



Civic Centre,
Arnot Hill Park,
Arnold,
Nottinghamshire,
NG5 6LU

Agenda

Council

Date: **Wednesday 8 April 2015**

Time: **6.00 pm**

Place: **Council Chamber**

For any further information please contact:

Alec Dubberley

Service Manager, Elections and Members' Services

0115 901 3906

Council

Membership

Mayor Councillor Jenny Hollingsworth

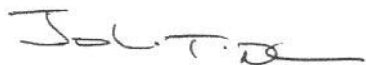
Deputy Mayor Councillor Meredith Lawrence

Councillor Steve Ainley
Councillor Pauline Allan
Councillor Roy Allan
Councillor Bruce Andrews
Councillor Patricia Andrews
Councillor Emily Bailey
Councillor Peter Barnes
Councillor Sandra Barnes
Councillor Chris Barnfather
Councillor Denis Beeston MBE
Councillor Alan Bexon
Councillor Krista Blair
Councillor John Boot
Councillor Nicki Brooks
Councillor Bob Collis
Councillor Ged Clarke
Councillor John Clarke
Councillor Jim Creamer
Councillor David Ellis
Councillor Roxanne Ellis
Councillor Andrew Ellwood
Councillor Paul Feeney
Councillor Kathryn Fox
Councillor Tony Gillam

Councillor Mark Glover
Councillor Gary Gregory
Councillor Cheryl Hewlett
Councillor Sarah Hewson
Councillor Mike Hope
Councillor Paul Hughes
Councillor Phil McCauley
Councillor Barbara Miller
Councillor Richard Nicholson
Councillor Marje Paling
Councillor John Parr
Councillor Michael Payne
Councillor Lynda Pearson
Councillor Carol Pepper
Councillor Stephen Poole
Councillor Colin Powell
Councillor Suzanne Prew-Smith
Councillor Darrell Pulk
Councillor Nick Quilty
Councillor Roland Spencer
Councillor Sarah Tomlinson
Councillor John Truscott
Councillor Muriel Weisz
Councillor Henry Wheeler

SUMMONS

A meeting of the Borough Council will be held in the Council Chamber, Civic Centre, Arnot Hill Park on Wednesday 8 April 2015 at 6.00 pm to transact the business as set out below.



John Robinson
Chief Executive

AGENDA

Page

- | | | |
|---|--|---------|
| 1 | Opening Prayers. | |
| 2 | Apologies for Absence. | |
| 3 | Mayor's Announcements. | |
| 4 | To approve, as a correct record, the minutes of the meetings held on 21 January and 3 March 2015. | 1 - 20 |
| 5 | Declaration of Interests. | |
| 6 | To answer questions asked by the public under Standing Order 8. | |
| 7 | To answer questions asked by Members of the Council under Standing Order 9. | |
| 8 | Petitions Scheme – Friends of Ethel Avenue | 21 - 28 |
| | Report of the Service Manager Elections and Members' Services. | |
| 9 | To receive questions and comments from Members concerning any matter dealt with by the Executive or by a Committee or Sub-Committee (Standing Order 11.1). | |
| a | Minutes of meeting Tuesday 16 December 2014 of Audit Committee | 29 - 32 |
| b | Minutes of meeting Thursday 8 January 2015 of Cabinet | 33 - 36 |
| c | Minutes of meeting Tuesday 13 January 2015 of Environment and Licensing Committee | 37 - 42 |

d	Minutes of meeting Friday 16 January 2015 of Appointments and Conditions of Service Committee	43 - 44
e	Minutes of meeting Wednesday 28 January 2015 of Planning Committee	45 - 50
f	Minutes of meeting Tuesday 10 February 2015 of Environment and Licensing Committee	51 - 56
g	Minutes of meeting Wednesday 11 February 2015 of Overview and Scrutiny Committee	57 - 64
h	Minutes of meeting Thursday 12 February 2015 of Cabinet	65 - 68
i	Minutes of meeting Wednesday 18 February 2015 of Planning Committee	69 - 92
j	Minutes of meeting Thursday 19 February 2015 of Cabinet	93 - 94
k	Minutes of meeting Tuesday 24 February 2015 of Joint Consultative and Safety Committee	95 - 98
l	Minutes of meeting Thursday 26 February 2015 of Standards Committee	99 - 100
m	Minutes of meeting Wednesday 4 March 2015 of Planning Committee	101 - 114
n	Minutes of meeting Tuesday 10 March 2015 of Environment and Licensing Committee	115 - 120
o	Minutes of meeting Tuesday 10 March 2015 of Licensing Act Committee	121 - 122
p	Minutes of meeting Wednesday 11 March 2015 of Planning Committee	123 - 144
q	Decisions made under delegated authority.	145 - 146
10	To consider comments, of which due notice has been given, under Standing Order 11.03(a).	
11	To consider motions under Standing Order 12.	

This page is intentionally left blank

MINUTES COUNCIL

Wednesday 21 January 2015

Councillor Jenny Hollingsworth (Mayor)

Present:

Councillor Meredith Lawrence	Councillor Gary Gregory
Councillor Steve Ainley	Councillor Cheryl Hewlett
Councillor Pauline Allan	Councillor Sarah Hewson
Councillor Roy Allan	Councillor Mike Hope
Councillor Bruce Andrews	Councillor Paul Hughes
Councillor Patricia Andrews	Councillor Phil McCauley
Councillor Emily Bailey	Councillor Barbara Miller
Councillor Peter Barnes	Councillor Marje Paling
Councillor Sandra Barnes	Councillor John Parr
Councillor Chris Barnfather	Councillor Michael Payne
Councillor Denis Beeston MBE	Councillor Lynda Pearson
Councillor Alan Bexon	Councillor Stephen Poole
Councillor Nicki Brooks	Councillor Colin Powell
Councillor Bob Collis	Councillor Suzanne Prew-Smith
Councillor Ged Clarke	Councillor Darrell Pulk
Councillor John Clarke	Councillor Nick Quilty
Councillor Jim Creamer	Councillor Roland Spencer
Councillor David Ellis	Councillor Sarah Tomlinson
Councillor Roxanne Ellis	Councillor John Truscott
Councillor Andrew Ellwood	Councillor Muriel Weisz
Councillor Paul Feeney	Councillor Henry Wheeler
Councillor Tony Gillam	

Absent: Councillor Krista Blair, Councillor John Boot, Councillor Kathryn Fox, Councillor Mark Glover, Councillor Richard Nicholson and Councillor Carol Pepper

58 APOLOGIES FOR ABSENCE.

Apologies for absence were received from Councillors Boot, Fox, Glover, Nicholson, and Pepper.

59 MAYOR'S ANNOUNCEMENTS.

The Mayor spoke about recent engagements she had attended including a number of light switch on events in the busy Christmas period and wished all present a happy new year. She thanked all present for supporting her in raising money for her charities.

The Mayor said that all at the Council were saddened by the news Councillor Fox's husband Adrian's had recently passed away. She wished Katherine and her children well and hoped she would feel able to come back to Council soon.

Recently a great supporter of the British Legion, know to all as Gee, passed away. Gee will be sadly missed and condolences go to his family.

Forthcoming events include a reception to thank all involved in events to commemorate Word War One and a special showing of Iris at the Bonington Theatre.

Finally the Mayor spoke about the forthcoming anniversaries of the liberation of Auswich and the Srebenica genocide. She hoped that all would take time to reflect on these atrocities.

The Mayor received a petition from Councillor Creamer about scrap metal.

Urgent Item

The Mayor allowed Councillor John Clarke, seconded by Councillor David Ellis, to propose an urgent item of business. Councillor Clarke proposed that the meeting of Council scheduled for Monday 2 March be postponed until Tuesday 3 March. This was to allow Councillor Payne to chair a meeting of the Local Government Information Unit in London.

The mayor put the proposition to the meeting and it was carried.

RESOLVED:

That the Budget Council meeting shall take place on Tuesday 3 March 2015 at 6 pm.

60 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 12 NOVEMBER 2014.

RESOLVED:

That the minutes of the above meeting, having been circulated, be approved as a correct record.

61 DECLARATION OF INTERESTS.

None.

62 TO ANSWER QUESTIONS ASKED BY THE PUBLIC UNDER STANDING ORDER 8.

None.

63 TO ANSWER QUESTIONS ASKED BY MEMBERS OF THE COUNCIL UNDER STANDING ORDER 9.

Question from Councillor Roland Spencer

Holy Trinity Church at Lambley has had a Closed Church Yard since 1890. This means that this Council has a statutory duty to maintain the grounds. Could the Leader of the Council tell me who made the decision to stop this maintenance?

Answer from Councillor John Clarke, Leader of the Council

A closed churchyard is a churchyard belonging to a church of the Church of England which has been formally closed by an Order in Council made under the Burial Act.

Officers have contacted the Ministry of Justice, which has provided documentation to confirm that the closure of Holy Trinity Church at Lambley was postponed until 31 March 1897. So the Order did not take effect and the churchyard did not formally close until then.

When a churchyard is closed, responsibility for its maintenance falls on the Parochial Church Council. The Parochial Church Council is therefore required to keep the churchyard in decent order and its walls and fences in good repair. The responsibility for closed churchyards does not automatically pass to the district council – this only happens if a statutory process is followed.

That process starts with the Parochial Church Council serving 3 months' notice on the Parish Council requiring it to take over maintenance of the closed churchyard. If the Parish Council does not wish to take on the responsibility for maintenance, it can pass it on by giving notice to the district council. But this notice must be served on the district council within the 3 month notice period given by the Parochial Church Council. If notice is not served on the district council during this 3 month period, responsibility for maintenance stops with the Parish Council.

