two members, given the scope of the review.

## 28 CHANGES IN COMMITTEE MEMBERSHIP

The Council considered the report of the Chief Executive detailing changes to memberships on the Policy & performance Improvement Committee, Planning Committee and the Mansfield and District Crematorium Joint Committee, and sought to approve an amendment to the Constitution to enable all Newark Ward Members not appointed as voting members to sit on the Trustee Board of the Gilstrap Charity as non-voting co-optees. It was also noted that in accordance with the Council's new Constitution future changes to committee membership would no longer be reported to Council for information.

AGREED (unanimously) that the Council:

- a) note the changes to Committee memberships as detailed in the report (revised schedule of Members appointments attached as Appendix B to these minutes);
- b) approve an amendment to the Constitution to enable all Newark Ward Members not appointed as voting members to sit on the Trustee Board of the Gilstrap Charity as non-voting co-optees; and
- c) note that future changes to Committee membership will no longer be reported to Council for information.

## 29 POLICY & PERFORMANCE IMPROVEMENT COMMITTEE ANNUAL REPORT 2022/23

The Council considered the report of the Director – Customer Services & Organisational Development which presented the Annual Report of the Policy & Performance Improvement Committee for 2022/23. The Annual Report summarised the work undertaken by the Committee and evidenced how the work had positively impacted residents.

AGREED (unanimously) that the Council note the contents of the Policy & Performance Improvement Committee Annual Report for 2022/23.

30 TREASURY MANAGEMENT OUTTURN REPORT 2022/23

The Council considered the report of the Deputy Chief Executive / Director – Resources and Section 151 Officer which provided an update on the Council’s Treasury Management activity and Prudential Indicators for 2022/2023. The report had been considered by the Audit & Governance Committee at their meeting held on 14 June 2023 and recommended to the Council for approval.

AGREED (unanimously) that Council:

- a) note and approve, following consideration by the Audit & Governance Committee on 14 June 2023, the Treasury Management outturn report; and
- b) note that for 2022/23 the Council had complied with its Prudential Indicators, which were approved by Full Council on 9 March 2023.

31 NOTICES OF MOTION

**Scrutiny Function**

In accordance with Rule No. 3.4.3, Councillor R Jackson moved and Councillor P Rainbow, seconded a motion to the following effect:

“That this Council reviews the scrutiny provision that is required after the change in governance to this Council back in May 2022, from a committee structure to that of a cabinet system. It was always agreed and recognised that a review of scrutiny on this newly implemented governance structure was to be looked at after the first year to make sure that it was effectively scrutinising the policies and decisions made by the Cabinet members of this Council.

This Council would therefore propose that in the light of the increase in portfolios from 5 to 8 that the establishment of two scrutiny committees is now needed to effectively oversee the decisions the Cabinet members are making.

This Council proposes to have a policy scrutiny committee and a performance scrutiny committee to give a balanced and effective overview and scrutiny function of the Council’s decisions.

These committees will be cross party made-up with numbers from the matrix and chaired by opposition members to give more openness to the scrutiny function. There should also be no increase in the special responsibility allowances and the money

allocated to overview and scrutiny at this moment in time should be divided equally between the two committees.”

The motion, on being put to the vote, was lost with 14 votes for, 22 against and 1 abstention.

### **Ward Matters**

In accordance with Rule No. 3.4, Councillor R Jackson moved and Councillor J Kellas seconded a motion to the following effect:

“That officers of this Council will copy in Ward Members to all emails they are sending out to residents regarding issues and services that they are dealing with in that Member’s Ward, (unless confidential) so the Member can be aware of things happening in their Ward and of any issues that might be unknown to them.”

The motion, on being put to the vote, was lost with 14 votes for, 22 against and 1 abstention.

32 MINUTES FOR NOTING

32a CABINET - 27 JUNE 2023

32b EXECUTIVE SHAREHOLDER COMMITTEE - 27 JUNE 2023

32c POLICY AND PERFORMANCE IMPROVEMENT COMMITTEE - 26 JUNE 2023

32d PLANNING COMMITTEE - 8 JUNE 2023

32e AUDIT & GOVERNANCE COMMITTEE - 14 JUNE 2023

32f GENERAL PURPOSES COMMITTEE - 22 JUNE 2023

32g LICENSING COMMITTEE - 22 JUNE 2023

32h PLANNING COMMITTEE - 6 JULY 2023

Minute No. 15 – Land South of Staythorpe Road, Staythorpe – 22/01840/FULM

Councillor P Harris stated that he felt an opportunity had been missed with the refusal of this application for a Battery Energy Storage System and associated infrastructure. Councillor A Freeman referred to the constructive debate at the Committee where it was considered the application offered greener energy solutions which were welcomed, but the location was not appropriate.

32i CABINET - 11 JULY 2023

33 RECORD OF URGENT DECISIONS

The Council noted the record of two urgent exempt decisions taken in relation to the transfer of Section 106 community facility and off-site sports contributions to Clipstone Miners' Welfare Trust; and the review of a premise licence in respect of Newark Cue Club.

Meeting closed at 8.14 pm.

Chairman

In accordance with Rule No. 3.3.2 the following question has been submitted to the Council from a member of the public, Laurence Goff:

“Would you consider your support by giving a donation to the Lancaster Bomber to be constructed on the A46 At Norton Disney, near Newark –“On Freedom's Wings" Let's Make this a Reality’. The Lancaster Bomber sculpture will be much bigger than The Angel of the North and would be seen by more than 34.000 drivers every day on the A46. This project still needs fundraising to make this dream come true. This will mark the historic link between Nottinghamshire and Lincolnshire shared with RAF Bomber Command during the second world war. Over the last few years with materials, particularly steel, soaring in price, this has very much affected this major and fantastic project ever getting finished. This landmark on the border of Nottinghamshire and Lincolnshire is very important, let's make it a reality.”

**Reply from Councillor Rowan Cozens – Portfolio Holder for Heritage, Culture and the Arts**

Thank you very much for bringing this project to our attention. We are always excited to hear of projects which are developed and championed by local communities. We would be happy to meet with those driving the project forward to understand more about its aims, the funding and funders secured to date, and any benefits there may be for the residents of Newark and Sherwood. We would also be happy to sign-post to any upcoming potential funding opportunities, including those within colleague authorities across Lincolnshire who will continue to run schemes like the Rural and Shared Prosperity Funds from next year.

**MEMBERS APPOINTMENTS – 2023/24**

Chairman of the Council  
Vice Chairman of the Council

Councillor Celia Brooks  
Councillor Jean Hall

**PORTFOLIO HOLDERS**

Strategy Performance and Finance  
Heritage, Culture and the Arts  
Climate Change  
Biodiversity and Environmental Services  
Sustainable Economic Development  
Housing  
Health, Wellbeing and Leisure  
Public Protection and Community Relations

Councillor Paul Peacock (Leader of the Council)  
Councillor Rowan Cozens (Deputy Leader of the Council)  
Councillor Keith Melton  
Councillor Emma Oldham  
Councillor Matthew Spoons  
Councillor Lee Brazier  
Councillor Susan Crosby  
Councillor Paul Taylor

**CONSERVATIVE GROUP**

Leader  
Deputy Leader

Councillor Rhona Holloway  
Councillor Roger Jackson

**LABOUR GROUP**

Leader  
Deputy Leader

Councillor Paul Peacock  
Councillor Matthew Spoons

**INDEPENDENTS FOR NEWARK**

Leader

Councillor Rowan Cozens

**LIBERAL DEMOCRAT GROUP**

Leader  
Deputy Leader

Councillor Peter Harris  
Councillor Keith Melton

**NEWARK & SHERWOOD DISTRICT INDEPENDENTS**

Leader

Councillor Tina Thompson

Note Paragraph 1.1 of the Constitution

**1.1 Appointment and Term of Office**

1.1.1 The Leader is elected by the Council and holds office for a four-year period starting on the day of their election as Leader at an Annual Meeting of the Council, unless their term of office as a Councillor is shorter, in which case the term of office as Leader will be the same as their term of office as a Councillor.

1.1.2 The Leader's period of office will cease at an earlier date if they

- i. resign from the office; or
- ii. are no longer a Councillor; or
- iii. are removed from office by resolution of the Council.

1.1.3 If there is a vacancy in the position of Leader, the Council will elect a Leader at the first meeting following such vacancy.

## MEMBERSHIP OF COMMITTEES

<u>POLICY &amp; PERFORMANCE IMPROVEMENT COMMITTEE</u>					
CONSERVATIVE	LABOUR	INDEPENDENTS FOR NEWARK	LIBERAL DEMOCRATS	N&S INDS	IND - NON-ALIGNED
1. R. Jackson	1. A. Brazier	1. A. Amer	1. K. Roberts	1.T. Thompson	
2. J. Kellas	2. C. Brooks	2. S. Forde			
3. P. Rainbow	3. A. Freeman	3. N. Ross (V/C)			
4. T. Smith	4. M. Pringle (C)				
5. T. Wendels	5. M. Shakeshaft				
SUBSTITUTES	SUBSTITUTES	SUBSTITUTES	SUBSTITUTES	SUBSTITUTES	SUBSTITUTES
1. N. Allen	1. L. Tift	1. J. Hall	1. P. Harris	1.D. Darby	
2. P. Farmer	2. -	2. D. Moore			
<u>PLANNING COMMITTEE</u>					
CONSERVATIVE	LABOUR	INDEPENDENTS FOR NEWARK	LIBERAL DEMOCRATS	N&S INDS	IND - NON-ALIGNED
1. L. Dales	1. C. Brooks	1. A. Amer	1. P. Harris		
2. J. Lee	2. A. Freeman (C)	2. D. Moore(V/C)	2. K. Melton		
3. P. Rainbow	3. M. Shakeshaft	3. E. Oldham			
4. S. Saddington	4. M. Spoons				
5. T. Wildgust	5. L. Tift				
<u>LICENSING COMMITTEE</u>					
CONSERVATIVE	LABOUR	INDEPENDENTS FOR NEWARK	LIBERAL DEMOCRATS	N&S INDS	IND - NON-ALIGNED
1. N. Allen	1. A. Brazier	1. R. Cozens	1. K. Roberts	1. D. Darby	
2. R. Jackson	2. L. Brazier	2. J. Hall (C)			
3. S. Michael	3. P. Taylor	3. D. Moore			
4. S. Saddington	4. L. Tift (V/C)				
5. T. Wendels					
6. T. Wildgust					
<u>GENERAL PURPOSES COMMITTEE</u>					
CONSERVATIVE	LABOUR	INDEPENDENTS FOR NEWARK	LIBERAL DEMOCRATS	N&S INDS	IND - NON-ALIGNED
1. N. Allen	1. A. Brazier	1. R. Cozens	1. K. Roberts	1. D. Darby	
2. R. Jackson	2. L. Brazier	2. J. Hall (C)			
3. S. Michael	3. P. Taylor	3. D. Moore			
4. S. Saddington	4. L. Tift (V/C)				
5. T. Wendels					
6. T. Wildgust					
<u>AUDIT &amp; GOVERNANCE COMMITTEE</u>					
CONSERVATIVE	LABOUR	INDEPENDENTS FOR NEWARK	LIBERAL DEMOCRATS	N&S INDS	IND - NON-ALIGNED
1. S. Haynes	1. A. Freeman	1. R. Cozens	1. P. Harris (C)	1. T. Thompson	
2. J. Kellas	2. C. Penny	2. S. Crosby			
3. J. Lee	3. M. Shakeshaft	3. S. Forde (V/C)			
4. S. Michael					
<u>BOARD OF GILSTRAP TRUSTEES^</u>					
CONSERVATIVE	LABOUR	INDEPENDENTS FOR NEWARK	LIBERAL DEMOCRATS	N&S INDS	IND - NON-ALIGNED
1. S. Haynes	1. P. Taylor	1. A. Amer (C)			1. I. Brown
2. J. Kellas					
<u>MANSFIELD AND DISTRICT CREMATORIUM JOINT COMMITTEE#</u>					
CABINET					
1. L. Brazier					
2. P. Peacock					
3. P. Taylor					

TENANT ENGAGEMENT BOARD

Membership to comprise of the Portfolio Holder with responsibility for housing and three representatives to be appointed by the Policy & Performance Improvement Committee (plus three tenant representatives).

PLANNING POLICY BOARD

Membership to comprise of the Portfolio Holder with responsibility for planning policy and three representatives to be appointed by the Planning Committee and three representatives to be appointed by the Policy & Performance Improvement Committee.

**Notes:**

1. C = Chairman
2. VC = Vice-Chairman
- ^ Newark Ward Members not appointed to sit on the Trustee Board as non-voting co-optees.
- # The Mansfield Crematorium Joint Committee is an Executive Function which does not need to reflect political balance and will comprise of Executive Members.

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Extraordinary Meeting of **Full Council** held in the Civic Suite, Castle House, Great North Road, Newark NG24 1BY on Wednesday, 20 September 2023 at 6.00 pm.

PRESENT: Councillor C Brooks (Chair)

Councillor N Allen, Councillor A Amer, Councillor A Brazier, Councillor L Brazier, Councillor I Brown, Councillor R Cozens, Councillor S Crosby, Councillor D Darby, Councillor P Farmer, Councillor A Freeman, Councillor S Forde, Councillor S Haynes, Councillor R Holloway, Councillor R Jackson, Councillor J Kellas, Councillor J Lee, Councillor K Melton, Councillor S Michael, Councillor D Moore, Councillor E Oldham, Councillor P Peacock, Councillor C Penny, Councillor M Pringle, Councillor P Rainbow, Councillor N Ross, Councillor S Saddington, Councillor T Smith, Councillor M Shakeshaft, Councillor M Spoons, Councillor P Taylor, Councillor T Thompson, Councillor T Wendels and Councillor T Wildgust

APOLOGIES FOR ABSENCE: Councillor J Hall, Councillor L Dales, Councillor P Harris, Councillor K Roberts and Councillor L Tift

34 DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

There were no declarations of interest by Members or Officers.

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

The Chair advised that the proceedings were being recorded and streamed online in accordance with usual practice.

36 NEWARK & SHERWOOD PLAN REVIEW - AMENDED ALLOCATIONS AND DEVELOPMENT MANAGEMENT DEVELOPMENT PLAN DOCUMENT PUBLICATION

The Council considered the report of the Director – Planning & Growth which sought approval for the publication of the Amended Allocations & Development Management Development Plan Document (DPD) for a period of public representation from week commencing 25 September 2023, as recommended by Cabinet at their meeting held on 19 September 2023.