Parks and Streetcare and Legal Services have been unable to find any evidence that the formal statutory process to transfer responsibility of this closed Churchyard to the Borough Council has, at any time, ever taken place. In addition, the Parish Council has not provided any records or evidence

So, despite the fact that it would appear that responsibility for maintaining the churchyard has never passed to Gedling Borough

Council, the Parks and Street Care Team currently mow the grass and carry out some weed killing when required and have done so for a number of years.

No decision has been made to stop doing what we've always done but the issue of maintenance arose when the Council was asked to undertake some significant tree works. Given the massive cuts in our funding, it's hard enough to look after our own land so we can't be in the business of looking after other peoples' land for free.

In terms of a way forward, I want to emphasise that we haven't stopped or haven't reduced what we've always done. However, we do need to agree a satisfactory long-term arrangement with the Parish Council which would include either a contribution to Gedling's maintenance costs or the Parish finding an alternative provider. I appreciate that's not good news for the Parish but we are not in a position to maintain land that we have no responsibility for.

In response to a supplementary question Councillor John Clarke assured Councillor Spencer that a meeting could be arranged to discuss the matter.

64 CREATION OF A COMBINED AUTHORITY FOR NOTTINGHAM AND NOTTINGHAMSHIRE.

Consideration was given to a report of the Chief Executive seeking authority for Gedling Borough Council to join a combined authority for Nottingham and Nottinghamshire.

RESOLVED to:

- 1) Agree that a submission be made to the Secretary of State for Communities and Local Government for the establishment of a Combined Authority for Nottingham and Nottinghamshire;
- 2) Approve Gedling Borough Council formally joining the Nottingham and Nottinghamshire Combined Authority once it is established;
- 3) Delegate authority for the signing off of the final Governance Review and Scheme to the Chief Executive in consultation with the Leader, and Opposition Group Leaders.

65 LOCALISM ACT PAY POLICY STATEMENT 2015/16

Consideration was given to a report of the Appointments and Conditions of Service Committee, which had been circulated prior to the meeting, asking the Council to approve the Pay Policy Statement for 2015/16.

RESOLVED:

To approve the Pay Policy Statement, attached at Appendix A to the report for publication on the website.

66 PROPOSED AMENDMENT TO THE CONSTITUTION: STANDING ORDER TO PROHIBIT RECORDING OF PRIVATE MEETINGS

Consideration was given to a report of the Council Solicitor and Monitoring Officer that proposed the adoption of a standing order to prohibit the recording of meetings held in private.

RESOLVED to:

- 1) Approve the adoption of a Standing Order to prohibit recording of a meeting where the public are excluded as set out in the report; and
- 2) Authorise the Council Solicitor and Monitoring Officer to make the appropriate amendments to the Constitution to incorporate the Standing Order.

67 TO RECEIVE QUESTIONS AND COMMENTS FROM MEMBERS CONCERNING ANY MATTER DEALT WITH BY THE EXECUTIVE OR BY A COMMITTEE OR SUB-COMMITTEE (STANDING ORDER 11.1).

In accordance with Standing Order 11.1, a number of comments were made and responded to by the appropriate Cabinet Member or Committee Chair.

68 TO CONSIDER COMMENTS, OF WHICH DUE NOTICE HAS BEEN GIVEN, UNDER STANDING ORDER 11.03(A).

None.

69 TO CONSIDER MOTIONS UNDER STANDING ORDER 12.

Motion One

Upon a notice of motion received in the name of Councillor Roxanne Ellis a proposition was moved by Councillor Roxanne Ellis and seconded by Councillor Wheeler in the following terms:-

This Council believes that women who choose to breastfeed should be supported and respected. Breastfeeding has many benefits for children and mothers including

- *Reducing the likelihood of a mother contracting breast cancer by up to 20% and also reduces risk of ovarian cancer and developing cardiovascular disease.*

- *Reducing stress levels and the risk of postpartum depression.*
- *Protects the baby from a long list of illnesses including respiratory infections, diabetes and gastroenteritis.*
- *Reduces likelihood of a child developing allergies.*
- *May boost the child's intelligence and reduce their likelihood of being obese in later life.*

However recent events have shown that many women who want to breastfeed feel unable to do so when out of the home and Britain continues to have low rates of breastfeeding take up especially after 3 months (17%), four months (12%) and six months (1%).

This Council commits to promote breastfeeding and to work towards providing suitable facilities for breastfeeding within its own buildings and to encourage partners to do likewise.

The Mayor put the proposition to the meeting and declared the same carried unanimously and it was

RESOLVED:

This Council believes that women who choose to breastfeed should be supported and respected. Breastfeeding has many benefits for children and mothers including

- Reducing the likelihood of a mother contacting breast cancer by up to 20% and also reduces risk of ovarian cancer and developing cardiovascular disease.
- Reducing stress levels and the risk of postpartum depression.
- Protects the baby from a long list of illnesses including respiratory infections, diabetes and gastroenteritis.
- Reduces likelihood of a child developing allergies.
- May boost the child's intelligence and reduce their likelihood of being obese in later life.

However recent events have shown that many women who want to breastfeed feel unable to do so when out of the home and Britain continues to have low rates of breastfeeding take up especially after 3 months (17%), four months (12%) and six months (1%).

This Council commits to promote breastfeeding and to work towards providing suitable facilities for breastfeeding within its own buildings and to encourage partners to do likewise.

Motion two

Upon a notice of motion received in the name of Councillor John Clarke a proposition was moved by Councillor John Clarke and seconded by Councillor Gregory in the following terms:-

This Council notes Her Majesty's Inspectorate of Constabulary's warning that they have a 'growing concern that neighbourhood policing is being eroded. The already thin blue line in our communities is narrowing still further.'

This Council decries the Government's 20% real terms cut to central government police funding since 2010, resulting in the loss of 16,000 officers from our streets.

This Council recognises the difficulty faced by the Nottinghamshire Police and Crime Commissioner in dealing with the £47m central government cut to Nottinghamshire's police budget since the 2010 Spending Review.

This Council welcomes the efforts he has made to recruit more front line officers, in spite of the budget pressures from central government.

Nevertheless, this Council calls on the Nottinghamshire Police and Crime Commissioner to commit to saving Carlton Police Station from closure

Councillor Barnfather, seconded by Councillor Bexon, proposed an amendment to the motion. This was put to a vote and the amendment was lost. Council continued to debate the motion as it stood.

The Mayor put the proposition to the meeting and declared the same carried and it was

RESOLVED that:

This Council notes Her Majesty's Inspectorate of Constabulary's warning that they have a 'growing concern that neighbourhood policing is being eroded. The already thin blue line in our communities is narrowing still further.'

This Council decries the Government's 20% real terms cut to central government police funding since 2010, resulting in the loss of 16,000 officers from our streets.

This Council recognises the difficulty faced by the Nottinghamshire Police and Crime Commissioner in dealing with the £47m central government cut to Nottinghamshire's police budget since the 2010 Spending Review.

This Council welcomes the efforts he has made to recruit more front line officers, in spite of the budget pressures from central government.

Nevertheless, this Council calls on the Nottinghamshire Police and Crime Commissioner to commit to saving Carlton Police Station from closure.

The meeting finished at 8.20 pm

Signed by Chair:
Date:

**MINUTES
COUNCIL**

Tuesday 3 March 2015

Councillor Jenny Hollingsworth (Mayor)

Present: Councillor Meredith Lawrence Councillor Gary Gregory
Councillor Steve Ainley Councillor Cheryl Hewlett
Councillor Pauline Allan Councillor Sarah Hewson
Councillor Roy Allan Councillor Mike Hope
Councillor Bruce Andrews Councillor Paul Hughes
Councillor Emily Bailey Councillor Barbara Miller
Councillor Peter Barnes Councillor Marje Paling
Councillor Sandra Barnes Councillor John Parr
Councillor Chris Barnfather Councillor Michael Payne
Councillor Alan Bexon Councillor Lynda Pearson
Councillor Krista Blair Councillor Carol Pepper
Councillor John Boot Councillor Stephen Poole
Councillor Nicki Brooks Councillor Colin Powell
Councillor Bob Collis Councillor Suzanne Prew-Smith
Councillor John Clarke Councillor Darrell Pulk
Councillor Jim Creamer Councillor Nick Quilty
Councillor David Ellis Councillor Sarah Tomlinson
Councillor Roxanne Ellis Councillor John Truscott
Councillor Andrew Ellwood Councillor Muriel Weisz
Councillor Paul Feeney Councillor Henry Wheeler

Absent: Councillor Patricia Andrews, Councillor Denis Beeston MBE, Councillor Ged Clarke, Councillor Kathryn Fox, Councillor Tony Gillam, Councillor Mark Glover, Councillor Phil McCauley, Councillor Richard Nicholson and Councillor Roland Spencer

70 OPENING PRAYERS.

The Mayor announced that there would be no opening prayer as the Mayor's chaplain was unable to attend the meeting.

71 APOLOGIES FOR ABSENCE.

Apologies for absence were received from Councillors P. Andrews, Beeston MBE, G. Clarke, Fox, Gillam, Glover, Nicholson and Spencer.

72 DECLARATION OF INTERESTS.

Councillor Blair declared an interest as a trustee and director of Gedling CVS. Councillor Blair indicated that she would leave the Chamber and take no part in the debate.