The report advised that the Council had been conducting a review of its Development Plan, with the first element being the completion of the Amended Core Strategy in March 2019. The second element of the Development Plan, the Allocations & Development Management DPD had now been finalised and was ready for submission to the Planning Inspectorate for Examination.

The report detailed the four elements of the review together with information on the public consultations undertaken and responses received therefrom. In considering the responses received, a decision was taken at Cabinet in February 2023 to delay submission of the DPD to enable Officers and the Council's flood risk consultants to

address the concerns of the Environment Agency. Attached as Appendix 1 to the report was a table setting out the proposed amendments to the draft DPD. The proposed changes were considered and endorsed by the Planning Policy Board on 6 September 2023. Attached as Appendix 2 to the report was a Draft version of the Second Publication Amended Allocations & Development Management DPD which incorporated all of the changes as referred to in the report.

In considering the report Members were supportive of the proposals, referring to the importance of providing safe and affordable housing for the whole of the community.

AGREED (with 28 votes for, 1 against and 5 abstentions) that the Council:

- a) approve that the proposals contained within Appendix 1; Appendix 2; and Appendix 3 to the report, form the basis of the Second Publication Amended Allocations & Development Management DPD and amended Policies Map; and
- b) approve that the documents be published for a period of Public Representation, week commencing 25 September 2023.

In accordance with Council Procedure Rule No. 5.4, Councillor P Taylor proposed and Councillor L Brazier seconded, that a recorded vote be taken as follows:

COUNCILLOR	VOTE
Neil Allen	Abstain
Adrian Amer	For
Alice Brazier	For
Lee Brazier	For
Celia Brooks	For
Irene Brown	Abstain
Rowan Cozens	For
Susan Crosby	For
Debbie Darby	For
Phil Farmer	Against
Simon Forde	For
Andy Freeman	For
Simon Haynes	Abstain
Rhona Holloway	For
Roger Jackson	For
Jack Kellas	Abstain
Johno Lee	For
Keith Melton	For
Sylvia Michael	For
David Moore	For
Emma Oldham	For
Paul Peacock	For
Claire Penny	For
Mike Pringle	For
Penny Rainbow	For

Neil Ross	For
Sue Saddington	Abstain
Maurice Shakeshaft	For
Tom Smith	For
Matthew Spoons	For
Paul Taylor	For
Tina Thompson	For
Timothy Wendels	For
Tim Wildgust	For

Meeting closed at 6.17 pm.

Chairman



Report to: Meeting of the Full Council – 17 October 2023

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

Lead Officer: Nick Wilson, Business Manager - Financial Services, Ext. 5317

Report Summary	
<b>Report Title</b>	Audit & Governance Committee Annual Report
<b>Purpose of Report</b>	To inform the Council of the activity undertaken by the Audit & Governance Committee during the 2022/23 financial year.
<b>Recommendations</b>	That the Audit & Governance Committee Annual Report be noted.
<b>Reason for Recommendation</b>	To inform the Council of the work undertaken by the Audit & Governance Committee during 2022/23.

## 1.0 Background Information

1.1 Section 7.2 of Part C of the Constitution sets out the terms of reference for the Audit & Governance Committee. This report details how the Committee has discharged those responsibilities throughout the year.

## 2.0 Activity Undertaken During the Year

### 27 April 2022

- 2.1 Assurance Lincolnshire provided an update on the progress of the review work having been asked by statutory officers to undertake a review of lessons learnt around the sale of the municipal building and extension of the London Road car park.
- 2.2 The Safety & Risk Manager provided an update on the status of the Council's 2022/23 Strategic Risk Register as well as the Risk Management Policy.
- 2.3 Assurance Lincolnshire provided an internal audit progress report (Annex A) of a summary of Internal Audit work undertaken during 2021/22 against the agreed audit plan.
- 2.4 Assurance Lincolnshire provided the Combined Assurance Report for 2021/22, it is produced by Internal Audit working with Business Managers and SLT. The report demonstrates the level of assurance the Council has in its activities at a set point in time, identifying any gaps. The information is then used to inform the annual Internal Audit Plan for the next financial year.

- 2.5 The Committee considered the Internal Audit Plan from Assurance Lincolnshire this set out the proposed work of Internal audit for 2022/23.

The report reminded Members that the Internal Audit plan is developed to demonstrate how assurance can be given on:

- Financial Governance
- Governance and Risk
- Critical Activities
- Project Assurance
- ICT
- Key Controls
- Combined Assurance
- Consultancy Assurance

- 2.6 The Assistant Business Manager for Financial Services provided Members with updates made to the Council's accounting policies in relation to the closedown of the 2021/2022 financial year.

- 2.7 The Committee also received reports on:

- Underlying Pension Assumptions for 2021/22 Statement of Accounts
- Underlying Valuation Assumptions for 2021/22 Statement of Accounts
- Counter-Fraud Activities
- Appointment of Non-Voting Independent Member on Audit & Governance Committee

### **27 July 2022**

- 2.8 The Chief Executive appended 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 would be able to learn from this going forward.

- 2.9 The Head of Internal Audit for Assurance Lincolnshire provided 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.

- 2.10 The Assistant Business Manager for Financial Services gave Members the opportunity to review the Annual Treasury Outturn report, which was presented to Council in October 2022.

- 2.11 The Business Manager for Financial Services set out the Council's assessment provided by the Council's Section 151 officer of the Council's Going Concern status.
- 2.12 The Business Manager for Financial Services provided the Council's draft Statutory Accounts for the financial year ended 31 March 2022 for the Committee to review.

The Committee Members attended an End of Year Statement of Accounts training session prior to this Committee meeting 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.

- 2.13 The Committee also received reports on:
- Annual External Audit Strategy Memorandum 2021/22
  - Fraud Risk Assessment
  - Internal Audit Progress Report 2022/23
  - Annual Standards Report for the period 1 April 2021 – 31 March 2022
  - Committee Member Training

### **23 November 2022**

- 2.14 The Committee reviewed the Council's Strategic Risk Register to update Members on the current status of the risk register. Members noted that there were 13 strategic risks identified, each that was owned by a Director. The risks were scored by the risk owners and Members had the ability to challenge the report author to ensure that risks were scored appropriately.
- 2.15 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.

The Audit Plan for 2022/23 was agreed at the Audit and Accounts Committee in April 2022. Throughout the year reports on the progress made and changes to the plan were then brought to this Committee.

The report contained details of all reports issued in the first half of the financial year 2022/23.

- 2.16 The Committee also received reports on:
- Local Government and Social Care Ombudsman and Housing Ombudsman Annual Update
  - Treasury Management mid-year report 2022/23
  - Approval of the Statement of Accounts
  - Review of the New Governance Arrangements
  - Counter fraud activities from 1 April 2022 to 30 September 2022

## 1 February 2023

- 2.17 The Committee considered the External Auditor's Progress Report for Newark and Sherwood District Council for the 2021/22 audit based on work completed to date. The representative from Mazars, presented at the meeting providing progress to the Committee of the Auditor's External Audit Progress Report for 2021/22 summarising the work undertaken by the auditors for year ended 31 March 2022.
- 2.18 Approval was given by the Committee for the Treasury Management Strategy, which incorporated the Borrowing Strategy, Investment Strategy, and Treasury Prudential Indicators, updated in accordance with latest guidance.
- 2.19 Approval was given by the Committee, to then be taking to Full Council in March for the Capital Strategy 2023/24, this incorporated the Minimum Revenue Provision Policy and Capital Prudential Indicators, updated in accordance with latest guidance.
- 2.20 The Assistant Business Manager for Financial Services explained to the Committee that the Investment Strategy is for 2023/24, was meeting the requirements of statutory guidance issued by Department of Levelling Up, Housing and Communities DLUHC (previously MHCLG) Investment Guidance in January 2018.

The Investment Strategy 2023/24 report provided a table summarising the proposed limits for the non-treasury investments, which was then taken to Full Council in March.

- 2.21 The Business Manager for Financial Services updated Members of the Audit & Governance Committee on the significant governance issues identified in the Annual Governance Statement.

Members had approved the Annual Governance Statement for the financial year ended 31 March 2022 at its meeting on 23 November 2022 and this report updated the Committee of the status of the governance issues identified.

- 2.22 The Assistant Director for Legal & Democratic Services and Monitoring Officer provided a report with findings from the Governance Review Working Party's six-month review of the new executive governance arrangements.

A working group of Members were convened, to have oversight of the Member induction process following the May 2023 District Council elections and liaised with each of the political group leaders for nominations. The working group met in February/March. The Committee agreed that the Conservative group leader would nominate four, Labour group leader two and Liberal Democrat leader provide one nomination.

- 2.23 The Assistant Director Legal & Democratic Services and Monitoring Officer provided the following information to the Committee:
- i. Activity by the Council under RIPA from 2021 to date
  - ii. Relevant minor amendments to the RIPA policy
  - iii. An update on mandatory training for officers.

The report provided the use of authorised RIPA surveillance remains low, which is in line with the majority of other authorities. The annual statistical return to IPCO for 2022 was submitted by the Council at the end of January with a Nil return since 2016.

- 2.24 An updated version of the Council's Whistleblowing Policy and proposals to raise awareness of the Policy was provided. A review of the Policy had also been identified as an audit requirement for the financial year.
- 2.25 A review of the Council's policies for Members and Officers (employees) provided for consistency and to ensure they are fit for purpose. Members are required to register gifts and hospitality over a certain value even if declined. The Code of Conduct stated that all gifts and hospitality with an estimated value of £50 be registered however the Protocol gave a figure of £100. The Protocol had not been updated and after the Committee Members discussed this it was agreed to reduce the figure to £25 and made a correction which as an amendment to be reported through Full Council.

### **6 April 2023**

- 2.26 The contents of the previous Strategic Risk Register for 2022/23 had been reviewed by Members in November 2022, this report provided an update on the status of the Council's 2023/24 Strategic Risk Register.
- 2.27 Feedback was provided from the Member Working Group established to have oversight of the Councillor induction process following the May 2023 District Council election.

The report gave suggestions that some of the Induction Programme could be delivered from sites other than Castle House with the example of the Civil War Centre or the Business Innovation Centre. As an alternative to this proposal, Officers arranged two Bus Tours of the District to take place. Candidate packs had also been arranged and that they would be issued in good time before the election to get dates in diaries.

- 2.28 The Committee considered the appointment of Paul Cox and Sarah Britton as Independent Persons to the Council for a further 4-year term. The Monitoring Officer had consulted with them and both were happy to stand again for a further four years.

The Committee considered the annual rate for the Independent Persons noting it had remained the same for the last four years and to leave as it was with the option to review on an annual basis. The Committee also suggested more context for future reports, providing numbers of complaints the Independent Persons would attend if a hearing was to take place, this could all be considered when the new Council was in place.

The recommendation to appoint the Independent Persons for a further 4-year term was recommended to the next Full Council.

2.29 The External Audit Planning Update for 2022/23 highlighted the Audit approach and timelines, including the Council's Value for Money. It also included what is expected to complete in April to inform the Annual Audit Strategy Memorandum to present at the next Audit & Governance Committee.

2.30 The Committee also received reports on:

- Combined Assurance
- Annual Internal Audit Plan
- External Auditors' Annual Report
- Statement of Accounting policies 2022/2023
- Underlying Pension assumptions for 2022/2023 Statement of Accounts
- Underlying Valuation Assumptions for 2022/2023 Statement of Accounts

#### **14 June 2023**

2.31 The Assistant Business Manager for Financial Services gave Members the opportunity to review the Annual Treasury Outturn report, to be presented to Council on 18 July 2023.

The report explained to the Committee that the Treasury Management Strategy Statement for 2022/23 had been approved by Full Council on 8 March 2022, 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. Members understood 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.

2.32 The Assistant Director Legal and Democratic Services provided a report considering the Code of Conduct Annual Report for the Period 1 April 2022 – 31 March 2023.

It was explained to Members what the Committee has responsibility for promoting and maintaining high standards of conduct by Members and co-opted Members of the Council. The Members also being responsible for maintaining an overview of the Members Code of Conduct as well as arrangements for dealing with complaints.

It was agreed to review the process for dealing with Code of Conduct Complaints and be added to the Committee's work programme, to include a review of the role of the Independent Persons.

2.33 The Committee also received reports on:

- Unaudited Statement of Accounts 2022/23
- Fraud Risk Assessment
- Counter-Fraud Activities from 1 October 2022 to 31 March 2023
- Committee Member Training
- Annual Report detailing Exempt Reports considered by the Audit & Governance Committee

### **3.0 Conclusion**

- 3.1 As can be seen from the account of the year, the Committee discharged its responsibilities as per the Constitution. The same report was presented to the Audit & Governance Committee at their meeting held on 27 September 2023.
- 3.2 The Committee had also added value to the organisation, by having appointed an independent member to the Committee. Therefore, adding skills to the Committee which benefit the whole organisation as further scrutiny over the reports presented to the Committee is achieved.

### **4.0 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**

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

Nil.



Report to: Meeting of the Full Council – 17 October 2023

Director Lead: Sue Bearman, Assistant Director - Legal & Democratic Services and Monitoring Officer

Lead Officer: Nigel Hill - Business Manager Elections & Democratic Services, Ext 5243

Report Summary	
<b>Report Title</b>	Report of the Members Allowances Independent Remuneration Panel
<b>Purpose of Report</b>	To consider the final report and recommendations of the Independent Remuneration Panel regarding the Scheme of Members Allowances for 2023/4 given the recent changes in governance.
<b>Recommendations</b>	That the Council: (a) considers the final report and recommendations of the Independent Remuneration Panel; and (b) approves the report recommendations as changes to the current Scheme of Members Allowances.
<b>Reason for Recommendation</b>	To consider the final report and recommendations of the Independent Remuneration Panel following the changes in governance with an increase in the number of Portfolio Holders.

## 1.0 Background

- 1.1 As Members will be aware, the Full Council, at their meeting held on 18 July 2023, agreed to reconvene the Independent Remuneration Panel on Members Allowances, following an increase in the number of Cabinet Portfolio Holders from five to eight.
- 1.2 The Panel had previously conducted a review of allowances based on the Council's revised governance arrangements which were implemented as from 17 May 2022. The current Scheme of Members Allowances was also adopted from that date.
- 1.3 Regulations set out the range of allowances that can be paid to Councillors and the requirement to have an Independent Remuneration Panel to make recommendations to the Council regarding Members' Allowances.
- 1.4 The scope of the review was to consider the change in the Council's Cabinet arrangements and any wider implications. To ensure the Scheme remains fit for purpose, the Panel was also asked to consider the special responsibility allowance

made to the Leader of the Main Opposition Group, to review the current childcare and dependents carers' allowance, and to consider the wording of the Members Allowance Scheme covering allowances made to Leaders of Minority Opposition Groups.

- 1.5 The Independent Remuneration Panel have now completed their Report and this is attached as the **Appendix** to the report.

## **2.0 Audit & Governance Committee**

- 2.1 This Final Report of the Panel was considered by the Audit & Governance Committee at their meeting held on 27 September 2023.
- 2.2 Comments made at the Committee included the suggestion that there should be an increase in the Special Responsibility Allowances for the Chair / Vice-Chair of the Policy & Performance Improvement Committee and the Leader of the Main Opposition Group due to the anticipated increases in workload.
- 2.3 In addition, there was some concern with the proposed wording for Point 1 of the Scheme – “There is no limit as to the number of special responsibility allowances paid to individual Members, except Opposition Group Leader payments will not be made if the relevant Member is a Cabinet Member with portfolio, Leader or Deputy Leader” which it was felt was not clear.
- 2.4 There was also a concern raised at the Audit & Governance Committee that Members were not aware of the full scope of the review and had not fed in specific comments on issues such as opposition group leaders and childcare allowances.
- 2.5 These points were made to the Panel and the Chair responded with additional comments that the Special Responsibility Allowance for the Chair and Vice-Chair of the Policy & Performance Improvement Committee were closely linked to those of the Cabinet and it was considered difficult to justify the Chair’s Special Responsibility Allowance exceeding that of a Cabinet Portfolio Holder, which was the principle laid down at the time when the new governance arrangements were introduced. The Panel also considered that it was too early to determine how the workloads would impact on the Council’s wider governance so monitoring and evaluation would be required prior to any increase in such Special Responsibility Allowances and it was considered that any increases would still need to be linked to allowances payable to Cabinet Portfolio Holders.
- 2.6 The Panel also came back further in respect of the wording for Point 1 of the Scheme advising that this was simplified as far as possible, but would support a different form of words if appropriate. They did add that one option was to stipulate that Members were only entitled to one Special Responsibility Allowance but this would be a fundamental change to the current scheme.

2.7 In terms of the scope of the review, the Panel focused on the wider impact on the change in governance given the increased numbers of portfolios. However, they gathered sufficient information from comparator data and the Member sessions in producing their full report and recommendations.

### **3.0 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.

#### **Financial Implications - FIN23-24/42**

3.1 The increase from five portfolio holders to eight and the proposal to continue with the current SRA rate of £8,500 will require an in year additional budget requirement of £25,500. However, the three new portfolio holders started their roles in July 2023, therefore the additional budget required for the financial year 2023-24 will be £19,125. The £19,125 will be financed from the Corporate Contingency and the future year budget implications will be built into the budget setting process for the financial year 2024-25 onwards.

#### **Background Papers and Published Documents**

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

Report to Full Council – 9 March 2021

<https://democracy.newark-sherwooddc.gov.uk/ieListDocuments.aspx?CId=139&MId=448>

Report to Full Council – 17 May 2023

<https://democracy.newark-sherwooddc.gov.uk/ieListDocuments.aspx?CId=139&MId=756>

Report to Full Council 18 July 2023

<https://democracy.newark-sherwooddc.gov.uk/ieListDocuments.aspx?CId=139&MId=891>

Current Scheme of Members Allowances

<https://www.newark-sherwooddc.gov.uk/your-council/your-council/councillors-andcommittees/councillor-allowances/>

**NEWARK & SHERWOOD DISTRICT COUNCIL**

**REPORT OF THE INDEPENDENT REMUNERATION PANEL**

**RECOMMENDATIONS FOR THE SCHEME OF MEMBERS ALLOWANCES FOR 2023/24**  
**SEPTEMBER 2023**

**1. Introduction**

The Independent Remuneration Panel (IRP) has a responsibility to make recommendations to Newark and Sherwood District Council (the Council) on the levels of allowances to be paid to Members of the Council. This report has been prepared in accordance with current legislation and guidance.

The Panel members are:

Sarah Britton	-	Newark and Sherwood
Paul Cox	-	Rushcliffe
John Shaw (Chairman)	-	North Kesteven

**2. Purpose of the Review**

To review the implications following the increase in the number of portfolio holders from five to eight. To consider any wider implications on Special Responsibility Allowances (SRAs) made to other committees, as a consequence of the change. To consider the SRA made to the Leader of the Main Opposition Group. To review the current childcare and dependents carers' allowance. To consider the wording of the Members Allowance Scheme covering allowances made to Leaders of Minority Opposition Groups.

**3. Review Process**

The contents of Report to the Annual Meeting of the Full Council - 23 May 2023 entitled Political Composition of the Council and allocation of seats on Committees to Political Groups and the Report to the Meeting of the Full Council 18 July 2023 entitled Leader's Appointments, have been considered and used as a starting point for this review, together with the last Report of the Independent Remuneration Panel Recommendations for the Scheme of Members Allowances for 2022/23 dated March 2022.

The review has looked at the Council's rates of remuneration in comparison with, other Nottinghamshire District Councils and neighbouring District Councils operating on a cabinet system.

The IRP received help and advice from both Officers and Members and we are grateful for their assistance. A list of all those involved is shown in Appendix One.

We understand that our recommendations will be considered by the Audit and Governance Committee ahead of the report being presented to the Full Council on 17 October 2023, for a decision with regard to the recommendations made.

#### 4. **Findings**

##### 4.1 Cabinet Members - Portfolios Holders

The increase from five portfolio cabinet members including the Leader and Deputy Leader to eight has been considered. The original cabinet was one of the smaller sized cabinets compared to the others identified where eight is now the most typical size. The SRAs paid to the Leader and Deputy Leader include their roles as Cabinet Members. The current rate of £8,500 is within the top half of the sample used but is not considered excessive in comparison to others. The IRP accept that there has only been a relatively short period for the new arrangements to operate and on which to make a judgement. However, it is believed that the functions in the new cabinet portfolios exceed those of the previous cabinet in both range and depth.

**It is recommended that the existing SRA of £8,500 is paid to all Cabinet Members with portfolio (excluding the Leader and Deputy Leader).**

##### 4.2 Other SRAs

Whilst it is acknowledged that the change in cabinet size will have some impact on the workload for the Policy and Performance Improvement Committee, it is not considered necessary to amend the SRAs. The changes to the Cabinet have not impacted significantly onto any of the other Committees to warrant any changes to the allowances paid to the Chairman or Vice-Chairman of any of the Committees.

**It is recommended that the current allowances paid to the Chairman or Vice-Chairman of any of the Committees remain the same.**

##### 4.3 Leader of the Main Opposition Group

The changes to the Cabinet's size have slightly altered the role of the Leader of the Main Opposition Group who acts as the ninth voting member without portfolio. The current allowance paid £6,400, is the largest amount paid to this role within the sample Authorities reviewed.

**It is recommended that the SRA paid to the Leader of Main Opposition Group remains unchanged.**

##### 4.4 Members Allowance Scheme – Point 1

To avoid any potential confusion as to which allowances the Leader of a Minority Opposition Group is entitled, the following addition (shown in italics) could be made to Point 1 of the Members Allowance Scheme. *“There is no limit as to the number of special responsibility allowances paid to individual Members, except Opposition Group Leader payments will not be made if the relevant Member is a Cabinet Member with portfolio, Leader or Deputy Leader.”*

**It is recommended that Point 1 of the Members Allowance Scheme is amended to: There is no limit as to the number of special responsibility allowances paid to individual Members, except Opposition Group Leader payments will not be made if the relevant Member is a Cabinet Member with portfolio, Leader or Deputy Leader.**

#### 4.5 Members Allowance Scheme – Point 2

Following on from point 4.4 above, the following addition (shown in italics) could be made to Point 2 of the Members Allowance Scheme. “For the purposes of qualifying for a *Main Opposition Group Leader or Minority Opposition Group* special responsibility allowance a political group on the Council needs to comprise of at least four Members. *The Main Opposition Group is the largest Group for which no Member is a Cabinet Member with Portfolio, Leader or Deputy Leader. A Minority Opposition Group is any other Group.*”

**It is recommended that Point 2 of the Members Allowance Scheme is amended to: For the purposes of qualifying for a Main Opposition Group Leader or Minority Opposition Group special responsibility allowance a political group on the Council needs to comprise of at least four Members. The Main Opposition Group is the largest Group for which no Member is a Cabinet Member with Portfolio, Leader or Deputy Leader. A Minority Opposition Group is any other Group.**

#### 4.6 Childcare and Dependents Carers’ Allowance

A review of the rates paid by other Nottinghamshire District Councils showed that a number have adopted the National Living Wage, currently £10.42 per hour as the maximum rate paid. This is a minor increase on the current maximum rate of £10 per hour for costs actually incurred, or more in exceptional circumstances. The Panel feels linking the rate to the National Living Wage will help future-proof it and negate the need for regular reviews.

**It is recommended that the current rates payable for Childcare and Dependents Carers’ allowances are increased to a maximum level of the National Living Wage.**

### 5. Summary of Main Recommendations

It is recommended that:

- 5.1 The existing SRA of £8,500 is paid to all Cabinet Members with portfolio (excluding the Leader and Deputy Leader).
- 5.2 The current allowances paid to the Chairman or Vice-Chairman of any of the Committees remain the same.
- 5.3 The SRA paid to the Leader of the Main Opposition Group remains unchanged.
- 5.4 Point 1 of the Members Allowance Scheme is amended to: There is no limit as to the number of special responsibility allowances paid to individual Members, except Opposition Group Leader payments will not be made if the relevant Member is a Cabinet Member with portfolio, Leader or Deputy Leader.

- 5.5 Point 2 of the Members Allowance Scheme is amended to: For the purposes of qualifying for a Main Opposition Group Leader or Minority Opposition Group special responsibility allowance a political group on the Council needs to comprise of at least four Members. The Main Opposition Group is the largest Group for which no Member is a Cabinet Member with Portfolio, Leader or Deputy Leader. A Minority Opposition Group is any other Group.
- 5.6 The current rates payable for Childcare and Dependents Carers' allowances are increased to a maximum level of the National Living Wage.

**Members:**

Cllr Rowan Cozens	-	Deputy Leader of the Council
Cllr Susan Crosby	-	Portfolio Holder – Health, Wellbeing & Leisure
Cllr Simon Ford	-	Vice-Chairman of Audit & Governance Committee
Cllr Andy Freeman	-	Chairman of Planning Committee
Cllr Peter Harris	-	Chairman of Audit & Governance Committee
Cllr Simon Haynes	-	Committee Member
Cllr Rhona Holloway	-	Leader of the Main Opposition Group
Cllr Roger Jackson	-	Committee Member
Cllr Jack Kellas	-	Committee Member
Cllr Johnno Lee	-	Committee Member
Cllr Keith Melton	-	Portfolio Holder – Climate Change
Cllr Dave Moore	-	Committee Member
Cllr Emma Oldham	-	Portfolio Holder – Biodiversity & Environmental Services
Cllr Paul Peacock	-	Leader of the Council
Cllr Mike Pringle	-	Chairman of Policy & Performance Improvement Committee
Cllr Neil Ross	-	Vice-Chairman of Policy & Performance Improvement Committee
Cllr Maurice Shakeshaft	-	Committee Member
Cllr Paul Taylor	-	Portfolio Holder – Public Protection & Community Relations
Cllr Tina Thompson	-	Committee Member

**Officers:**

John Robinson	-	Chief Executive
Sanjiv Kohli	-	Deputy Chief Executive, Director of Resources and Section 151 Officer
Sue Bearman	-	Assistant Director Legal and Democratic Services and Monitoring Officer
Nigel Hill	-	Business Manager Elections and Democratic Services

## NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of **Cabinet** held in the Civic Suite, Castle House, Great North Road, Newark, Nottinghamshire, NG24 1BY on Tuesday, 12 September 2023 at 6.00 pm.

PRESENT: Councillor P Peacock (Chairman)

Councillor L Brazier, Councillor R Cozens, Councillor S Crosby,  
Councillor R Holloway, Councillor K Melton, Councillor E Oldham,  
Councillor M Spoons and Councillor P Taylor

### 26 DECLARATIONS OF INTEREST FROM MEMBERS AND OFFICERS

There were no declarations of interest.

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

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

### 28 MINUTES FROM THE PREVIOUS MEETING HELD ON 11 JULY 2023

The minutes from the meeting held on 11 July 2023 were agreed as a correct record and signed by the Chairman.

### 29 BUDGET PERFORMANCE - QUARTER 1- 2023/24

The Leader and Portfolio Holder - Strategy, Performance & Finance presented the Projected General Fund and Housing Revenue Account Revenue and Capital Outturn Report to 31 March 2024 as at 30 June 2023. The report forecast the outturn position for the 2023/24 financial year for the Council's General Fund and Housing Revenue Account revenue and capital budgets and detailed 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.

The Business Manager- Financial Services confirmed that the 5% variances within the salary budgets due to staffing vacancies were from across all service areas within the Council did not reflect vacancies from any specific post of business units.

AGREED (unanimously) that Cabinet:

- a) note the General Fund projected unfavourable outturn variance of £0.130m;
- b) note the Housing Revenue Account projected unfavourable outturn variance of £0.131m to the Major Repairs Reserve;

- c) approve the variations to the Capital Programme at Appendix C to the report;
- d) approve the Capital Programme revised budget and financing of £109.711m; and
- e) note the Prudential indicators at Appendix F to the report.

30 COMMUNITY PLAN PERFORMANCE - QUARTER 1 - 2023/24

The Transformation & Service Improvement Manager presented the Quarter 1 Community Plan Performance Report for April - June 2023.

The report examined how the Council had been performing against the Community Plan as well as the data to look at the performance of key services and delivery against the activities outlined in the plan from 1 April to 30 June 2023.

The Council's performance was measured in four parts as 'Our District', 'Our Performance', 'Our Customers' and 'Our Workforce'. The report for Members also contained a compliance report reporting performance in corporate compliance, housing (tenant) compliance and green space compliance.