73

TO CONSIDER, AND IF APPROVED, ADOPT THE RECOMMENDATIONS OF CABINET DATED 19 FEBRUARY 2015 AND SET THE COUNCIL TAX FOR THE YEAR ENDING 31 MARCH 2016.

Councillor Blair left the meeting at 6.05pm.

Councillor Bailey entered the meeting at 6.10pm.

A proposition was moved by Councillor John Clarke and seconded by Councillor Payne in the following terms:

1. That the Prudential and Treasury Indicators and Treasury Strategy 2015/16 referred to in Minute 209 of the meeting of the Cabinet held on 19 February 2015, be approved.
2. That the recommendations contained in Minute 210 of the meeting of the Cabinet held on 19 February 2015 with regard to the Capital Programme 2015/16 be approved.
3. That the detailed budget and priorities, objectives, actions and performance measures set out in the Gedling Plan 2015/16, referred to in Minute 211 of the meeting of the Cabinet held on 19 February 2015, be approved.
4. That the financial threshold above which decisions will be regarded as Key Decisions be approved at £0.5m for 2015/16, as referred to in Minute 211 of the meeting of the Cabinet held on 19 February 2015.
5. That the sum of £781,826 be taken from General Fund Balances in 2015/16 to support General Fund revenue expenditure in that year.
6. That it be noted that the Portfolio Holder for Finance, Performance and Economic Development determined on 19 December 2014 (D277), the following amounts for the year 2015/16 in accordance with regulations made under section 31(B) of the Local Government Finance Act 1992.
 - (a) 35,610.06 being the amount calculated by the Council, in accordance with regulation 3 of the Local Authorities (Calculation of Council Tax Base) Regulations 2012, as its council tax base for the year. **(The Council Tax base for the whole district)**

(b)

<u>Part of the Council's Area</u>	<u>Tax Base</u>
Bestwood St Albans	1,508.63
Burton Joyce	1,441.87

Calverton	2,084.40
Colwick	845.66
Lambley	485.88
Linby	109.38
Newstead	357.12
Papplewick	278.07
Ravenshead	2,686.76
Stoke Bardolph	53.15
Woodborough	905.14

being the amounts calculated by the Council, in accordance with regulation 6 of the Regulations, as the amounts of its council tax base for the year for dwellings in/ those parts of its area to which one or more special items relate. **(The Council Tax base for each parish)**

7. That the following amounts be now calculated by the Council for the year 2015/16 in accordance with sections 31A, 31B and 34 to 36 of the Local Government Finance Act 1992 (the Act):
- (a) £49,904,016 being the aggregate of the amounts which the Council estimates for the items set out in section 31A(2) of the Act. **(Effectively gross expenditure including parish precepts, and transfers to reserves)**
 - (b) £43,917,277 being the aggregate of the amounts which the Council estimates for the items set out in section 31A(3) of the Act. **(Effectively gross income and transfers from reserves)**
 - (c) £5,986,739 being the amount by which the aggregate at 7(a) above exceeds the aggregate at 7(b) above, calculated by the Council, in accordance with section 31A(4) of the Act, as its Council Tax Requirement for the year. **(Expenditure less income)**
 - (d) £168.12 being the amount at 7(c) above, divided by the amount at 6(a) above, calculated by the Council, in accordance with section 31B of the Act, as the basic amount of its council tax for the year. **(The overall average amount of Council Tax per Band D property, including parish precepts)**
 - (e) £535,916 being the aggregate amount of all special items referred to in section 34(1) of the Act. **(Total of parish precepts)**
 - (f) £153.07 being the amount at 7(d) above less the result given by dividing the amount at 7(e) above by the amount at 6(a) above, calculated by the Council, in accordance with section 34(2) of the Act, as the basic amount of its council tax for the year for dwellings in those parts of its area to which no special item relates. **(Gedling's own element of the Council Tax for a Band D dwelling).**
 - (g)

<u>Part of the Council's Area</u>	£
Bestwood St Albans	172.37
Burton Joyce	230.45
Calverton	229.54
Colwick	190.12
Lambley	184.97
Linby	221.44
Newstead	194.10
Papplewick	188.38
Ravenshead	197.35
Stoke Bardolph	159.20
Woodborough	194.77

being the amounts given by adding to the amount at 7(f) above to the amounts of the special item or items relating to dwellings in those parts of the Council's area mentioned above, divided in each case by the amount at 6(b) above, calculated by the Council, in accordance with section 34(3) of the Act, as the basic amounts of its council tax for the year for dwellings in those parts of its area to which one or more special items relate. **(The combined district and parish amount of Council Tax for a Band D dwelling)**

(h)

<u>Part of the Council's Area</u>	<u>Valuation Bands</u>							
	A £	B £	C £	D £	E £	F £	G £	H £
Bestwood St Albans	114.92	134.06	153.22	172.37	210.68	248.98	287.29	344.74
Burton Joyce	153.64	179.23	204.84	230.45	281.67	332.87	384.09	460.90
Calverton	153.03	178.53	204.03	229.54	280.55	331.56	382.57	459.08
Colwick	126.75	147.87	168.99	190.12	232.37	274.62	316.87	380.24
Lambley	123.32	143.86	164.42	184.97	226.08	267.18	308.29	369.94
Linby	147.63	172.23	196.83	221.44	270.65	319.86	369.07	442.88
Newstead	129.40	150.96	172.53	194.10	237.24	280.37	323.50	388.20
Papplewick	125.59	146.51	167.45	188.38	230.25	272.10	313.97	376.76
Ravenshead	131.57	153.49	175.42	197.35	241.21	285.06	328.92	394.70
Stoke Bardolph	106.14	123.82	141.51	159.20	194.58	229.95	265.34	318.40
Woodborough	129.85	151.48	173.13	194.77	238.06	281.33	324.62	389.54
All other parts of the Council's area	102.05	119.05	136.06	153.07	187.09	221.10	255.12	306.14

being the amounts given by multiplying the amounts at 7(f) and 7(g) above by the number which, in the proportion set out in section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Council, in accordance with section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands. **(The combined district and parish amount of Council Tax for each band of dwelling).**

- That it be noted that for the year 2015/16, Nottinghamshire County Council, the Office of the Nottinghamshire Police & Crime Commissioner and the Combined Fire Authority have stated the following amounts in precepts issued to the Council, in accordance with section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings shown below:

Precepting Authority:	A £	B £	C £	D £	E £	F £	G £	H £
Notts County Council	827.43	965.33	1,103.24	1,241.14	1,516.95	1,792.76	2,068.57	2,482.28
Notts Police & Crime Commissioner	117.60	137.20	156.80	176.40	215.60	254.80	294.00	352.80
Combined Fire Authority	48.29	56.34	64.39	72.44	88.54	104.64	120.73	144.88

9. That, having calculated the aggregate in each case of the amounts at 7(h) and 8 above, the Council, in accordance with section 30(2) of the Local Government Finance Act 1992, hereby sets the following amounts of council tax for the year 2015/16 for each of the categories of dwellings shown below: **(The total amount of Council Tax for each band of dwelling)**

<u>Part of the Council's Area</u>	<u>Valuation Bands</u>							
	A £	B £	C £	D £	E £	F £	G £	H £
Bestwood St Albans	1,108.24	1,292.93	1,477.65	1,662.35	2,031.77	2,401.18	2,770.59	3,324.70
Burton Joyce	1,146.96	1,338.10	1,529.27	1,720.43	2,102.76	2,485.07	2,867.39	3,440.86
Calverton	1,146.35	1,337.40	1,528.46	1,719.52	2,101.64	2,483.76	2,865.87	3,439.04
Colwick	1,120.07	1,306.74	1,493.42	1,680.10	2,053.46	2,426.82	2,800.17	3,360.20
Lambley	1,116.64	1,302.73	1,488.85	1,674.95	2,047.17	2,419.38	2,791.59	3,349.90
Linby	1,140.95	1,331.10	1,521.26	1,711.42	2,091.74	2,472.06	2,852.37	3,422.84
Newstead	1,122.72	1,309.83	1,496.96	1,684.08	2,058.33	2,432.57	2,806.80	3,368.16
Papplewick	1,118.91	1,305.38	1,491.88	1,678.36	2,051.34	2,424.30	2,797.27	3,356.72
Ravenshead	1,124.89	1,312.36	1,499.85	1,687.33	2,062.30	2,437.26	2,812.22	3,374.66
Stoke Bardolph	1,099.46	1,282.69	1,465.94	1,649.18	2,015.67	2,382.15	2,748.64	3,298.36
Woodborough	1,123.17	1,310.35	1,497.56	1,684.75	2,059.15	2,433.53	2,807.92	3,369.50
All other parts of the Council's area	1,095.37	1,277.92	1,460.49	1,643.05	2,008.18	2,373.30	2,738.42	3,286.10

An amendment was moved by Councillor Barnfather and seconded by Councillor Powell in the following terms:

“That the Council has the following objections and proposals to the estimates submitted by Cabinet, and it requires the Cabinet to reconsider those estimates in the light of these objections and proposals, and report back to Council within five working days after the day of this meeting.”