Members welcomed the report and noted the reasons and actions on-going to mitigate those targets which had not been met, including Newark Beacon occupation and bin collections.

AGREED (unanimously) that Cabinet:

- a) review the Community Plan Performance Report attached as Appendix 1 to the report;
- b) review the Compliance Report attached as Appendix 2 to the report; and
- c) consider the Council's performance against its objectives highlighting any areas of high performance and identifying areas for improvement.

31 HOUSING COMPLIANCE PERFORMANCE REPORT- QUARTER 4 22/23 AND QUARTER 1 23/24

The Portfolio Holder for Housing presented a report to provide assurance on the performance of compliance services within housing services and highlight areas falling below the target set and reasons with plan for recovery for the end of Quarter 4 and Quarter 1 2023/24, 31 December 2023 to 30 June 2023.

The Business Manager - Housing Maintenance & Asset Management was in attendance and detailed the actions undertaken by the Council to gain access to council properties where tenants refused access to undertake gas and electricity checks and servicing.

AGREED (unanimously) that Cabinet:

- a) note the compliance performance for the end of financial year, the items for action and changes for next financial years reporting; and
- b) Identifies any areas of concerns or for further investigation or detail.

Meeting closed at 6.34 pm.

Chairman

## NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of **Cabinet** held in the Civic Suite, Castle House, Great North Road, Newark, Nottinghamshire, NG24 1BY on Tuesday, 19 September 2023 at 6.00 pm.

PRESENT: Councillor P Peacock (Chairman)

Councillor R Cozens, Councillor S Crosby, Councillor L Brazier,  
Councillor K Melton, Councillor E Oldham, Councillor M Spoor,  
Councillor P Taylor and Councillor R Holloway

ALSO IN ATTENDANCE: Councillor N Allen, Councillor I Brown, Councillor R Jackson, Councillor J Lee, Councillor S Michael and Councillor P Rainbow.

### 32 DECLARATIONS OF INTEREST FROM MEMBERS AND OFFICERS

There were no declarations of interest.

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

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

### 34 CHAIR'S UPDATE

The Leader and Chair referred to three recent events, the Tour of Britain cycle race, the Community Awards ceremony and the Dragon Boat race along the River Trent in Newark which had all been successfully ran with support from the District Council.

### 35 PLANS TO DECARBONISE THE COUNCIL'S ESTATE (KEY DECISION)

The Business Manager – Corporate Property presented a report which provided the Cabinet with an update on plans to appoint consultants to develop a decarbonisation plan for the Council's buildings in line with the Council's Community Plan objectives and stated plan to be net carbon neutral by 2035.

It was noted that within the Council's carbon footprint there were two principal sources of emissions, the fleet and Council buildings. Work was underway to understand how the Council's depot at Brunel Drive may need to be developed to support low emission vehicles and five buildings had been identified for photovoltaic panels to be fitted. However, a number of other sites, as listed in the report, had been approved for the decarbonisation plan and the Council had approached the market to identify consultants to carry out feasibility work.

Following a tender exercise, a preferred partner had been selected with a value of £150,780. Surveys would commence following approval of the budget, with a completion date in late Autumn 2023. Costings for the required works would also be produced for future funding requests. It was noted that government funding rounds were made available, but it was necessary to have ready made schemes to submit in order to be successful.

AGREED (unanimously) that Cabinet approve a budget of £150,780 from the Change Management Reserve to fund the work identified in the report.

Reasons for Decision

To enable a programme of decarbonisation activities in line with the Council's Climate Emergency Strategy and Action Plan for a carbon net neutral target date of 2035.

Options Considered

The Council has a target of being net carbon neutral, excluding housing, by 2035. The two main sources of carbon within the Council's footprint are its fleet and its buildings. Doing nothing is therefore not deemed a viable alternative to deliver carbon savings within the Council's estate, whilst the expertise and capacity to deliver this work in-house is not currently available.

36 UPDATE ON KERBSIDE GLASS RECYCLING SCHEME

The Director – Communities & Environment presented a report which set out the current status and risks of the glass recycling project. An update on the project was set out in section 2 of the report. This provided updates on the infrastructure and capital works required; the vehicle and depot capacity; the waste transfer station; some of the arrangements for the service; working with Recycling Ollerton & Boughton; procurement; and resources, both staffing and financial.

In the report summary it was advised that the project continued to progress across the various areas and was still on schedule to go live in 2023/24, however there were slight risks around the transfer station. In addition, the anticipated shortfall in the budgets from 2024 onwards, could be covered if a planned increase in the garden recycling fee was implemented.

AGREED (unanimously) that Cabinet:

- a) note the current status of the project and note the challenges which may impact the project launch date;
- b) note that there is currently an additional forecast budget requirement of £30k from 2024/25;
- c) note that the garden recycling subscription fee is increased from £35 to £37 from 2024/25, in line with the rationale set out in paragraphs 2.6.8 and 2.6.10 of the report;
- d) note that the one-off funding of circa £8k for glass recycling boxes be provided to Recycling Ollerton and Boughton (ROB);
- e) approve the transition of apprentice mechanic to a permanent FTE at NS9; and
- f) further updates be provided where required.

Reason for Decision

To introduce a kerbside glass collection service in line with resident feedback, the aspirations within the Community Plan and within the budget previously agreed by the Council.

### Options Considered

As set out, the report provides an update on an existing Council decision to introduce a kerbside glass collection service in Newark and Sherwood. As such, no alternatives have been put forward at this stage.

### 37 AMENDED ALLOCATIONS AND DEVELOPMENT MANAGEMENT DEVELOPMENT PLAN DOCUMENT (KEY DECISION)

The Business Manager – Planning Policy & Infrastructure presented a report which sought approval for the Publication Version of the Amended Allocations & Development Management Development Plan Document, and which set out proposals around the provision of a Gypsy Roma Traveller site at the former Belvoir Iron Works, Newark.

Work on preparing the Amended Allocations & Development Management DPD had gone through the various statutory stages culminating in the publication of a Draft DPD for a period of representation in November and December 2022. A total of 164 representations were received from 63 individuals and organisations. The details were set out in the Statement of Consultation and Appendix A to the report set out the proposed amendments to the DPD in response, and Appendix B was the draft version of the Second Publication Amended Allocations and Development Management DPD.

The draft DPD identified the former Belvoir Ironworks site to the south of Newark as a preferred additional allocation of Gypsy,Roma, Traveller pitch provision which could be delivered with Council support and resources, and it was noted that negotiations with the landowner were continuing.

AGREED (unanimously) that Cabinet:

- a) endorse the proposed amendments to the previous version of the Amended Allocations & Development Management DPD as set out in Appendix B;
- b) recommends to Full Council that the Amended Allocations & Development Management DPD as set out in Appendix B is published for a period of public representation;
- c) approves, subject to planning, a Maximum Contribution (as set out in the Exempt Appendix) towards the delivery of former Belvoir Iron Works Site, with delegated Authority being given to the Deputy Chief Executive & Director of Resources, in consultation with the Portfolio Holders for Strategy, Performance & Finance and Sustainable Economic Development, to conclude the terms of a land purchase in accordance with the Council's Acquisitions and Disposals Policy, subject to planning and the outcome of the grant funding submission to the Homes England Affordable Homes Programme; and
- d) to add the maximum contribution (as set out in the Exempt Appendix) into the Capital Programme financed by the Change Management Reserve.

### Reasons for Decision

To allow Full Council to consider a publication version of the Allocations & Development Management DPD for a period of public representation.

To allow the delivery of the former Belvoir Iron Works site as part of the Council's Gypsy and Traveller Strategy, as contained within the publication version of the Allocations & Development Management DPD.

### Options Considered

As set out in Section 1 of the report, the District Council have considered a range of options as part of the Plan Review engagement and consultation process.

## 38 NEWARK TOWNS FUND PROJECTS UPDATE AND PROJECT ADJUSTMENT REQUEST (KEY DECISION)

The Business Manager – Economic Growth & Visitor Economy presented a report which provided an update on the delivery of the identified priority projects in the Town Investment Plan through the Newark Town Deal (NTD). In addition, the report sought to approve a Project Adjustment Request relating to the Towns Fund area, by seeking to change the redline boundary of the NTD.

The report gave an update on the ten priority projects with three full business cases still to be developed and approved – Newark Cultural Heart, SISCLOG (Gateway Project), and Castle Gatehouse. It was reported that to allow the conclusion of a full business case for the SISCLOG/Newark Gateway redevelopment it was necessary to amend the Newark Towns Fund boundary to include the Newark Showground Policy Area.

AGREED (unanimously) that Cabinet:

- a) note and welcome the progress made in the delivery, assurance and monitoring of the Town Deal (NTD) and proposals within the Town Investment Plan (TIP); and
- b) approve the Project Adjustment Request (PAR) relating to the Towns Fund area, as detailed at paragraph 3 to the report.

### Reason for Decision

To ensure the ongoing governance and management of the Towns Fund programme. To ensure that the Towns Fund area boundary is representative of updated information and encompasses all relevant areas.

### Options Considered

There is an option to not undertake the PAR relating to the Town Fund Area. This has been discounted as it would not deliver the necessary requirements for the priority projects to be delivered within the programme period.

## 39 DECANT POLICY 2023 - 2026 (KEY DECISION)

The Portfolio Holder Housing presented a report which set out how the Council supported its tenants across the District when it was necessary to move from their

homes temporarily or permanently to complete major works, or for the demolition or disposal of the property. This was known as the decant process, and a proposed Decant Policy for 2023-2026 was attached as an appendix to the report.

AGREED (unanimously) that Cabinet approve and adopt the Decant Policy for 2023-2026 as set out in the Appendix to the report.

Reason for Decision

To ensure the Council has suitable arrangements in place to support tenants with moving to facilitate necessary works to homes and for good management of housing stock to support our Community Plan objective to create more and better quality homes through our roles as landlord, developer and planning authority.

Options Considered

None, it is necessary to support tenants in this manner.

40 HOUSING SERVICES RESOURCES

The Portfolio Holder Housing presented a report which set out the current challenges in the Housing Services Business Unit and sought Cabinet approval to increase staffing resources to effectively deliver the tenancy & estate management services.

The report detailed the roles and workloads of the tenancy officers and the changes in the sector which had resulted in the additional workloads which were now being seen. It was considered that the additional resources sought would relieve pressure on existing staff, but also be available to be redirected as priorities and/or areas change or require a more intensive housing management approach. It was noted that a review of resources would be undertaken annually.

AGREED (unanimously) that Cabinet approve:

- a) the use of £45,115 from the Housing Revenue Account Service Improvement Reserve to cover the costs of the additional posts for 2023-24; and
- b) the budget for the 5 FTE tenancy officers is included in the baseline budget from 2024 onwards.

Reason for Decision

To ensure we continue to deliver excellent housing services across the district in line with best practice, regulatory compliance and keeping tenants at the heart of our services.

The increase in staffing aligns with our community plan to “create vibrant and self-sufficient local communities where residents look out for each other and actively contribute to their local area; reduce crime and anti-social behaviour and increase feelings of safety in our communities; and improve the health and wellbeing of local residents”.

Options Considered

The consideration for temporary resource was discounted due to the continued rise of complex case management, the increase in homelessness duty discharge into our stock and the difficulty accessing support services within the district.

41 EXCLUSION OF THE PRESS AND PUBLIC

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

42 HOUSING SERVICES STRUCTURE PROPOSAL

The Cabinet considered the exempt report in relation to a Housing Services structure proposal.

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

Meeting closed at 7.06 pm.

Chairman

By virtue of paragraph(s) 4 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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## NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of **Executive Shareholder Committee** held in the Civic Suite, Castle House, Great North Road, Newark, NG24 1BY on Tuesday, 12 September 2023 at 6.00 pm.

PRESENT: Councillor P Peacock (Chairman)

Councillor R Cozens, Councillor L Brazier, Councillor S Crosby,  
Councillor K Melton, Councillor E Oldham, Councillor M Spoons,  
Councillor P Taylor and Councillor R Holloway

### 6 DECLARATIONS OF INTEREST FROM MEMBERS AND OFFICERS

There were no declarations of interest.

### 7 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.

### 8 MINUTES FROM THE PREVIOUS MEETING HELD ON 27 JUNE 2023

The minutes from the meeting held on 27 June 2023 were agreed as a correct record and signed by the Chairman.

### 9 ACTIVE 4 TODAY PERFORMANCE REPORT

The Committee considered the report of the Business Manager- Regeneration and Housing Strategy, which presented the performance of Active 4 Today for the period to July 2023, Period 4.

The Company's performance with regards membership and usage, remained relatively stable and after a slight drop in memberships in April and May, had built back up to 11,729 total memberships across all sites.

Two of three planned internal audits had been completed by Wright Vigar covering direct debit membership and card and online income. Both audits resulted in positive audit findings. A third internal audit would commence in September 2023 on VAT processes and returns.

The overall cost of utilities for the four leisure centres was over £960,000 per annum. As a result of the increases in utilities, there was also an indirect cost associated with irrecoverable VAT which would be higher than forecasted, estimated at an increase of approximately £25,000.

In discussion, Members considered the pension contributions made by Active4Today, discounts available for concessions, and work undertaken to increase the sustainability of the leisure centre buildings.

AGREED (unanimously) that Cabinet noted the performance of Active4Today to period four.

10 EXCLUSION OF THE PRESS AND PUBLIC

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

11 ARKWOOD DEVELOPMENTS BUSINESS PLAN AND PERFORMANCE REPORT

The Committee considered the report of the Transformation & Service Improvement Manager which presented that Arkwood quarter one performance and Business Plan for approval.

AGREED (with 6 for, and 3 abstentions) that Cabinet:

- a) review the Q1 performance of Arkwood developments at Appendix 1;  
and
- b) approve the company's Business Plan at Appendix 2

Meeting closed at 7.50 pm.

Chairman

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

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## NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of **Policy & Performance Improvement Committee** held in the Civic Suite, Castle House, Great North Road, Newark NG24 1BY on Monday, 11 September 2023 at 6.00 pm.