1	Deletion of the Sustainability Officer post	-£39,800
2	Reduce Secretarial Support by 0.5 fte following deletion of Corporate Director	-£11,000
3	Reduce Housing Benefit staffing following reduction in caseload and IT system improvements	- £60,000
4	Deletion of the proposed resource development bid – additional edition of Contacts	-£12,000
5	Deletion of Communications Service Manager post	-£39,600

6	Deletion of Customer Insight Officer post	-£16,800
7	Investment in front line Customer Services staffing	£40,000
8	Deletion of grant funding to CVS and RCAN	-£35,000
9	Addition to the Borough Wide Initiative grants budget for support to community/voluntary clubs and organisations	£35,000
10	Introduction of a Mobile Youth Facility	£50,000
11	Introduction of a capital Parish leisure asset replacement match funding pot of £30,000 pa (revenue implications £5,000 pa cumulative)	£5,000
12	Consultancy for the fundamental review of Planning Services (one off 2015/16)	£25,000
13	Provision for investment in the Planning Service (full year effect £50,000)	£25,000
14	Focus the spend of the proposed 2015/16 Economic Development Fund of £545,000 (including projected c/f 14/15) as follows:	
	<ul style="list-style-type: none"> Continue and increase support for Gedling Apprentice Enhancement Scheme - £45,000 Arnold Town Centre Economic Regeneration - £500,000 	

Councillor Payne, seconded by Councillor Pulk, proposed a motion to briefly adjourn the meeting to allow Members to consider the amendment put before them. The motion was put to the vote and the Mayor declared it carried.

The meeting adjourned at 6.25pm.

The meeting resumed at 6.40pm.

Councillors Hewson and Brooks entered the meeting at 6.40pm.

Upon the Mayor putting the amendment to the meeting the voting was as follows:

For the motion:

Councillor Bruce Andrews	Councillor Barnfather	Councillor Bexon
Councillor Boot	Councillor Hewson	Councillor Parr
Councillor Pepper	Councillor Poole	Councillor Powell

Councillor Prew-Smith

Councillor Tomlinson

Against the motion:

Councillor Ainley

Councillor Bailey

Councillor Brooks

Councillor Creamer

Councillor Ellwood

Councillor Hewlett

Councillor Hughes

Councillor Paling

Councillor Pulk

Councillor Weisz

Councillor Pauline Allan

Councillor Peter Barnes

Councillor John Clarke

Councillor David Ellis

Councillor Feeney

Councillor Hollingsworth

Councillor Lawrence

Councillor Payne

Councillor Quilty

Councillor Wheeler

Councillor Roy Allan

Councillor Sandra Barnes

Councillor Collis

Councillor Roxanne Ellis

Councillor Gregory

Councillor Hope

Councillor Miller

Councillor Pearson

Councillor Truscott

The Mayor declared the amendment lost.

Councillor Boot left the meeting at 7.30pm.

Upon the Mayor putting the original proposition to the meeting the voting was as follows:

For the motion:

Councillor Ainley

Councillor Bruce Andrews

Councillor Sandra Barnes

Councillor Brooks

Councillor Creamer

Councillor Ellwood

Councillor Hewlett

Councillor Hope

Councillor Miller

Councillor Payne

Councillor Poole

Councillor Pulk

Councillor Truscott

Councillor Pauline Allan

Councillor Bailey

Councillor Barnfather

Councillor John Clarke

Councillor David Ellis

Councillor Feeney

Councillor Hewson

Councillor Hughes

Councillor Paling

Councillor Pearson

Councillor Powell

Councillor Quilty

Councillor Weisz

Councillor Roy Allan

Councillor Peter Barnes

Councillor Bexon

Councillor Collis

Councillor Roxanne Ellis

Councillor Gregory

Councillor Hollingsworth

Councillor Lawrence

Councillor Parr

Councillor Pepper

Councillor Prew-Smith

Councillor Tomlinson

Councillor Wheeler

The Mayor declared the motion carried and it was **RESOLVED** unanimously that:

1. The Prudential and Treasury Indicators and Treasury Strategy 2015/16 referred to in Minute 209 of the meeting of the Cabinet held on 19 February 2015, be approved;
2. The recommendations contained in Minute 210 of the meeting of the Cabinet held on 19 February 2015 with regard to the Capital Programme 2015/16 be approved;
3. The detailed budget and priorities, objectives, actions and performance measures set out in the Gedling Plan 2015/16,

referred to in Minute 211 of the meeting of the Cabinet held on 19 February 2015, be approved;

4. The financial threshold above which decisions will be regarded as Key Decisions be approved at £0.5m for 2015/16, as referred to in Minute 211 of the meeting of the Cabinet held on 19 February 2015;
5. The sum of £781,826 be taken from General Fund Balances in 2015/16 to support General Fund revenue expenditure in that year;
6. It be noted that the Portfolio Holder for Finance, Performance and Economic Development determined on 19 December 2014 (D277), the following amounts for the year 2015/16 in accordance with regulations made under section 31(B) of the Local Government Finance Act 1992

(a) 35,610.06 being the amount calculated by the Council, in accordance with regulation 3 of the Local Authorities (Calculation of Council Tax Base) Regulations 2012, as its council tax base for the year. **(The Council Tax base for the whole district)**

(b)

<u>Part of the Council's Area</u>	<u>Tax Base</u>
Bestwood St Albans	1,508.63
Burton Joyce	1,441.87
Calverton	2,084.40
Colwick	845.66
Lambley	485.88
Linby	109.38
Newstead	357.12
Papplewick	278.07
Ravenshead	2,686.76
Stoke Bardolph	53.15
Woodborough	905.14

being the amounts calculated by the Council, in accordance with regulation 6 of the Regulations, as the amounts of its council tax base for the year for dwellings in/ those parts of its area to which one or more special items relate. **(The Council Tax base for each parish)**

7. The following amounts be now calculated by the Council for the year 2015/16 in accordance with sections 31A, 31B and 34 to 36 of the Local Government Finance Act 1992 (the Act):
 - (a) £49,904,016 being the aggregate of the amounts which the Council estimates for the items set out in section 31A(2) of the Act. **(Effectively gross expenditure including parish precepts, and transfers to reserves)**
 - (b) £43,917,277 being the aggregate of the amounts which the Council estimates for the items set out in section 31A(3) of the Act. **(Effectively gross income and transfers from reserves)**

- (c) £5,986,739 being the amount by which the aggregate at 7(a) above exceeds the aggregate at 7(b) above, calculated by the Council, in accordance with section 31A(4) of the Act, as its Council Tax Requirement for the year. **(Expenditure less income)**
- (d) £168.12 being the amount at 7(c) above, divided by the amount at 6(a) above, calculated by the Council, in accordance with section 31B of the Act, as the basic amount of its council tax for the year. **(The overall average amount of Council Tax per Band D property, including parish precepts)**
- (e) £535,916 being the aggregate amount of all special items referred to in section 34(1) of the Act. **(Total of parish precepts)**
- (f) £153.07 being the amount at 7(d) above less the result given by dividing the amount at 7(e) above by the amount at 6(a) above, calculated by the Council, in accordance with section 34(2) of the Act, as the basic amount of its council tax for the year for dwellings in those parts of its area to which no special item relates. **(Gedling's own element of the Council Tax for a Band D dwelling).**

(g)

<u>Part of the Council's Area</u>	£
Bestwood St Albans	172.37
Burton Joyce	230.45
Calverton	229.54
Colwick	190.12
Lambley	184.97
Linby	221.44
Newstead	194.10
Papplewick	188.38
Ravenshead	197.35
Stoke Bardolph	159.20
Woodborough	194.77

being the amounts given by adding to the amount at 7(f) above to the amounts of the special item or items relating to dwellings in those parts of the Council's area mentioned above, divided in each case by the amount at 6(b) above, calculated by the Council, in accordance with section 34(3) of the Act, as the basic amounts of its council tax for the year for dwellings in those parts of its area to which one or more special items relate. **(The combined district and parish amount of Council Tax for a Band D dwelling)**

(h)

<u>Part of the Council's Area</u>	<u>Valuation Bands</u>							
	A £	B £	C £	D £	E £	F £	G £	H £
Bestwood St Albans	114.92	134.06	153.22	172.37	210.68	248.98	287.29	344.74
Burton Joyce	153.64	179.23	204.84	230.45	281.67	332.87	384.09	460.90
Calverton	153.03	178.53	204.03	229.54	280.55	331.56	382.57	459.08
Colwick	126.75	147.87	168.99	190.12	232.37	274.62	316.87	380.24
Lambley	123.32	143.86	164.42	184.97	226.08	267.18	308.29	369.94

Linby	147.63	172.23	196.83	221.44	270.65	319.86	369.07	442.88
Newstead	129.40	150.96	172.53	194.10	237.24	280.37	323.50	388.20
Papplewick	125.59	146.51	167.45	188.38	230.25	272.10	313.97	376.76
Ravenshead	131.57	153.49	175.42	197.35	241.21	285.06	328.92	394.70
Stoke Bardolph	106.14	123.82	141.51	159.20	194.58	229.95	265.34	318.40
Woodborough	129.85	151.48	173.13	194.77	238.06	281.33	324.62	389.54
All other parts of the Council's area	102.05	119.05	136.06	153.07	187.09	221.10	255.12	306.14

being the amounts given by multiplying the amounts at 7(f) and 7(g) above by the number which, in the proportion set out in section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Council, in accordance with section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands. **(The combined district and parish amount of Council Tax for each band of dwelling);**

8. It be noted that for the year 2015/16, Nottinghamshire County Council, the Office of the Nottinghamshire Police & Crime Commissioner and the Combined Fire Authority have stated the following amounts in precepts issued to the Council, in accordance with section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings shown below:

Precepting Authority:	A £	B £	C £	D £	E £	F £	G £	H £
Notts County Council	827.43	965.33	1,103.24	1,241.14	1,516.95	1,792.76	2,068.57	2,482.28
Notts Police & Crime Commissioner	117.60	137.20	156.80	176.40	215.60	254.80	294.00	352.80
Combined Fire Authority	48.29	56.34	64.39	72.44	88.54	104.64	120.73	144.88

9. That, having calculated the aggregate in each case of the amounts at 7(h) and 8 above, the Council, in accordance with section 30(2) of the Local Government Finance Act 1992, hereby sets the following amounts of council tax for the year 2015/16 for each of the categories of dwellings shown below: (The total amount of Council Tax for each band of dwelling)

Part of the Council's Area	Valuation Bands							
	A £	B £	C £	D £	E £	F £	G £	H £
Bestwood St Albans	1,108.24	1,292.93	1,477.65	1,662.35	2,031.77	2,401.18	2,770.59	3,324.70
Burton Joyce	1,146.96	1,338.10	1,529.27	1,720.43	2,102.76	2,485.07	2,867.39	3,440.86
Calverton	1,146.35	1,337.40	1,528.46	1,719.52	2,101.64	2,483.76	2,865.87	3,439.04
Colwick	1,120.07	1,306.74	1,493.42	1,680.10	2,053.46	2,426.82	2,800.17	3,360.20
Lambley	1,116.64	1,302.73	1,488.85	1,674.95	2,047.17	2,419.38	2,791.59	3,349.90
Linby	1,140.95	1,331.10	1,521.26	1,711.42	2,091.74	2,472.06	2,852.37	3,422.84
Newstead	1,122.72	1,309.83	1,496.96	1,684.08	2,058.33	2,432.57	2,806.80	3,368.16
Papplewick	1,118.91	1,305.38	1,491.88	1,678.36	2,051.34	2,424.30	2,797.27	3,356.72
Ravenshead	1,124.89	1,312.36	1,499.85	1,687.33	2,062.30	2,437.26	2,812.22	3,374.66
Stoke Bardolph	1,099.46	1,282.69	1,465.94	1,649.18	2,015.67	2,382.15	2,748.64	3,298.36
Woodborough	1,123.17	1,310.35	1,497.56	1,684.75	2,059.15	2,433.53	2,807.92	3,369.50
All other parts of the Council's area	1,095.37	1,277.92	1,460.49	1,643.05	2,008.18	2,373.30	2,738.42	3,286.10

The meeting finished at 7.45 pm

Signed by Chair:
Date:

This page is intentionally left blank



Report to Council

Subject: Petitions Scheme – Friends of Ethel Avenue
Date: 8 April 2015
Author: Service Manager Elections and Members Services.

1. Purpose of the Report

To present a petition and advise on the procedure that Council needs to follow under the Council's Petitions Scheme in respect of large petitions, and to provide information specifically on the petition entitled "Petition for the protection of Public Access to the full length of Ethel Avenue, Mapperley, Nottingham"

2. Background

- 2.1 The Council has received a petition from the "Friends of Ethel Avenue"
The petition contains 163 signatures and reads as follows

"We the undersigned do hereby petition Nottingham County Council, Gedling Borough Council and whoever else it may concern to ensure continued access for walkers and cyclists (as established by over 30 years of continued and well documented public use), to the grassed footpath section of Ethel Avenue between Emmanuel Avenue and Kenrick Road which has been unofficially blocked since July 2013

In light of a current residential planning application which threatens continued public access to the route we also strongly urge Nottingham County Council to PRIORITISE the decision regarding the recent application to have this section of Ethel Avenue registered as a public bridleway, in order to protect this much valued local route."

- 2.2 The Council adopted a petitions scheme in 2010. The scheme states that a petition of this nature containing over 140 signatures shall trigger a "Petition for debate" as a local issue affecting no more than two wards within the Council's area. The petitions scheme requires the issue to be debated by a meeting of Council.

- 2.3 The petitions policy gives the petition organiser up to five minutes to address the meeting in order to present the petition.
- 2.4 After the lead petitioner has been given the opportunity to address Council, members will be given the opportunity to debate the issues raised by the petition.
- 2.5 At the conclusion of the debate the Council has to decide how to respond to the petition and the following courses of action may apply:
- Council can, if appropriate, instruct that the action the petition requests is carried out;
 - Council can ask for further investigation into the matters the petition raises, for example by a relevant committee;
 - Where a decision of the Executive is required Council should decide on whether or not to make a recommendation to inform the decision;
 - Where Council is minded to make a recommendation to another body because it is outside of the scope of Gedling Borough Council's work, then Council will consider making representations on the petitioner's behalf to that body. For example where the petition relates to policing or crime matters it may be necessary to make representations to the Police service. The petition scheme points out that the council works with a large number of local partners and where possible would work with those partners to respond to the petition;
 - Council may recommend no further action is taken

Further information

- 2.6 To assist Council in debating the content of the petition the following material facts are known:
- A planning application has been lodged with Gedling Borough Council for the residential development as outlined in the petition. This application is a completely separate to the petition and will be determined accordingly.
 - Authority has been given by the Portfolio Holder for Environment to dispose of the strip of land referred to that is in the Council's ownership. This sale is currently pending.

An accompanying letter providing further information from the petition organiser is attached to this report as Appendix 1.

3. Proposal

It is proposed that Council should debate the contents of the petition as required by the petitions scheme contained within the constitution.

4. Resource Implications

There are no direct resource implications arising from this report.

5. Recommendations

Council is recommended to:

- 1) Decide on whether, if appropriate, any recommendations are made to the Executive or another committee or if any other is carried out; and
- 2) Decide on whether, if appropriate, any recommendations need to be made to any partner organisations that the Council works with.

6. Appendices

Appendix 1 - Letter accompanying the petition and the petition cover sheet.

This page is intentionally left blank

16/02/2015

John Robinson
Chief Executive
Gedling Borough Council
The Civic Centre
Arnot Hill Park
Arnold
Nottingham
NG5 6LU

Dear John Robinson

Please find enclosed a petition for debate signed by 163 local residents in support of the preservation of an important historic access path within the Porchester Garden Estate, Mapperley. The survival of this path which connects the bottom of Emmanuel Road with Kenrick Road and forms part of Ethel Avenue, is under threat due to the actions of the developer of 21 Ethel Avenue who is attempting to block public access to part of the track whilst at the same time trying to take over another section of the track as a private driveway to his proposed development. A covenant exists on the land concerned giving access to any Freeholder of the Porchester Garden Estate and local residents have enjoyed free access for over 130 years until the developer blocked the path in July 2013. He has repeatedly refused to reopen the path and Gedling Borough Council, Nottingham County Council and the police have been unable to persuade or force him to do so.

An application has been made on behalf of the majority of local residents to have the whole of Ethel Avenue (from Lees Road to Kenrick Road) adopted by Nottingham County Council; the existing road as a restricted byway and the path section as a public bridleway. Officers at the county council have indicated that there is a wealth of historical and testimonial evidence in support of this however the application is likely to take some time to be processed.

The petition attached calls for your council to do all in your power to ensure continued public access to this historic path, as established by deeds, covenants and easements relating to the land along with more than 130 years of continuous and well documented public use. Given that our petition "*relates to a local issue affecting no more than two wards within the Council's area*" (GEDLING BOROUGH COUNCIL - PETITIONS POLICY) we understand that with over 140 signatures it will be "*be reported to and debated at a meeting of the Council*".

At present this path figures in two different but related matters before the council that I would like to draw your attention to:

1. The proposal to sell a strip of land currently owned by Gedling Borough Council which borders 19a Kenrick Road and forms half the width of the footpath section of Ethel Avenue between Allen Avenue and Kenrick Road (ref D248 – contact Katie Cafferkey). The sale has been requested by the developer of 21 Ethel Avenue who has expressed a wish to buy the path so he can develop it as an access drive to one of the three properties he proposes to build on his land.
2. The Planning Application relating to 21 Ethel Avenue (Ref. No: 2014/0856) currently pending consideration which details the creation of an private driveway along the path between the uppermost of the three proposed properties and Kenrick Road and the blocking of the remainder of the path thus denying public access between Ethel Avenue and Kenrick Road.

I am submitting this petition on behalf of The Friends of Ethel Avenue who are a group of concerned local residents from Ethel and Emmanuel Avenue along with Lees, Kenrick and Hallam Road with the following aims:

- To share any information relating to the proposed development at 21 Ethel Avenue and the footpath section of Ethel Avenue between residents.
- To support those residents most directly affected by the proposed development and the actions of the developer.
- To ensure the footpath section of Ethel Avenue (between Emmanuel Avenue and Allen Avenue) is reopened and public access, as established by various local covenants and easements along with over 130 years of continued documented public use, is preserved.
- To ensure the 'grassy path' section of Ethel Avenue (between Allen Avenue and Kenrick Road) is preserved as a public footpath/track and to oppose any plans to turn this into track into a private drive for vehicular access to 21 Ethel Avenue as currently proposed.
- To ensure any development of the plot at 21 Ethel Avenue is appropriate to the size, location and the access roads present.
- To ensure the preservation of the two surviving trees on the Edge of Ethel Avenue adjoining 21 Ethel Avenue currently protected by Tree Preservation Orders (TPOs).
- To ensure the replacement of the protected tree at 21 Ethel Avenue which was removed despite of the existence of a TPO.
- To ensure the protection of residents property and access roads and related services and to minimize the impact of construction traffic if and when development begins.
- To challenge any unreasonable, intimidating or anti-social behavior by the developer.

We respectfully request that you consider the views of the majority of local residents, as represented by this petition, when making any decisions regarding the future of this important and historic public path.