PRESENT: Councillor M Pringle (Chair)  
Councillor N Ross (Vice-Chair)

Councillor N Ross, Councillor A Amer, Councillor A Brazier, Councillor C Brooks, Councillor S Forde, Councillor A Freeman, Councillor R Jackson, Councillor J Kellas, Councillor K Roberts, Councillor M Shakeshaft, Councillor T Smith, Councillor T Thompson, Councillor T Wendels and Councillor N Allen

APOLOGIES FOR ABSENCE: Councillor P Rainbow (Committee Member)

ALSO IN ATTENDANCE: Councillor L Brazier

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

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

### 19 DECLARATION OF INTEREST BY MEMBERS AND OFFICERS

Agenda Item No. 13 – Topic Request Form (Support for Affordable Active Lifestyles)  
Councillors: Forde, Freeman and Pringle together with Deborah Johnson, Director – Customer Services & Organisational Development declared an Other Registrable Interest as Directors of Active4Today.

### 20 MINUTES OF THE MEETING HELD ON 26 JUNE 2023

The minutes of the meeting held on 26 June 2023 were agreed as a correct record and signed by the Chair.

### 21 INCREASE IN FREQUENCY OF MEETINGS - 2024/2025

The Committee considered the report of the Director – Customer Services & Organisational Development which sought to notify Members of the increase in frequency in meetings of the Committee for the 2024/2025 municipal year, commencing May 2024.

The report outlined the rationale for the increase, which was to ensure the effective transaction of Council business. The report also noted that a special meeting of the Committee had been convened on 25 September to consider the draft Community Plan and that an additional meeting had been convened on 23 October 2023.

AGREED (unanimously) that the increase in the frequency of meetings of the Policy

& Performance Improvement Committee commencing in May 2024 be noted.

22 RESETTLEMENT UPDATE

The Committee considered the report presented by the Assistant Business Manager – Housing & Estate Management which sought to update Members on the resettlement programmes operated by the Council.

The report set out that the schemes currently available in the UK, providing a description of each of them at paragraph 1.4 of the report. Further details of the schemes operated by the Council were provided. This included how long a family or individual could remain in the UK, the type of accommodation they were provided with together with a note of the number of households and individuals included under each one. It was reported that support was available for local authorities to meet additional housing needs related to resettlement and homelessness and that the Council had submitted a successful funding application. The funding supported the purchase of 14 homes to assist with alleviation of housing pressures, details of which were provided in paragraphs 2.10 and 2.11 of the report.

In acknowledging the work carried out by the Council, as detailed in the report, a Member commented that there could be further pressures in the future should the Council be required to provide accommodation for asylum seekers. In response, the Assistant Business Manager advised that there was not currently any specific request in relation to this but would keep Members updated should this change.

In response to what the process was for transitioning families into the community should they be remaining in the UK for a period of time, the Assistant Business Manager provided a brief outline of the integration process to introduce families to the existing community.

AGREED (unanimously) that the progress made in the delivery, development and monitoring of all the Resettlement Programmes be noted and welcomed.

*Councillor Amer entered the meeting during the above item.*

23 HOUSING COMPLIANCE ASSURANCE REPORTS - Q4 2022/23 & Q1 2023/24

The Committee considered the report presented by the Business Manager – Housing Maintenance & Asset Management which sought to provide Members with an update of the Housing Compliance Assurance overview and actions arising at the end of Q4 and Q1 (31 December 2022 to 30 June 2023).

The report focussed on exceptions performance that were outside the Council's target parameters. The performances were related to the Council's legal and regulatory landlord responsibilities for 27 building safety measures, including fire protection, gas, asbestos, electrical and water. The appendices to the report provided the full details together with associated commentary of the performance indicators. Paragraph 2 of the report provided information on the performance exceptions in relation to: Gas Servicing; Oil Servicing; and EICR Certifications less than 5 years old, with all three

receiving an amber rating – within 10% of target.

In considering the report, a Member queried what the average time was to complete the enforcement process to gain access to a property to carry out legal and regulatory safety measures e.g. gas servicing. The Business Manager advised that there was a back log in the Courts and that it could take up to 3 or 4 months, adding that the Courts did not consider cases chronologically. It was noted that attempts to gain access to the property continued throughout the enforcement process with the Council seeking to mitigate the risks during that time.

A Member also queried what liability the Council had should a problem arise before access could be gained. In response, the Business Manager advised that the Courts would take into account the length of time and the process followed in trying to gain access. Members also requested information as to what the underlying cost was to the Council of enforcement action.

AGREED (unanimously) that:

- a) the compliance performance for the end of the financial year be noted;
- b) the items for action and changes for the next financial years reporting be noted; and
- c) the underlying cost to the Council of enforcement action be reported to a future meeting of the Committee.

## 24 PROPERTY REPAIR AND LETTING ARRANGEMENTS FOR COUNCIL OWNED HOMES

The Committee considered the report presented by the Business Manager – Housing Services which set out the process of repairing and allocating the Council's rented housing and temporary accommodation, the performance and satisfaction with the services and sought recommendations for further improvements and investigation.

The report provided Members with details of the work undertaken by the team who were dedicated to the repair of properties. Details of the 'relet journey' were reported together with statistical information as to the Council's performance. The report also provided information as to tenant scrutiny and the lettings standards for temporary accommodation. Details of the development of an "Empty Homes Improvement Plan" were provided, which would include temporary accommodation.

In considering the report, a Member queried as to why the Starting Well Fund had a take-up of less than 50%. In response, Officers advised that not all tenants required the help and that it was only available to new lettings.

In response to the proposed support with the maintenance of gardens and trees, Members were advised that this was a draft proposal and would be funded out of savings realised from bringing Housing Services back in-house. Further details would be provided when the pilot initiative had been finalised. A Member requested that consideration be given to tenants who could not afford to carry out works themselves

but were not necessarily in receipt of benefits.

In relation to a query raised about how lessons were learned from complaints made by tenants, Members were advised that complaints were reported to the Tenant Engagement Board for consideration and what could be learned from them, were there any themes emerging, what actually happened. Officers also considered complaints in detail on a monthly basis with a view to how changes could be implemented to improve service provision. These were then reported back to tenants in the annual tenants' report.

The Chair requested that following submission of the Tenant Satisfaction Measures to the Regulator of Social Housing, a report be presented to the next meeting of the Committee, showing the results of the Tenant Satisfaction Measures survey. The report also to include any changes to the Home Standard brought about by the current consultation.

AGREED (unanimously) that the Policy & Performance Improvement Committee endorse the following recommendations:

- a) there are discussions in the housing sector about furniture poverty and the value of carpeting homes as part of the landlord's lettable standard. It is proposed to take this initiative to the Local Influence Networks to explore the benefits and challenges of providing floor coverings in all new lettings;
- b) recognition that there is no simplified version of the Fit to Let standard currently available to applicants and tenants to ensure we do what we say we will. This Committee supports a request to involve tenants to design a simplified Fit to Let standard to hold the service to account and promote feedback inc. complaints;
- c) to support the introduction of a satisfaction measure for quality of temporary accommodation from Qtr. 3 2023-24;
- d) to support the develop of a policy to pilot the Council assisting tenants with maintaining trees within their gardens using funds available from efficiency savings; and
- e) these align to the Council's objective of creating more and better-quality homes through our roles as landlord, developer and planning authority.

25 PROJECTED GENERAL FUND AND HOUSING REVENUE ACCOUNT - REVENUE & CAPITAL OUTTURN REPORT TO 31 MARCH 2024 AS AT 30 JUNE 2023

The Committee considered the report presented by the Business Manager – Financial Services which sought to provide Members the forecast outturn position for the 2023/24 financial year for the Council's General Fund and Housing Revenue Account revenue and capital budgets. The report also highlighted performance against the approved estimates of revenue expenditure and income; reported on major variances

from planned budget performance; and reported on variations to the Capital Programme as in accordance with the Council's Constitution.

The accounts showed an unfavourable variance of £0.7463 on service budgets with an overall unfavourable variance of £0.020m which would be met from the General Fund Reserve. The variances were broken down in the report.

In considering the report and noting the unfavourable variances, a Member queried whether this was of concern. The Business Manager advised that it was usual for this time in the financial year. In response to the low percentage level of spend on Projected Capital Outturn, the Business Manager advised that Finance Officers continued to liaise with Project Managers in order to reflect the position as accurately as possible.

AGREED (unanimously) that:

- a) the General Fund projected unfavourable outturn variance of £0.130m be noted;
- b) the Housing Revenue Account projected unfavourable outturn variance of £0.131m to the Major Repairs Reserve be noted;
- c) the variations to the Capital Programme at Appendix C be noted;
- d) the Capital Programme revised budget and financing of £109.711m be noted; and
- e) the Prudential Indicators at Appendix F be noted.

26 CABINET FORWARD PLAN (AUGUST 2023 TO NOVEMBER 2023)

NOTED the Forward Plan of the Cabinet for the period August to November 2023.

27 27 JUNE 2023 - MINUTES OF CABINET MEETING

NOTED the Minutes of the Cabinet Meeting held on 27 June 2023.

28 11 JULY 2023 - MINUTES OF CABINET MEETING

AGREED (unanimously) that:

- a) the minutes of the Cabinet Meeting held on 11 July 2023 be noted; and
- b) in relation to Cabinet Minute No. 11 – Commercial Plan Update a report be presented to a future meeting of the Policy & Performance Improvement Committee providing an update as to the performance of the Commercial Strategy.

29 SUPPORT FOR AFFORDABLE ACTIVE LIFESTYLES

The Committee considered the Topic Request Form proposed by Councillor P Peacock and seconded by Councillor L Brazier requesting the establishment of a Working Group to reassess how the Council are supporting their communities and helping them to identify ways in which to remain active.

AGREED (unanimously) that:

- a) approval be given for the establishment of an Affordable Active Lifestyles Working Group;
- b) Councillor C Brooks be appointed as Chair of the Working Group;
- c) Councillors: A Brazier; R Jackson; K Roberts; and T Thompson be considered as members of the Working Group; and
- d) following agreement to establish the Working Group, a Review Initiation Document would be produced and the opportunity to be part of the Working Group would be made available to all Members of the Council.

### 30 SHARING INFORMATION WITH MEMBERS

The Committee considered the Topic Request Form proposed by Councillor J Kellas and seconded by Councillor R Jackson requesting the establishment of a Working Group to consider what information can be shared with Ward Members and in what format and the frequency of sharing the information. This is to ensure that Ward Members are kept informed of what was happening in their areas so that they may answer questions when asked.

AGREED (unanimously) that:

- a) approval be given for the establishment of an Information Sharing with Elected Members Working Group;
- b) Councillor J Kellas be appointed as Chair of the Working Group;
- c) Councillors: N Allen; R Jackson; M Shakeshaft; and T Smith be considered as members of the Working Group; and
- d) following agreement to establish the Working Group, a Review Initiation Document would be produced and the opportunity to be part of the Working Group would be made available to all Members of the Council.

### 31 ITEMS FOR NEXT AGENDA

NOTED the provisional Agenda items for future meetings.

Meeting closed at 7.15 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, 25 September 2023 at 6.00 pm.

PRESENT: Councillor M Pringle (Chair)  
Councillor S Forde (Temporary Vice-Chair)

Councillor N Allen, Councillor A Amer, Councillor A Brazier, Councillor C Brooks, Councillor S Forde, Councillor R Jackson, Councillor J Kellas, Councillor D Moore, Councillor P Rainbow, Councillor M Shakeshaft, Councillor T Smith and Councillor T Thompson

APOLOGIES FOR ABSENCE: Councillor N Ross (Vice-Chair), Councillor A Freeman (Committee Member) and Councillor T Wendels (Committee Member)

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

The Chair 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.

### 33 DECLARATION OF INTEREST BY MEMBERS AND OFFICERS

There were no declarations of interest.

### 34 APPOINTMENT OF TEMPORARY VICE-CHAIR

Following receipt of apologies from Councillor N Ross, Vice-Chair, the Chair proposed that Councillor S Forde act as temporary Vice-Chair for the duration of the meeting.

AGREED (unanimously) that Councillor S Forde be appointed as temporary Vice-Chair for the duration of the meeting.

### 35 COMMUNITY PLAN

The Committee considered the report presented by Transformation & Service Improvement Officer which presented to Members the Draft Community Plan 2023/2027 for endorsement and onward recommendation to Cabinet for their consideration and approval. The report also requested Members to consider what they would wish to see included within the performance framework.

The report set out that the Community Plan was the key direction setting document used to outline the priorities and vision of the Council for a four-year term. It had been under development for a number of months with input from the Cabinet, Chairs and Vice Chairs to develop and shape the priorities. The results of the Residents Survey 2022 had also been used to inform the development of the Plan. Business Managers had reviewed the draft Plan's objectives and actions and provided feedback thereon. The future considerations of the Plan were detailed in paragraph 3 of the report, making reference to the development of a performance framework, how resource implications would be determined and the reflected within future budgets.

In considering the report, Members commented on a number of issues and also put forward suggestions for Cabinet's consideration on 31 October 2023.

In relation to the review of the Council's leisure offer, including building and any necessary programmes of renewal, Members referred to there being no specific mention of a new leisure centre in Southwell, requesting clarification as to its omission.

It was suggested that the current Portfolio Holders' names be removed as these could be subject to change during the life of the Community Plan. It was also suggested that consideration be given to amending the wording within the Plan to better reflect that some of the actions and objectives were a continuation of the previous Plan. It was noted that the Plan needed to be flexible and that the Council would need to be reactive at times. Comment was made that currently the Plan had no timeframes set out and attributed to specific actions.

A Member commented that there was little reference to the Council's core services, specifically referring to climate change and lowering the Council's carbon footprint. He added that there is a great deal of green innovation taking place and that technologies were constantly evolving. The Council's progress towards achieving net zero required a considered approach to achieve the greatest impact and secure value for money for the taxpayer. He added that residents of the district should be provided with information on how to live sustainably and that this could include the promotion of grant schemes for sources of renewable energy.

In noting that there would be continual feedback from residents, a Member commented that these should be regularly surveyed with a view to whether residents' priorities changed during the life of the Plan, adding that any proposed changes to the Plan would need to be fully costed. Reference was made to the supplementary agenda circulated which primarily detailed actions concerning the Heritage, Culture & the Arts portfolio with a Member querying whether these were affordable and whether they offered the best use of residents' council tax.

In relation to the performance framework, a Member advised that in reading the Plan he had categorised the actions and topics contained therein. He suggested that a logical grouping of those topics be undertaken with performance reports being brought to Committee on a six-monthly basis for the purposes of scrutiny. Members also requested that Portfolio Holders be invited to attend Committee when they were considering reports specific to their portfolio that were in relation to actions within the Plan.