Yours Sincerely

A large black rectangular redaction box covering the signature of Andrew Robinson.

Andrew Robinson

On behalf of The Friends of Ethel Avenue

A black rectangular redaction box covering the name of the representative of The Friends of Ethel Avenue.

TOTAL 163

FRIENDS OF ETHEL AVENUE - Petition for the protection of Public Access to the full length of Ethel Avenue, Mapperley, Nottingham as shown on the map overleaf.

We the undersigned do hereby petition Nottingham County Council, Gedling Borough Council and whoever else it may concern to ensure continued access for walkers & cyclists (as established by over 130 years of continued and well documented public use), to the grassed footpath section of Ethel Avenue between Emmanuel Avenue and Kenrick Road which has been unofficially blocked since July 2013.

In the light of a current residential planning application which threatens continued public access to this route we also strongly urge Nottingham County Council to PRIORITISE the decision regarding the recent application to have this section of Ethel Avenue registered as a public bridleway, in order to protect this very much valued local route.

Print Name	Address	Signature
------------	---------	-----------





Ethel Avenue (running from Lees Road to Kenrick Road)



Section of Ethel Avenue currently blocked.

MINUTES AUDIT COMMITTEE

Tuesday 16 December 2014

Councillor Paul Feeney (Chair)

Present: Councillor Sandra Barnes Councillor Tony Gillam
 Councillor Chris Barnfather Councillor Richard Nicholson
 Councillor Bob Collis

Absent: Councillor Nick Quilty

Officers in Attendance: V Rimmington and F Whyley

56 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.

Apologies for absence were received from Councillor Quilty.

**57 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE
MEETING HELD ON 23 SEPTEMBER 2014.**

RESOLVED:

That the minutes of the above meeting, having been circulated, be approved as a correct record.

58 DECLARATION OF INTERESTS.

None.

59 ANNUAL AUDIT LETTER 2013-14

Consideration was given to a report of KPMG, the Council's external Auditors, summarising their key findings from their 2013/14 audit of the Authority.

RESOLVED:

To note the report.

60 CORPORATE RISK SCORE CARD

Consideration was given to the report of the Service Manager, Audit and Risk Management, which had been circulated prior to the meeting, update Members on the current level of assurance that can be provided against each corporate risk.

RESOLVED:

To note the report.

61 FOLLOW-UP OF PREVIOUS AUDIT RECOMMENDATIONS

Consideration was given to a report of the Service Manager, Audit and Risk Management, which was circulated prior to the meeting, informing Members of departmental progress in the implementation of Internal Audit recommendations and identifying to Members where additional action needs to be considered in relation to any outstanding recommendations.

RESOLVED:

To note the report.

62 SUMMARY OF AUDIT ACTIVITY OCTOBER - DECEMBER 2014

Consideration was given to a report of the Service Manager, Audit and Risk Management, which had been circulated prior to the meeting, summarising the outcome of Internal Audit activity for the period October to December 2014.

RESOLVED:

To note the report.

63 ANNUAL AUDIT PLAN - RISK ASSESSMENT

Consideration was given to a report of the Service Manager, Audit and Risk Management, which had been circulated prior to the meeting, providing Members with the opportunity to influence the audit risk assessment for the annual audit plan 2015-16 and to confirm whether any additional areas of audit work need to be considered.

Councillor Barnfather requested that Contract Management, in relation to the Arnold Leisure Centre and Bonington Theatre contract, be included in the 2015-16 audit plan.

RESOLVED:

To note the report.

64 TERMS OF REFERENCE - ANNUAL REVIEW

Consideration was given to a report of the Service Manager, Audit and Risk Management, which was circulated prior to the meeting, seeking

Members' views on the appropriateness of the Committee's current Terms of Reference.

RESOLVED:

To agree to the continued use of the current Terms of Reference, as at Appendix A of the report.

65 ANY OTHER ITEM WHICH THE CHAIR CONSIDERS URGENT.

None.

The meeting finished at Time Not Specified

Signed by Chair:

Date:

This page is intentionally left blank

MINUTES CABINET

Thursday 8 January 2015

Councillor John Clarke (Chair)

Councillor Michael Payne
Councillor Peter Barnes

Councillor Darrell Pulk
Councillor Henry Wheeler

Observers: Councillor Chris Barnfather

Absent: Councillor Kathryn Fox and Councillor Paul Hughes

Officers in Attendance: H Barrington, J Robinson, S Bray, A Ball and
L Parnell

189 APOLOGIES FOR ABSENCE.

Apologies for absence were received from Councillor Fox and Councillor Hughes (observer).

190 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 18 DECEMBER 2014.

RESOLVED:

That the minutes of the above meeting, having been circulated, be approved as a correct record.

191 DECLARATION OF INTERESTS.

None

192 PROVISIONAL LOCAL GOVERNMENT FINANCE SETTLEMENT.

The Financial Services Manager presented a report, which had been circulated prior to the meeting, giving details of the provisional finance settlement for the next financial year.

RESOLVED to:

- (a) Note the Provisional Local Government Finance Settlement;
- (b) Approve in principle the payment of £47,500 grant funding to the Parish Councils as detailed in paragraph 2.1.4 of the report;

- (c) Approve a 3% income inflation increase for the individual portfolios as shown in the table at paragraph 2.3 of the report; and
- (d) Approve the draft letter attached at Appendix B to the report for circulation to a selection of Business Ratepayers.

193 FORWARD PLAN.

Consideration was given to a report of the Service Manager, Elections and Members' Services, which had been circulated prior to the meeting, detailing the Executive's draft Forward Plan for the next four month period.

RESOLVED:

To note the report.

194 PROGRESS REPORTS FROM PORTFOLIO HOLDERS.

Councillor Darrell Pulk (Leisure and Development)

- A gym refresh has just been completed at Carlton Forum Leisure Centre, introducing new equipment and weight training opportunities.
- Large, colourful artwork, created for the "I Will" campaign is now in place at Carlton Forum Leisure Centre.
- A recent gym refresh at Calverton is continuing to be well received. There has also been an increase in gym opening hours, which is proving successful, with the site reporting increased use and enquiries.
- A new swim timetable has been implemented at Calverton and Arnold Leisure Centres. Children have transitioned to new swimming lesson time slots largely without incident.
- There has been a 9.9% growth in DNA memberships, driven by an increase in sales and customer retention.
- Work on a new ticketing website is almost complete, subject to final testing and resources have been moved to allow for a 2 month trial period of increased admin and marketing support, including the opening of the box office twice weekly during the day time.

Councillor Barnfather entered the meeting,

Councillor Michael Payne (Public Protection and Communications)

- Crime figures showed an increase in December, against December 2013, of 10 offenses.

- The only priority plus area within the Borough, Netherfield & Colwick, is now only 0.6% away from their crime reduction target.
- The Mayor, on behalf of the Council, is intending to write to the Mayor of Paris to offer condolences following the recent tragedy.

195 MEMBER'S QUESTIONS TO PORTFOLIO HOLDERS.

None.

196 ANY OTHER ITEMS THE CHAIR CONSIDERS URGENT.

None.

The meeting finished at 1.00 pm

Signed by Chair:
Date:

This page is intentionally left blank

MINUTES ENVIRONMENT AND LICENSING COMMITTEE

Tuesday 13 January 2015

Councillor Marje Paling (Chair)

Present: Councillor Bruce Andrews Councillor Cheryl Hewlett
Councillor Sandra Barnes Councillor Mike Hope
Councillor Nicki Brooks Councillor Barbara Miller
Councillor Roxanne Ellis Councillor John Parr
Councillor Tony Gillam Councillor Carol Pepper
Councillor Gary Gregory Councillor Stephen Poole

Absent: Councillor Meredith Lawrence

Officers in Attendance: R Pentlow and D Blasdale

160 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.

Apologies for absence were received from Councillor Lawrence.

161 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 9 DECEMBER 2014.

RESOLVED:

That the minutes of the above meeting, having been circulated, be approved as a correct record.

Councillor Paling left the Chair and the meeting due to illness.

In accordance with Standing Order 20, in the absence of the Chair and Vice Chair, Councillor Brooks was elected to chair the remainder of the meeting.

162 DECLARATION OF INTERESTS.

None.

163 ANY OTHER ITEM WHICH THE CHAIR CONSIDERS URGENT.

None.

164 EXCLUSION OF THE PRESS AND PUBLIC.

RESOLVED:

That, the Members being satisfied that the public interest in maintaining the exemption outweighs the public interest in disclosing the information that under Section 100(A)(4) of the Local Government Act 1972, the public and press be excluded from the meeting during the consideration of the ensuing reports on the grounds that the report involves the likely disclosure of exempt information as defined in Paragraph 7 of Part 1 of Schedule 12A of the Local Government Act 1972.

165 ITEM FOR INFORMATION - APPEAL AGAINST THE REFUSAL OF AN APPLICATION FOR A HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE - IK

RESOLVED:

To note the information.

166 APPLICATION FOR A HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE - WP

The Committee considered a report from Corporate Director, David Wakelin, regarding an application for a Joint Hackney Carriage/Private Hire Driver's Licence from WP.

WP attended the meeting and addressed the Committee.

In making its decision, the Committee applied the Council's approved Policy and Guidelines and took into consideration the circumstances of the event. On the basis of what it heard, the Committee was satisfied on balance that exceptional circumstances existed which warranted departure from this policy.