It was agreed by Members that the draft Community Plan was an overview of what the Council wished to action within the district. However, some Members expressed concern that they had been asked to endorse the Plan without any detail of the proposed actions and without the knowledge of what those actions may cost, in terms of resource and budget implications.

AGREED (with 8 votes for and 5 abstentions) that:

- a) the draft Community Plan be endorsed and recommended to Cabinet for consideration and approval; and
- b) the above comments be considered for inclusion in the development of the performance framework.

Councillor Amer entered the meeting during consideration of the above item.

### 36 COMMUNITY PLAN PERFORMANCE FOR QUARTER 1

The Committee considered the report of the Director – Customer Services & Organisational Development which presented to Members the Quarter 1 Community Plan Performance Report (April to June 2023). Members were asked to review the Report attached as Appendix 1 together with the Compliance Report attached as Appendix 2.

In considering the report, Members commented that the way in which it was laid out in Appendix 1 enabled them to clearly track the performance of the Plan and was easily understandable.

A Member noted that food inspections were 12% below the target for the year and queried whether this was due to resource implications. The Transformation & Service Improvement Officer advised that he would provide a written response to Members.

In response to whether there were any future plans to further promote the garden waste collection service, the Transformation & Service Improvement Officer again advised he would provide a written response to Members.

AGREED (unanimously) that the Community Plan Performance Report and Compliance Report be noted.

Meeting closed at 6.55 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, 10 August 2023 at 4.00 pm.

PRESENT: Councillor A Freeman (Chairman)  
Councillor D Moore (Vice-Chairman)

Councillor A Amer, Councillor C Brooks, Councillor L Dales, Councillor P Harris, Councillor K Melton, Councillor E Oldham, Councillor P Rainbow, Councillor S Saddington, Councillor M Shakeshaft, Councillor L Tift and Councillor T Wildgust

ALSO IN ATTENDANCE: Councillor P Farmer and Councillor S Michael

APOLOGIES FOR ABSENCE: Councillor J Lee (Committee Member) and Councillor M Spoors (Committee Member)

### 24 DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

The Chairman advised the Committee of a blanket of other registerable interests declared on behalf of Councillors L Dales, A Freeman and K Melton as appointed representatives on the Trent Valley Internal Drainage Board for any relevant items.

The Chairman then declared other registrable interests for all members of the Planning Committee for Application No. 23/00715/FUL.

Councillor P Harris also declared having a personal interest as a member of the Bishops Diocese of Southwell.

Councillor L Dales declared a personal interest in Application No. 23/00715/FUL Annexe, the Cottage, Winthorpe and would not take part in the debate or vote.

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

The Chairman informed the Committee that the Council was undertaking an audio recording of the meeting and that it was being live streamed.

### 26 MINUTES OF THE MEETING HELD ON 6 JULY 2023

AGREED that the Minutes of the Meeting held on 6 July 2023 were approved as a correct record and signed by the Chairman.

### 27 CHESTNUT LODGE, BARNBY ROAD, BALDERTON - 23/00963/FULM

The Committee considered the report of the Business Manager – Planning Development, which sought to update Members on the application for a proposed change of use to residential caravan site for gypsy/travellers (19 No. pitches), relocation of 2 no. existing pitches, construction of 1 no. managers dwelling, an amenity building and creation of new access (resubmission).

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

This development had been part of the site visits earlier in the day and the proposal is particularly contentious, and the aspects being raised could only be viewed on site.

A Schedule of Communication was circulated prior to the meeting which detailed correspondence received following publication of the Agenda from Planning Officers including from the Ward Councillor.

Councillor Bett, on behalf of Barnby-in-the-Willows Parish Council spoke against the application in accordance with the view of the Parish Council contained within the report.

Members noted that largely the application was identical to the previous application, although the Manager’s dwelling now having been amended from a 5 bedroom house to a 3 bedroom chalet bungalow.

AGREED (with 6 votes For and 6 Votes Against, the Chairman used his casting vote for Approval) that planning permission be approved subject to the Conditions detailed at Section 10.0.

Prior to consideration of the following item on the Agenda, the Chairman adjourned the meeting for 5 minutes in order for Members to take a comfort break.

28 TESCO EXPRESS, KIRKINGTON ROAD, RAINWORTH - 22/01298/FUL

The Committee considered the report of the Business Manager – Planning Development, which sought to update Members on the application for a proposed retail unit with parking and amended site entrances.

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

This development had had a previous site visit as the impact of the proposed development was difficult to visualise.

The Committee were concerned over access, not enough parking and too crowded in the cage rolling area.

*Councillor Amer joined the meeting and therefore could not vote on this application.*

The Committee in proposing by Cllr Melton and seconded by Cllr Harris that the application be deferred for Officers to consider the scheme in the context of there being no control over delivery hours, and also with consideration to amending condition 7a requiring a permeable surface as a condition.

AGREED (unanimously) that planning permission be deferred.

29 HIGHFIELDS SCHOOL, LONDON ROAD, BALDERTON - 22/01726/FULM

The Committee considered the report of the Business Manager – Planning Development, which sought to update Members on the application for residential development comprising of 87 no. dwellings, including the removal of TPO trees (resubmission).

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

A Schedule of Communication was circulated prior to the meeting which detailed correspondence received following publication of the Agenda from Planning Officers including from the Ward Councillor.

The Committee referred to previous applications, noting a lower density is needed in order to prevent the removal of the more mature trees and encouraging play in the area.

AGREED (unanimously) for refusal for the reason(s) set out at Section 10.0 of this report.

Following the refusal, Councillor Moore asked the District Councillor in their capacity as a Nottinghamshire County Councillor to request that the field is kept as a play area.

30 WESTWOOD FARM, MAIN STREET, THORNEY - 23/00927/FUL

The Committee considered the report of the Business Manager – Planning Development, which sought to update Members on the part retrospective application for erection of two new dwellings.

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

The Parish Council having been consulted along with the Highways Agency who were against the application. The Committee were content that adding new builds would not be in character with the area and harmful to the countryside.

AGREED (unanimously) that Planning Permission is refused for the reasons detailed at Section 10.0.

31 HUTCHINSON ENGINEERING SERVICES LTD, GREAT NORTH ROAD, WESTON - 23/00770/FUL

The Committee considered the report of the Business Manager – Planning Development, which sought to update Members on the application for a proposed change of use of agricultural land to proposed turning area, long term staff parking area and electric vehicle charging points.

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

This development had been part of the site visits earlier in the day and there were particular site factors which are significant in terms of the weight attached to them relative to other factors if they would be difficult to assess in the absence of a site inspection.

District Councillor Michael addressed the meeting being in favour of an expansion to the existing business with Highways also have supported.

Councillor Laughton, on behalf of Weston Parish Council spoke in favour of the application in accordance with the view of the Parish Council contained within the report and advised the Committee that Hutchinson Engineering had been in operation for 50 years on that site.

The Chairman indicated that time had expired for the business of the meeting, the Members voted unanimously as at Rule 30.2 that the motion for the meeting would continue for a further hour.

AGREED (with 7 votes For, 6 votes Against) that planning permission be refused for the reasons detailed at Section 10.0.

*Councillor Melton and Councillor Saddington left the meeting.*

Prior to consideration of the following item on the Agenda, the Chairman adjourned the meeting for 5 minutes in order for Members to take a comfort break.

32 SOUTH BARN, 4 REDMAY FARM, CHURCH LANE, SOUTH SCARLE - 23/00829/HOUSE

The Committee considered the report of the Business Manager – Planning Development, which sought to update Members on the application for erection of a timber pergola.

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

District Councillor Farmer spoke in favour of the application and in accordance with the view of the Parish Council contained within the report.

The Committee understood that only the top would be visible and that it would be permanently fixed to the house.

In accordance with paragraph 13.5 of the Planning Protocol, as the motion was against Officer recommendation, a recorded vote was taken.

<b>Councillor</b>	<b>Vote</b>
A Amer	For
C Brooks	For
L Dales	For
A Freeman	For
P Harris	For
J Lee	Absent

K Melton	Absent
D Moore	For
E Oldham	For
P Rainbow	For
S Saddington	Absent
M Shakeshaft	For
M Spoons	Absent
L Tift	For
T Wildgust	For

AGREED (unanimously) that planning permission be approved against the Officer recommendation with planning conditions relating to time for commencement, in accordance with plans, materials, for the following reasons:

considered to be of a size and scale to not impact upon amenity and due to its location would have miniscule impact upon the conservation area and is therefore considered acceptable on its merits.

33 ANNEXE, THE COTTAGE, WINTHORPE - 23/00715/FUL

The Committee considered the report of the Business Manager – Planning Development, which sought to update Members on the application for a change of use to an open use comprising holiday let (Sui Generis) or independent dwelling (C3) and external alterations. Subdivision of land associated with The Cottage, 45 Gainsborough Road, Winthorpe including retention of railings, gates and gate posts at a reduced height.

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

The detached building/garage is sited to the north side/rear of the host dwelling. This was originally permitted as a ‘garage block’ and comprises of a garage and self-contained living accommodation currently used as holiday-let accommodation, noting that holiday lets are favourable for the area.

AGREED (unanimously) that planning permission be approved subject to the conditions detailed at Section 10.0.

*Having declared a personal interest, Councillor Dales left the meeting during the debate and vote of the above item.*

34 PERMITTED DEVELOPMENT RIGHTS: SUPPORTING TEMPORARY RECREATIONAL CAMPSITES, FILM-MAKING AND PRISON FENCING

The Committee considered the report of the Director - Planning & Growth providing the latest permitted development right.

AGREED that the contents of the report and the permitted development right changes be noted.

35 APPEALS LODGED

AGREED that the report be noted.

36 APPEALS DETERMINED

AGREED that the report be noted.

37 DEVELOPMENT MANAGEMENT PERFORMANCE REPORT

The Committee considered the report of the Director – Planning & Growth relating to the performance of the Planning Development Business Unit over the three-month period April to June 2023. In order for the latest quarter's performance to be understood in context, in some areas data going back to April 2021 was provided. The performance of the Planning Enforcement team was provided as a separate report.

The services it assists in the delivery of Community Plan Objectives:

- Deliver inclusive and sustainable economic growth
- Create more and better-quality homes through our roles as landlord, developer and planning authority
- Enhance and protect the district's natural environment

AGREED that the report be noted. Further information in relation to tree applications and their considerations was requested.

38 QUARTERLY PLANNING ENFORCEMENT ACTIVITY UPDATE REPORT

The Committee considered the report of the Business Manager – Planning Development updating Members as to the activity and performance of the planning enforcement function over the first quarter of the current financial year.

The report provided Members with examples of cases that have been resolved (both through negotiation and via the service of notices) and to provide details and explanations of notices that have been issued during the period covered 1<sup>st</sup> April 2023 – 30<sup>th</sup> June 2023.

AGREED that the contents of the report and the ongoing work of the planning enforcement team be noted. Further information on how developments are considered to be breaches, but not expedient to take action is requested as part of the next performance report as well as the process for enforcement investigations. Member questioned whether the public and ward members could be consulted/notified of breaches.

Meeting closed at 8.00 pm.

## NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of **Planning Committee** held in the Civic Suite, Castle House, Great North Road, Newark, NG24 1BY on Thursday, 7 September 2023 at 4.00 pm.

PRESENT: Councillor A Freeman (Chair)  
Councillor D Moore (Vice-Chair)

Councillor A Amer, Councillor C Brooks, Councillor L Dales, Councillor P Harris, Councillor J Lee, Councillor K Melton, Councillor E Oldham, Councillor P Rainbow, Councillor M Shakeshaft, Councillor L Tift and Councillor T Wildgust

APOLOGIES FOR ABSENCE: Councillor S Saddington (Committee Member) and Councillor M Spoors (Committee Member)

### 39 DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

The Chairman advised the Committee of a blanket of other registerable interests declared on behalf of Councillors L Dales, A Freeman and K Melton as appointed representatives on the Trent Valley Internal Drainage Board for any relevant items.

Councillor J Lee declared having an other registerable interest as a member of the Fire Authority and a Member of Nottinghamshire County Council.

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

The Chair informed the Committee that the Council was undertaking an audio recording of the meeting and that it was being live streamed.

### 41 MINUTES OF THE MEETING HELD ON 10 AUGUST 2023

A Member advised that Minute No. 32 – South Barn, 4 Redmay Farm, Church Lane, South Scarle – 23/00829/House, was incorrect as Councillor Farmer spoke on Minute No. 30 – Westwood Farm, Main Street, Thorney – 23/00927/FUL and not the South Scarle application.

Minute No. 24 – Declarations of Interest by Members and Officers, Councillor L Dales confirmed that the reason for her declaration of interest was that the applicants husband was a close associate.

AGREED that subject to the above amendments, the minutes of the meeting held on 10 August 2023 were approved as a correct record and signed by the Chairman.

### 42 TESCO EXPRESS, KIRKLINGTON ROAD, RAINWORTH, NOTTINGHAMSHIRE, NG21 0AE - 22/01298/FUL

The Committee considered the report of the Business Manager – Planning Development, which sought a proposed retail unit with parking and an amended site

entrance. The application had been deferred from the 10 August 2023, Planning Committee, to enable officers to re-evaluate the proposal in the context of Condition 11 (delivery hours) not being enforceable.

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

A Schedule of Communication was circulated prior to the meeting which detailed correspondence received following publication of the Agenda from Nottinghamshire County Council Highways and the Planning Case Officer.

Councillor C Penny, speaking against the application as Local Ward Member (Rainworth North & Rufford) stated that she was speaking regarding the views of the residents of Rainworth and Rainworth Parish Council. The proposal would have overwhelming negative consequences due to its layout and disagreed that the retail unit would be an asset to the village. The car park was eighteen car parking spaces short of the recommended number and commented that recommendations for car parking spaces were there for a reason. Delivery lorries would have to park on Kirklington Road and the new plan would not allow delivery lorries to turn into the car park. A bat survey had been undertaken for a previous application that had indicated that there were bats in that area, but one had not been undertaken for this application. There was already a considerable amount of congestion on the surrounding roads and the current situation was very dangerous. Making the change to the entrance would only make the problem move around the corner. There was a skate park and other venues opposite the site and concern was raised that children would have to cross Kirklington Road on an already dangerous junction. The layout in the car park may create a rat run for motorists to avoid the lights. It was recommended that the current fenced off car park should be opened and used as a car park for deliveries to be made to the Tesco store. There was also a sink hole in the vicinity, repairs had been made to the sink hole, but concern was raised that the increase in volume of traffic could create collapse of the sink hole.

Councillor T Smith, speaking against the application as adjoining Ward Member (Rainworth South & Blidworth) was granted permission to address the Committee by the Planning Committee Chairman, Vice-Chairman and Business Manager – Planning Development in accordance with Planning Protocol, on the grounds that the application would have an impact on both wards. Councillor T Smith supported Councillor C Penny's address and commented that he represented Rainworth and lived in the village. The junction adjoining the site was awful and the proposal would exacerbate the traffic problem. There were not enough car parking spaces to serve another retail unit in that vicinity and if the application was approved customers would be forced to park on the road. A rat run would be created to by-pass the traffic lights. The road network and pavements adjacent to the proposal serviced two primary schools and a secondary school. A youth club, skate park and toddlers venue were located opposite the site and concern was raised regarding the safety of those users. The plot would create over intensification if Committee were minded to approve the application. Trees would need to be felled, which was not acceptable even though they were classed as low-quality trees, they were the only trees in the village. Rainworth Parish Council were against the application, residents were not in support, and it was commented that NCC Highways can get things wrong.

Members considered the application and commented that there was a shortfall of eighteen car parking spaces and the application should be refused on the grounds of a restrained location.

Members commented on the reversing of lorries into the car park area and considered that dangerous. A Member sought clarification as to the number of car parking spaces required for one new retail unit, the Planning Case Officer confirmed that twenty-four spaces would be required for one food retail unit. A Member commented that the proposed car park layout was unsafe as pedestrians would be forced to walk behind vehicles and felt that should be addressed to have a safe pedestrian route through the car park.

The Planning Case Officer confirmed that the shortage of car parking had been accepted by NCC Highways, as the two retail units would share an overall car parking provision of thirty spaces, the shortfall was deemed acceptable and the scheme would incorporate some landscaping and measures to ensure safe pedestrian movements through the site. Alternative measures had been considered but this was the preferred layout for various reasons including the safe pedestrian access through the site.

Proposed by Councillor D Moore and Seconded by Councillor Mrs L Tift

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

- (i) Not sufficient car parking spaces; and
- (ii) Convenience for uses in terms of safety.

In accordance with paragraph 13.5 of the Planning Protocol, as the motion was against Officer recommendation, a recorded vote was taken.

<b>Councillor</b>	<b>Vote</b>
A Amer	For
C Brooks	For
L Dales	For
A Freeman	For
P Harris	For
J Lee	For
K Melton	For
D Moore	For
E Oldham	For
P Rainbow	For
S Saddington	Absent
M Shakeshaft	For
M Spors	Absent
L Tift	For
T Wildgust	For

43 LAND AT THE BUNGALOW, MOOR LANE, EAST STOKE - 23/01128/FUL

The Committee considered the report of the Business Manager – Planning Development, which proposed a four-bedroom family bungalow on Brownfield Site.

A site visit had taken place prior to the commencement of the Planning Committee in order that Members could see the impact of the proposed development, as it was considered difficult to visualise.

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

A Schedule of Communication was circulated prior to the meeting which detailed correspondence received following publication of the Agenda from the Agent.

Councillor S Davies, on behalf of East Stoke Parish Council spoke for the application in accordance with the view of the Parish Council contained within the report.

Members considered the application and commented that whilst on foot it was unclear to see whether the land was in the open countryside, the aerial photograph clearly showed that the land was in the open countryside. Concern was raised that no ecological assessment had been undertaken and it was felt that the walnut tree on site would need to be felled. The tree however looked healthy and there was an opportunity for bat roosting in that tree. A Member commented that there was an opportunity for the Parish Council to include the site in their Neighbourhood Plan. Another Member commented that as there was a concrete driveway which could be seen under the overgrown land, he felt that the land was not in the open countryside and was a brown field site as it was once the garden to the neighbouring property.

The Business Manager – Planning Development confirmed that the definition of a brown field site excluded a garden.

AGREED (with 12 votes For and 1 vote Against) that the report be refused for the reasons set out within the report.

44 THE WILLOWS, STATION ROAD, BLEASBY, NG14 7GH - 23/01016/HOUSE

The Committee considered the report of the Business Manager – Planning Development, which sought the installation of external wall insulation cladding.

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

Members considered the application, and it was commented by one Member that there was a variety of house styles on the road the proposed application was on, including several Victorian houses, with their frontage facing the road. This property however showed the gable end from the road, which was not attractive to the eye, and was considered that rendering the property would not make a difference to the street scene. The extension to the house had been rendered and it was suggested that the rest of the house could be rendered, especially if that helped to make the

house more efficient. The house was not in a conservation area and the plans showed that the proposal included retaining the character of the house. It was considered that perhaps the owners of the house were also trying to retain the internal character of the house, hence not making the dwelling thermally efficient internally.

Other Members commented that the design of the house should be retained and considered rendering would destroy that and would be a loss to a potential undesignated heritage asset. It was also confirmed that there was no evidence that rendering the property would make the house more efficient.

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

45 2 ST MARYS DRIVE, EDWINSTOWE, NG21 9LY - 23/00668/HOUSE

The Committee considered the report of the Business Manager – Planning Development, which sought to erect a single storey rear extension, which was part retrospective.

A site visit had taken place prior to the commencement of the Planning Committee in order that Members could see the impact of the proposed development, as it was considered difficult to visualise.

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

Councillor P Peacock, speaking against the application as Local Ward Member (Edwinstowe & Clipstone) raised his concern that the extension would be structurally unsound and would create damp for neighbouring property No. 4. The extension was imposing on the neighbouring property No. 4, as the land dropped away. Concern was also raised regarding the product proposed to stain the brickwork, although he commented that he had been assured that the product proposed would not fade or flake over time. It was commented that a condition could not be secured to ensure that the occupier painted the extension brickwork every two years. Concern was also raised regarding the painting of the wall adjoining the neighbouring property fence and how the section of wall behind the neighbour's fence would be painted and how the fence panels would be removed in the future due to the overhang of the guttering, as there was no party wall agreement in place. It was commented that this was a retrospective application and the extension had been in situ for some time. Some enforcement action had also been taken.

Members considered the application and a Member commented that Core Policy 9 stated 'a high-quality sustainable design' it was commented that the extension was unsympathetic and that there was no evidence that the extension had been built to building regulation standard. It was commented that the extension was incongruous; over-bearing and loss of amenity to neighbours; and was the wrong brick, which was not sympathetic to the existing house brick. Members considered what was allowed under Permitted Development Rights. A Member suggested a recommended change and asked that the wall adjoining the neighbouring property should be painted, as that would have a detrimental visual impact if the neighbour choose to replace the fence panels in the future.

The Senior Planning Officer asked Members to consider the over-coating of the brickwork and not what had been built.

A vote was taken for the amendment to the conditions, to ensure the method statement included the painting of the entire extension walls including the south facing wall. The Senior Planner advised that the proposed amendment to the condition would not be reasonable. The amendment was approved with 7 votes For and 6 votes Against.

A vote was taken and lost with 1 vote For and 12 votes Against approval including the amendment.

The application was proposed by Councillor M Shakeshaft and seconded by Councillor C Brooks.

AGREED (with 12 votes For and 1 vote Against) that contrary to Officer recommendation that planning permission be refused for the following grounds:

- (i) loss of amenity to the neighbour;
- (ii) size – overbearing nature; and
- (iii) in appropriate overcoating.

In accordance with paragraph 13.5 of the Planning Protocol, as the motion was against Officer recommendation, a recorded vote was taken.

<b>Councillor</b>	<b>Vote</b>
A Amer	For
C Brooks	For
L Dales	For
A Freeman	For
P Harris	For
J Lee	For
K Melton	For
D Moore	For
E Oldham	For
P Rainbow	Against
S Saddington	Absent
M Shakeshaft	For
M Spors	Absent
L Tift	For
T Wildgust	For

Councillor P Harris left the meeting at this point.

#### 46 PROPOSED PERMITTED DEVELOPMENT RIGHTS CONSULTATION

The Committee considered the report of the Director for Planning and Growth, which informed the Committee of the latest permitted development right consultation and considered proposed responses to be made.

On 24 July 2023, the Department for Levelling Up, Housing and Communities commenced a consultation on six proposals concerning amendments to the Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO), as amended. They were:

- Changes to certain permitted development rights that allow for the change of use to dwellinghouses.
- Changes to certain permitted development rights that allow agricultural diversification and development on agricultural units.
- Changes to certain permitted development rights that allow for non-domestic extensions and the erection of new industrial and warehouse buildings.
- Changes to the permitted development right that allows for the temporary use of land to allow markets to operate for more days.
- Changes to the existing permitted development right that allows for the erection, extension or alteration of schools, colleges, universities, hospitals, and closed prisons to also apply to open prisons.
- The application of local design codes to certain permitted development rights.

AGREED (with 12 votes For and 1 Abstention) that:

- (a) the contents of the report and the permitted development right changes be noted;
- (b) subject to any other comments Planning Committee agrees to make, that it endorsed the draft Council response in Section 2 of the report.

47 STRONGER PERFORMANCE OF LOCAL PLANNING AUTHORITIES SUPPORTED THROUGH AN INCREASE IN PLANNING FEES: GOVERNMENT RESPONSE

The Committee considered the report of the Director for Planning and Growth, which informed the Committee of the outcome of the government's consultation on the proposal to increase planning fees and to improve capacity, capability, and performance within local planning authorities.

It was reported that 495 responses had been received to the consultation with just under half of those by local planning authorities. As a result of the responses, the Government was looking to increase planning fees by 35% for major applications and 25% for non-majors. Draft regulations (The Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) (Amendment) Regulations 2023) were laid on 20 July. Those regulations also set out the fee increase (if brought into force) would take effect, in the main 28 days after being made. They also set out an annual increase, on or after 1 April 2025 each year, of the lower of either consumer price index and 10% rounded up or down to the nearest £1. That suggested annual increase resulted from various parties reporting that application fees did not cover the cost of processing an application and local planning authorities were therefore unable to provide the resources needed to deliver an effective and efficient service.

In addition, one of the other major changes was to potentially remove the ability for applicants to submit 'free-go's'. Currently an applicant was able to resubmit an application without a fee under the following circumstances (a) they have not

benefitted from a free go on the application site in the past; (b) the resubmission is within 12 months of the decision (which included planning appeals); and (c) the resubmission was of a similar character to the previous application. A number of applicants used the ability of a free-go as a way to circumvent the need to apply for pre-application advice as, if the application was refused, they had in effect secured that advice also following wider consultation and notification. Removing that exemption could have implications in terms of income which was a significant benefit, it may also result in a greater number of pre-application enquiries for which a charge was levied, but could also trigger a greater number of planning appeals.

The consultation had looked to the possibility of ring-fencing planning income to the planning service; however the Government was not looking to bring this into force. Notwithstanding this, the Council does allocate application (and other) income to the planning service.

The possibly more substantive changes in relation to performance, as will be noted, are being considered in greater depth by the government but, depending upon the outcome, could result in some significant changes to service delivery. These would be reported to Planning Committee as more information becomes known.

AGREED (unanimously) that:

- (a) the report be noted;
- (b) the Planning Committee would be advised when legislation was amended or further outcome was published.

48 APPEALS LODGED

AGREED that the report be noted.

49 APPEALS DETERMINED

AGREED that the report be noted.

Meeting closed at 6.52 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 September 2023 at 6.00 pm.

PRESENT: Councillor P Harris (Chairman)

Councillor R Cozens, Councillor S Crosby, Councillor S Haynes, Councillor J Kellas, Councillor J Lee and Councillor M Shakeshaft

APOLOGIES FOR ABSENCE: Councillor S Forde (Vice-Chairman), Councillor A Freeman (Committee Member), Councillor S Michael (Committee Member), Councillor C Penny (Committee Member) and Councillor T Thompson (Committee Member)

### 16 DECLARATIONS OF INTEREST FROM MEMBERS AND OFFICERS

There were no declarations of interest.

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

The Chair 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.

### 18 MINUTES OF THE MEETING HELD ON 14 JUNE 2023

The minutes of the meeting held on 14 June 2023 were agreed as a correct record and signed by the Chair.

### 19 HOUSING OMBUDSMAN INVESTIGATION OUTCOME

The Committee considered the report of the Business Manager – Customer Services which sought to update Members of the outcome of a recent Housing Ombudsman investigation. Details of the complaint made were provided together with the findings of the Housing Ombudsman that there had been no maladministration by the Council. They had found that the Council had acted appropriately and in accordance with its policy, which gave it discretion as to whether it would carry out complex adaptations or seek suitable alternative accommodation.

In response to where the results of the Housing Ombudsman findings would be reported, the Assistant Director – Legal & Democratic Services/Monitoring Officer advised that in addition to the Audit & Governance Committee, it was also published on the Council's website.

In noting the comments of the Housing Ombudsman, a Member queried what steps were being taken to avoid such a situation arising again. The Assistant Director referred to the finding that there had been no maladministration and therefore there were no specific 'lessons' to be learned. She added that all Officers were due to attend Customer Complaints training.

AGREED (unanimously) that the findings of the Housing Ombudsman be noted.

20 LOCAL GOVERNMENT AND SOCIAL CARE OMBUDSMAN ANNUAL REVIEW UPDATE

The Committee considered the report of the Business Manager – Customer Services which sought to inform Members of the Local Government & Social Care Ombudsman’s (LGSCO) annual review updates. The report noted that it was a requirement for the Annual Review Letters to be shared with Members with the letter detailing the number of complaints received by the LGSCO and the number of decisions made thereon. The number of complaints received and the outcome of each decision were summarised within the report together with anonymised details of 6 of the complaints reviewed and closed. Appended to the report were complaint response letter templates and reference to the appointment of Councillor Mike Pringle, as the lead member for complaints.

In considering the report, a Member noted that a review of the Council’s Customer Feedback Policy had been carried out against the Housing Ombudsman complaint handling code which had resulted in slight amendments to the Policy, querying how frequently the Policy was refreshed to check that it was remained relevant. The Chair advised that he would raise the matter with the Chair of the Policy & Performance Improvement Committee and provide members of the Committee with feedback thereon. It was further noted that training on the complaints toolkit had been delivered to all staff who responded to complaints, approximately 100 members of staff.