RESOLVED:

To approve WP's application for a Hackney Carriage/Private Hire Driver's Licence, with a warning as to the necessary consequences of failure to declare any future convictions to the Licensing Department.

Councillor Gillam entered the meeting.

167 APPLICATION FOR A HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE - MA

The Committee considered a report from Corporate Director, David Wakelin, regarding an application for a Joint Hackney Carriage/Private Hire Driver's Licence from MA.

MA attended the meeting and addressed the Committee.

In making its decision, the Committee applied the Council's approved Policy and Guidelines. On the basis of what it heard, the Committee was satisfied on balance that no exceptional circumstances existed which warranted departure from this policy.

RESOLVED:

To refuse MA's application for a Hackney Carriage/Private Hire Driver's Licence on the grounds that he is not a fit and proper person.

MA was advised of his right to appeal against the decision of the Committee.

168 APPLICATION FOR A HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE - MC

MC did not attend the meeting.

RESOLVED:

To treat the application from MC as withdrawn as a result of a failure to attend Committee on two occasions.

169 APPLICATION FOR A HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE - MUD

MUD did not attend the meeting.

RESOLVED:

To treat the application from MUD as withdrawn as a result of a failure to attend Committee on two occasions.

170 APPLICATION FOR A HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE - ASD

The Committee considered a report from Corporate Director, David Wakelin, regarding an application for a Joint Hackney Carriage/Private Hire Driver's Licence from ASD.

ASD attended the meeting and addressed the Committee.

In making its decision, the Committee applied the Council's approved Policy and Guidelines. On the basis of what it heard, the Committee was satisfied on balance that no exceptional circumstances existed which warranted departure from this policy.

RESOLVED:

To refuse ASD's application for a Hackney Carriage/Private Hire Driver's Licence on the grounds that he is not a fit and proper person.

ASD was advised of his right to appeal against the decision of the Committee.

171 APPLICATION FOR THE RENEWAL OF HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE - AA

The Committee considered a report from Corporate Director, David Wakelin, regarding an application for a Joint Hackney Carriage/Private Hire Driver's Licence from AA.

AA attended the meeting and addressed the Committee.

In making its decision, the Committee applied the Council's approved Policy and Guidelines and took into consideration the circumstances of the event. On the basis of what it heard, the Committee was satisfied on balance that exceptional circumstances existed which warranted departure from this policy.

RESOLVED:

To approve AA's application for a Hackney Carriage/Private Hire Driver's Licence, with a warning regarding the necessary consequences of any future failure to declare convictions to the Licensing Department within 7 days.

172 APPLICATION FOR A HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE - FAM

The Committee considered a report from Corporate Director, David Wakelin, regarding an application for a Joint Hackney Carriage/Private Hire Driver's Licence from FAM.

FAM attended the meeting and addressed the Committee.

In making its decision, the Committee applied the Council's approved Policy and Guidelines and took into consideration the circumstances of the event. On the basis of what it heard, the Committee was satisfied on balance that no exceptional circumstances existed which warranted departure from this policy.

RESOLVED:

To approve FAM's application for a Hackney Carriage/Private Hire Driver's Licence.

173 APPLICATION FOR A HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE - AA

AA did not attend the meeting.

RESOLVED:

To defer consideration of the application for a Joint Hackney Carriage/Private Hire Driver's Licence from AA to a future meeting of the Committee. If AA does not attend his next appointment, his application will be treated as withdrawn.

The meeting finished at 6.00 pm

Signed by Chair:
Date:

This page is intentionally left blank

MINUTES APPOINTMENTS AND CONDITIONS OF SERVICE COMMITTEE

Friday 16 January 2015

Councillor John Clarke (Chair)

Councillor Chris Barnfather
Councillor Michael Payne

Councillor Muriel Weisz
Councillor Richard Nicholson

Apologies for absence: Councillor Bob Collis and Councillor Marje Paling

Officers in Attendance: H Barrington, A Dubberley and J Robinson

27 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.

Apologies for absence were received from Councillors Collis, Paling and Powell. Councillor Nicholson attended as substitute Member.

28 DECLARATION OF INTERESTS.

None.

29 ANY OTHER ITEM WHICH THE CHAIR CONSIDERS URGENT.

None.

30 EXCLUSION OF PRESS AND PUBLIC.

RESOLVED:

That, the Members being satisfied that the public interest in maintaining the exemption outweighs the public interest in disclosing the information that under Section 100(A)(4) of the Local Government Act 1972, the public and press be excluded from the meeting during the consideration of the ensuing reports on the grounds that the report involves the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 12A of the Local Government Act 1972.

31 STRUCTURAL CHANGES AND EARLY RETIREMENT OF CORPORATE DIRECTOR

The Chief Executive presented a report, which had been circulated prior to the meeting, detailing a proposal to amend the management structure of the Council through the deletion of one post of Corporate Director and to dismiss a Chief Officer on grounds of redundancy due to early retirement.

The Chief Executive outlined the reasons for bringing the item to Committee giving background and context to the report.

RESOLVED to:

- 1) Approve the removal of one post of Corporate Director from the Council's establishment with effect from 1 February 2015 and confirm the temporary structure proposed at Appendix 2 to the report;
- 2) Approve the dismissal of PD, Corporate Director on the grounds of redundancy with a termination date of 31 January 2015;
- 3) Request the Council's Monitoring Officer to notify the Executive of the decision to dismiss as required by the Standing Orders relating to staff within the Council's Constitution;
- 4) Subject to the Monitoring Officer following the notification arrangements set out in the constitution and receiving no objection from the Leader, to authorise the Chief Executive to issue a notice of dismissal to PD; and
- 5) Request the Chief Executive to bring a future report, following normal consultation process, to propose and formalise a revised, long-term senior management structure.

The meeting finished at 12.25 pm

Signed by Chair:
Date:

MINUTES PLANNING COMMITTEE

Wednesday 28 January 2015

Councillor John Truscott (Chair)

In Attendance: Councillor Barbara Miller Councillor Andrew Ellwood
 Councillor Pauline Allan Councillor Cheryl Hewlett
 Councillor Roy Allan Councillor Jenny Hollingsworth
 Councillor Peter Barnes Councillor Mike Hope
 Councillor Chris Barnfather Councillor Meredith Lawrence
 Councillor Denis Beeston MBE Councillor Marje Paling
 Councillor Alan Bexon Councillor Lynda Pearson
 Councillor Ged Clarke Councillor Colin Powell
 Councillor Bob Collis Councillor Suzanne Prew-Smith

Absent: Councillor John Boot

Officers in Attendance: P Baguley, J Cole, L Parnell and L Sugden

261 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.

Apologies for absence were received from Councillor Boot.

262 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 7 JANUARY 2015.

RESOLVED:

That the minutes of the above meeting, having been circulated, be approved as a correct record, subject to the following amendment:

1. To note Councillor Hope's apologies.

263 DECLARATION OF INTERESTS

On behalf of all Councillors, the Chair declared a non-pecuniary interest in application number 2014/0612 on the grounds that the applicant is a Member of the Council and application number 2014/1367 on the grounds that the applicant is a relative of a Member of the Council.

264 APPLICATION NO. 2015/0950- TOP WIGHAY, ANNESLEY ROAD, LINBY

Erect 38 No Dwellings and Associated Works.

Councillor Powell proposed, seconded by Councillor Barnfather, a motion to defer determination of application number 2015/0950, to allow for the report to be updated to reflect changes made to comments by statutory consultees, to reflect an amendment to conditions and to allow for a Member Briefing to take place.

RESOLVED:

To defer determination of the application to a future meeting of the Planning Committee.

265

APPLICATION NO. 2014/1367- 33 LODGE FARM LANE, REDHILL

Removal of masonry wall with timber fence and erection of 1.8m timber fence with concrete posts and gravel boards.

RESOLVED to GRANT PLANNING PERMISSION subject to the following conditions:

Conditions

1. The development must be begun not later than three years beginning with the date of this permission
2. The development shall be carried out in accordance with the details set out in the planning application form, location plan, block plan, and fence details in drawn and graphic form received on 5th December 2014. Once erected the fence shall be retained in accordance with the approved details.

Reasons

1. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004
2. For the avoidance of doubt as to what is permitted

Reasons for Decision

In the opinion of the Borough Council the proposed development would not raise any highway issues, would fit in satisfactorily with the street scene and not have undue impact on neighbouring residential properties or the locality in general. The proposal therefore complies with ENV1 and T10 of the Gedling Borough Replacement Plan (certain policies saved) 2014 and Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014)

Notes to Applicant

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is

encountered during development, this should be reported immediately to The Coal Authority on 0845 762 6848. Further information is also available on The Coal Authority website at www.coal.decc.gov.uk Property specific summary information on past, current and future coal mining activity can be obtained from the Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com

Planning Statement - The Borough Council has worked positively and proactively with the applicant in accordance with paragraphs 186 and 187 of the National Planning Policy Framework

266 APPLICATION NO. 2014/0612- 71 RAMSEY DRIVE, ARNOLD

New dwelling attached to side of existing house, including alterations to existing parking and garage.

RESOLVED to GRANT CONDITIONAL PLANNING PERMISSION.