AGREED that the report be noted.

21 COUNCILLOR TRAINING AND DEVELOPMENT

The Committee considered the report of the Business Manager – Elections & Democratic Services which sought to provide Members with information as to the review undertaken of the May/June 2023 induction training programme and asking that consideration be given to further Member training and development. The report detailed the events delivered as part of the induction and training programme, both in-house and via the East Midlands Councils’ training offer. It was further reported that the Council was rolling out climate awareness training for all staff and that it would also be made available for Councillors. Equality & Diversity training was also being rolled out to all staff and Councillors. The report set out that it was proposed to deliver further training in relation to the role and responsibilities of the councillor and meeting procedures. The programme of e-learning modules offered by the Local Government Association were also listed and that these would be promoted to Members.

In considering the report, a Member noted that it was sometimes difficult to undertake online training as there were no desks designated specifically for Members within Castle House. The Assistant Director advised that as of 2 October, staff working arrangements were changing and there would be ‘hot desks’ available for both Officers and Members. It was also noted that meeting rooms could be booked on behalf of Members on request.

A Member commented that some of the training provided had been useful but noted that Members would benefit from a greater understanding of some aspects of being a Councillor, e.g. Code of Conduct training. He suggested that it would be beneficial if Members undertook a skills audit as to their understanding of topics covered by the training provided and that this be done prior to the development of a new training programme.

In noting the proposal to deliver further training for Members in relation to the role and responsibilities of a councillor and meeting procedures, together with promotion of the LGA skills-based offer, the Assistant Director advised that prior to this, she would discuss any possible additional training needs with the Chair and Vice-Chair of the Committee.

AGREED (unanimously) that:

- a) further training be delivered for Councillors as soon as practicable, in relation to the role and responsibilities of the councillor and meeting procedures; and
- b) Councillors be made aware of the Local Government Association online training offer and the training materials available on the Members' Intranet.

## 22 REPORT OF THE INDEPENDENT REMUNERATION PANEL

The Committee considered the report of the Business Manager – Elections & Democratic Services which set out the report of the Independent Remuneration Panel (IRP) regarding the Scheme of Members' Allowances for 2023/24. The scope of the review was to consider the change in the Council's Cabinet arrangements and any wider implications. It was also to ensure the Scheme remained fit for purpose. The Panel was also asked to consider the special responsibility allowance paid to the Leader of the Main Opposition Group, to review the current childcare and dependents carers' allowance and to consider the wording of the Members' Allowance Scheme covering allowances made to Leaders of Minority Opposition Groups. The Panel's findings were appended to the report, noting that it was scheduled to be considered by full Council on 17 October 2023.

In querying the cost implications of actioning the additional budget requirement, a Member sought clarification as to whether this would be met from the Corporate Contingency Budget for this and future years. The Business Manager – Financial Services advised that the monies for 2023/24 would be paid from the Corporate Contingency Budget but that it would be added to base budgets for 2024/25 onwards.

In noting that the IRP had found that the functions of the new Cabinet Portfolios exceeded those of the previous Cabinet in both range and depth, he commented that this would have an impact of the workload for the Chair of the Policy & Performance Improvement Committee but the IRP had recommended no change to the current SRA payment made. In noting and agreeing with the above comment, a Member suggested that the same applied to the Leader of the Opposition as her role was to cover all portfolios, adding that there appeared to be inconsistencies in the IRP's report.

AGREED (with 6 votes for and 1 against) that:

- a) the report of the Independent Remuneration Panel be noted, prior to its submission to full Council on 17 October 2023; and
- b) the proposal to full Council will be for the in-year additional budget requirement of £19,125 to be financed from the Corporate Contingency budget be noted.

23 AUDIT AND GOVERNANCE COMMITTEE ANNUAL REPORT

The Committee considered the report of the Business Manager – Financial Services which sought to inform Members of the activity undertaken by the Audit & Governance Committee during the 2022/23 financial year. Detailed within the report were the responsibilities discharged by the Committee, as described within the Council’s Constitution from April 2022 to June 2023.

AGREED (unanimously) that the report be noted)

24 GOING CONCERN STATUS OF THE COUNCIL

The Committee considered the report of the Business Manager – Financial Services which sought to provide Members with the assessment by the 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).

AGREED (unanimously) that:

- a) the conclusion of the assessment of the Council’s status as a going concern be noted; and
- b) the Statement of Accounts 2022/23 be accounted for on that basis.

25 ANNUAL EXTERNAL AUDIT STRATEGY MEMORANDUM 2022/23

The Committee considered the report of the Business Manager – Financial Services which sought to present the External Audit Strategy Memorandum for the 2022/23 Statement of Accounts work for review and comment. Mr. Mark Surrudge, a representative from the External Auditors, Mazars, was present at the meeting and provided Members with a detailed explanation as to the way in which the audit was undertaken.

In considering the report and the appended Memorandum, Members raised a number of queries which were responded to by Mr. Surrudge. These included comment as to the impact that the Council’s development company had on the Medium Term

Financial Plan, what the set criteria was to determine risks, the valuation of buildings and associated risks and what value for money actually meant in relation to an audit.

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

26 PROJECTED GENERAL FUND AND HOUSING REVENUE ACCOUNT REVENUE AND CAPITAL OUTTURN REPORT TO 31 MARCH 2024 AS AT 30 JUNE 2023

The Committee considered the report of the Business Manager – Financial Services which sought to update Members with the forecast outturn position for the 2023/24 financial year for the Council’s General Fund and Housing Revenue Account revenue and capital budgets. The report also provided performance information 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.

In response to a comment that the expected projected outturns would change overtime, the Business Manager – Financial Services confirmed that to be the case. The figures in the report were for Q1. In Q2, Q3 and Q4 would reflect the assumptions and give an indication on whether the forecasts were accurate.

In relation to a Member querying as to the reduction in certain budgets and where the monies had been diverted to, Members were advised that the role of the Audit & Governance Committee was to consider the financial stability of the Council. Changes to budgets and policy decisions would fall within the remit of Cabinet.

AGREED (with 6 votes for and 1 against) that the Audit & Governance Committee note:

- a) the General Fund projected unfavourable outturn variance of £0.130m;
- b) the Housing Revenue Account projected unfavourable outturn variance of £0.131m to the Major Repairs Reserve;
- c) the variations to the Capital Programme at Appendix C;
- d) the Capital Programme revised budget and financing of £109.711m; and
- e) the Prudential indicators as at Appendix F.

27 AUDIT & GOVERNANCE COMMITTEE WORK PLAN

The Committee considered the joint report of the Assistant Director – Legal & Democratic Services and the Business Manager – Financial Services which attached the Committee’s work plan for consideration and approval. The work plan listed reports which would come to the committee for the remainder of the municipal year, together with an indication of their intended outcome.

In considering the work plan, a Member queried whether it was possible to receive the General Fund Budget report prior to February 2024. The Business Manager advised that it would not be possible due to the time constraints of preparing the budget ready for approval at full Council in early March. The Chair advised he would speak to the Director – Resources/S151 in relation to whether the process could be refined to allow the Committee earlier sight of the proposed budget papers.

In response to why the proposed report relating to public speaking at the Planning Committee was being considered at the November meeting, the Assistant Director advised that it fell within the governance remit of the Committee. Members suggested that it would be helpful if the Agenda was split in the future to separate the Audit and Governance items.

AGREED (unanimously) that the work plan be noted.

28 LGA NEWARK AND SHERWOOD DISTRICT COUNCIL CYBER 360 REPORT

The Committee considered the report of the Business Manager – ICT & Digital Services which presented to Members the results of the LGA Newark & Sherwood District Council Cyber 360 Report. The full Cyber 360 Report and Action Plan were attached as exempt appendices to the report for security reasons. The open report detailed the review undertaken and the findings therefrom, noting that significant progress had been made in improving the Council's cyber-security posture.

AGREED (unanimously) that the LGA Newark & Sherwood District Council Cyber 360 Report be noted.

29 EXCLUSION OF THE PRESS AND PUBLIC

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

30 LGA NEWARK AND SHERWOOD DISTRICT COUNCIL CYBER 360 REPORT APPENDICES A AND B

The Committee considered the exempt appendices of the LGA Newark & Sherwood District Council Cyber 360 Report.

(Summary provided in accordance with Section 199C(2) of the Local Government Act 1972.)

Meeting closed at 7.57 pm.

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

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## NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of **General Purposes Committee** held in the Castle House, Great North Road, Newark NG24 1BY on Thursday, 14 September 2023 at 6.00 pm.

PRESENT: Councillor J Hall (Chair)  
Councillor L Tift (Vice-Chair)

Councillor N Allen, Councillor A Brazier, Councillor L Brazier, Councillor R Cozens, Councillor R Jackson, Councillor D Moore, Councillor K Roberts, Councillor S Saddington, Councillor P Taylor, Councillor T Wendels and Councillor T Wildgust

APOLOGIES FOR ABSENCE: Councillor D Darby (Committee Member) and Councillor S Michael (Committee Member)

### 8 DECLARATIONS OF INTERESTS FROM MEMBERS AND OFFICERS

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

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

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

### 10 MINUTES OF THE MEETING HELD ON 26 JUNE 2023

AGREED that the Minutes of the meeting held 22 June 2023 were a correct record and signed by the Chairman.

### 11 FORWARD PLAN (OCTOBER 2023 TO SEPTEMBER 2024)

NOTED the General Purposes Committee's Forward Plan from 1 October 2023 to 30 September 2024.

### 12 UPDATE ON KIRKGATE TAXI RANK

The Committee considered the verbal update of the Environmental Health & Licensing Manager which sought to provide Members of the current position with removing the taxi rank status on Kirkgate, Newark.

Members were advised that Nottinghamshire County Council were the responsible authority for undertaking this change and had indicated that it would be actioned by the end of March 2024.

In acknowledging the above, a Member requested that the County Council be requested to erect signage making it clear that the parking bay was for a maximum stay of 30 minutes. It was reported by another Member that the Parking Enforcement Operatives were vigilant to this and enforced the maximum time limit.

A Member requested that the continued parking of private vehicles on the Castlegate Taxi Rank be investigated.

AGREED (unanimously) that the verbal update be noted.

13 UPDATE ON PERFORMANCE AND ENFORCEMENT MATTERS

The Committee considered the report of the Environmental Health & Licensing Manager which sought to provide Members with information as to the activity and performance of the Licensing Team between 1 April and 30 June 2023.

In considering the report, a Member queried whether dashcams were a requirement for taxis licensed to operate in the district. The Environmental Health & Licensing Manager advised that currently they were not a requirement. He highlighted the cost implications should they be made a requirement and potential issues around enforcement.

A Member queried as to what the criteria was with street collections and how applications were determined. The Environmental Health & Licensing Manager advised that he would provide a written response.

AGREED (unanimously) that the report be noted.

14 MINUTES OF HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS SUB-COMMITTEE

NOTED the Minutes of the Hackney Carriage/Private Hire Driver's Sub-Committee held on 6 July 2023.

Meeting closed at 6.20 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, 14 September 2023 immediately following the General Purposes Committee.

PRESENT: Councillor J Hall (Chair)  
Councillor L Tift (Vice-Chair)

Councillor N Allen, Councillor A Brazier, Councillor L Brazier, Councillor R Cozens, Councillor R Jackson, Councillor D Moore, Councillor K Roberts, Councillor S Saddington, Councillor P Taylor, Councillor T Wendels and Councillor T Wildgust

APOLOGIES FOR ABSENCE: Councillor D Darby (Committee Member) and Councillor S Michael (Committee Member)

### 13 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.

### 14 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.

### 15 MINUTES OF THE MEETING HELD ON 22 JUNE 2023

AGREED that the Minutes of the meeting held on 22 June 2023 were a correct record and signed by the Chairman.

### 16 LICENSING FORWARD PLAN (OCTOBER 2023 TO SEPTEMBER 2024)

NOTED the Licensing Committee's Forward Plan from 1 October 2023 to 30 September 2024.

### 17 STATEMENT OF LICENSING POLICY REVIEW

The Committee considered the report of the Environmental Health & Licensing Manager which sought to present to Members the proposed review of the Statement of Licensing Policy (SoLP) prior to formal consultation taking place.

A copy of the 2024 draft Statement of Licensing Policy was attached as an appendix to the report with a red font having been used to identify where changes were proposed. It was reported that there had been no fundamental changes to any of the policies previously agreed with paragraph 2.3 highlighting the additional information included.

In considering the report, Members agreed that all the additions were to be welcomed and would be of assistance to both the Council and licensees.

A Member queried what support, if any, was given to licensees in order for them to meet all the necessary requirements contained in the SoLP. The Environmental Health & Licensing Manager advised that Licensing Officers were readily available to help both new applicants and existing licensees. They gave advice on the whole process, from how to complete an application form to routine visits to premises to ensure that all the necessary requirements were being adhered to. The Council's Licensing Enforcement Officers were also available to give advice and to work with licensees.

In noting the paragraph detailing safeguarding and children, a Member queried whether there was evidence to suggest that the 'Ask for Angela' initiative was being used. The Environmental Health & Licensing Manager advised that he would liaise with the local Police and provide a written response.

AGREED (unanimously) that:

- a) the draft revision of the Council's Statement of Licensing Policy be approved;
- b) the commencement of the 4-week public consultation be approved; and
- c) the final draft Statement of Licensing Policy, after public consultation, would be returned to the Licensing Committee for approval, prior to adoption at full Council.

18 UPDATE ON PERFORMANCE & ENFORCEMENT MATTERS

The Committee considered the report of the Environmental Health & Licensing Manager which sought to provide Members with the activities and performance of the Licensing Team from 1 April to 30 June 2023.

AGREED (unanimously) that the report be noted.

19 TEMPORARY EVENT NOTICES (APRIL TO JUNE 2023)

The Committee considered the report of the Environmental Health & Licensing Manager which sought to provide Members with details of Temporary Event Notices (TENs) received between 1 April to 30 June 2023. The appendix to the report listed all the TENs received.

In considering the report a Member queried as to the application for a TEN received from the John Eastwood Hospice based in Sutton in Ashfield, noting that it was outside of the Newark & Sherwood area. The Environmental Health & Licensing Manager advised he would make further enquiries and provide a written response.

AGREED (unanimously) that the report be noted.

Meeting closed at 6.36 pm.

Chairman