Conditions

1. The development must be begun not later than three years beginning with the date of this permission.
2. The development hereby permitted shall be completed in accordance with the site plan and application forms received on the 19th May 2014 and the revised plans received on 22nd September 2014 drawing no's: RN02 - B and RN01 - B.
3. The dwelling shall not be brought into use until all drives and parking areas are surfaced in a hard bound material (not loose gravel). The surfaced drives and any parking or turning areas shall then be maintained in such hard bound material for the life of the development.
4. The dwelling shall not be brought into use until the access driveway / parking area (s) is constructed with provision to prevent the unregulated discharge of surface water from the driveway/parking/turning area(s) to the public highway in accordance with details first submitted to and approved in writing by the LPA. The provision to prevent the unregulated discharge of surface water to the public highway shall then be retained for the life of the development.
5. No part of the building/downpipes/eaves/window openings/footings and roof shall be built over or project out or over - hang onto any adopted highway/footway land.

6. Before development is commenced there shall be submitted to and approved in writing by the Borough Council precise details and a samples of the materials to be used in the external elevations of the proposed dwellings. Once approved the development shall be constructed in accordance with these approved details unless otherwise agreed in writing by the Borough Council.
7. Before development is commenced there shall be submitted to and approved in writing by the Borough Council precise details of the means of enclosure of the site. Thereafter the means of enclosure shall be erected and retained in accordance with the approved details.
8. Before development is commenced there shall be submitted to and approved by the Borough Council details of the means of surfacing of the unbuilt on portions of the site. Once approved the development shall be carried out in accordance with these details.

Reasons

1. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt.
3. To reduce the possibility of deleterious material being deposited on the public highway (loose stones etc.)
4. To ensure surface water from the site is not deposited on the public highway causing dangers to road users.
5. In the interests of Highway safety.
6. To ensure that the details of the development are acceptable, in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
7. To ensure that the details of the development are acceptable, in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).
8. To ensure that the details of the development are acceptable, in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).

Reasons for Decision

In the opinion of the Borough Council the proposed development is of an acceptable size and design in this setting and would have no undue impacts on the visual appearance of the streetscene or on neighbouring amenity. There are no highway safety implications. The proposal therefore complies with Policies ENV1, H7, and H16 of the Gedling Borough Council Replacement Local Plan (Certain Policies Saved 2014).

Notes to Applicant

The attached permission is for development which will involve building up to, or close to, the boundary of the site. Your attention is drawn to the fact that if you should need access to neighbouring land in another ownership in order to facilitate the construction of the building and its future maintenance you are advised to obtain permission from the owner of the land for such access before beginning your development.

Planning Statement - The Borough Council has worked positively and proactively with the applicant in accordance with paragraphs 186 to 187 of the National Planning Policy Framework.

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0845 762 6848. Further information is also available on The Coal Authority website at www.coal.decc.gov.uk. Property specific summary information on past, current and future coal mining activity can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com.

267 APPEAL DECISION- 12 TAMARIX CLOSE, GEDLING

RESOLVED:

To note the information.

268 PLANNING DELEGATION PANEL ACTION SHEET

RESOLVED:

To note the information.

269 FUTURE PLANNING APPLICATIONS

RESOLVED:

To note the information.

270 ANY OTHER ITEMS WHICH THE CHAIR CONSIDERS URGENT.

At the request of the Chair, the Service Manager, Planning and Economic Development, provided an update on the recent court of appeal decision in relation to the Westerleigh crematorium application.

The meeting finished at 6.35 pm

Signed by Chair:

Date:

MINUTES ENVIRONMENT AND LICENSING COMMITTEE

Tuesday 10 February 2015

Councillor Marje Paling (Chair)

Present: Councillor Sandra Barnes Councillor Mike Hope
Councillor Nicki Brooks Councillor John Parr
Councillor Roxanne Ellis Councillor Carol Pepper
Councillor Tony Gillam Councillor Stephen Poole
Councillor Cheryl Hewlett

Absent: Councillor Meredith Lawrence, Councillor Bruce
Andrews, Councillor Gary Gregory and Councillor
Barbara Miller

Officers in Attendance: P Gibbs and L Sugden

174 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.

Apologies for absence were received from Councillors Lawrence, Gregory and Miller.

Councillor Prew-Smith attended the meeting as a substitute for Councillor Andrews, who had given his apologies.

175 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 13 JANUARY 2015.

RESOLVED:

That the minutes of the above meeting, having been circulated, be approved as a correct record.

176 DECLARATION OF INTERESTS.

None.

177 NOTICES SERVED

RESOLVED:

To note the information.

178 ANY OTHER ITEM WHICH THE CHAIR CONSIDERS URGENT.

None.

179 EXCLUSION OF THE PRESS AND PUBLIC.

RESOLVED:

That, the Members being satisfied that the public interest in maintaining the exemption outweighs the public interest in disclosing the information that under Section 100(A)(4) of the Local Government Act 1972, the public and press be excluded from the meeting during the consideration of the ensuing reports on the grounds that the report involves the likely disclosure of exempt information as defined in Paragraph 7 of Part 1 of Schedule 12A of the Local Government Act 1972.

180 APPEAL AGAINST REVOCATION OF A HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE - SA

RESOLVED:

To note the information.

181 APPLICATION FOR A JOINT HACKNEY CARRIAGE / PRIVATE HIRE DRIVER'S LICENCE - JH

JH did not attend the meeting.

RESOLVED:

To treat the application from JH as withdrawn as a result of a failure to attend Committee on two occasions.

182 APPLICATION FOR A JOINT HACKNEY CARRIAGE / PRIVATE HIRE DRIVER'S LICENCE - MJCN

The Committee considered a report from Corporate Director, David Wakelin, regarding an application for a Joint Hackney Carriage/Private Hire Driver's Licence from MJCN.

MJCN attended the meeting and addressed the Committee.

In making its decision, the Committee applied the Council's approved Policy and Guidelines. On the basis of what it heard, the Committee was satisfied on balance that no exceptional circumstances existed which warranted departure from this policy.

RESOLVED:

To refuse MJCN's application for a Hackney Carriage/Private Hire

Driver's Licence on the grounds that he is not a fit and proper person.

MJCN was advised of his right to appeal against the decision of the Committee.

183 APPLICATION FOR A JOINT HACKNEY CARRIAGE / PRIVATE HIRE DRIVER'S LICENCE - RT

Councillor Ellis entered the meeting.

The Committee considered a report from Corporate Director, David Wakelin, regarding an application for a Joint Hackney Carriage/Private Hire Driver's Licence from RT.

RT attended the meeting and addressed the Committee.

In making its decision, the Committee applied the Council's approved Policy and Guidelines. On the basis of what it heard, the Committee was satisfied on balance that no exceptional circumstances existed which warranted departure from this policy.

RESOLVED:

To refuse RT's application for a Hackney Carriage/Private Hire Driver's Licence on the grounds that he is not a fit and proper person.

RT was advised of his right to appeal against the decision of the Committee.

184 APPLICATION FOR A JOINT HACKNEY CARRIAGE / PRIVATE HIRE DRIVER'S LICENCE - TFH

The Committee considered a report from Corporate Director, David Wakelin, regarding an application for a Joint Hackney Carriage/Private Hire Driver's Licence from TFH.

TFH attended the meeting and addressed the Committee.

In making its decision, the Committee applied the Council's approved Policy and Guidelines and took into consideration the circumstances of the event. On the basis of what it heard, the Committee was satisfied on balance that exceptional circumstances existed which warranted departure from this policy.

RESOLVED:

To approve TFH's application for a Hackney Carriage/Private Hire Driver's Licence, with a warning as to the necessary consequences of failure to comply with the conditions of his license.

185 APPLICATION FOR A JOINT HACKNEY CARRIAGE / PRIVATE HIRE DRIVER'S LICENCE - SGW

Councillor Hope left the meeting.

The Committee considered a report from Corporate Director, David Wakelin, regarding an application for a Joint Hackney Carriage/Private Hire Driver's Licence from SGW.

SGW attended the meeting and addressed the Committee.

In making its decision, the Committee applied the Council's approved Policy and Guidelines and took into consideration the circumstances of the event. On the basis of what it heard, the Committee was satisfied on balance that exceptional circumstances existed which warranted departure from this policy.

RESOLVED:

To approve SGW's application for a Hackney Carriage/Private Hire Driver's Licence, with a warning as to the necessary consequences of failure to declare any convictions or pending prosecutions to the Licensing Department.

186 APPLICATION FOR A JOINT HACKNEY CARRIAGE / PRIVATE HIRE DRIVER'S LICENCE - ZIA

The Committee considered a report from Corporate Director, David Wakelin, regarding an application for a Joint Hackney Carriage/Private Hire Driver's Licence from ZIA.

ZIA attended the meeting and addressed the Committee.

In making its decision, the Committee applied the Council's approved Policy and Guidelines. On the basis of what it heard, the Committee was satisfied on balance that no exceptional circumstances existed which warranted departure from this policy.

RESOLVED:

To refuse ZIA's application for a Hackney Carriage/Private Hire Driver's Licence on the grounds that he is not a fit and proper person.

ZIA was advised of his right to appeal against the decision of the Committee.

187 APPLICATION FOR A JOINT HACKNEY CARRIAGE/PRIVATE HIRE DRIVER'S LICENCE - BA

The Committee considered a report from Corporate Director, David Wakelin, regarding an application for a Joint Hackney Carriage/Private Hire Driver's Licence from BA.

BA attended the meeting and addressed the Committee.

In making its decision, the Committee applied the Council's approved Policy and Guidelines and took into consideration the circumstances of the event. On the basis of what it heard, the Committee was satisfied on balance that exceptional circumstances existed which warranted departure from this policy.

RESOLVED:

To approve BA's application for a Hackney Carriage/Private Hire Driver's Licence, with a warning as to the necessary consequences of failure to declare any convictions or pending prosecutions to the Licensing Department.

188 APPLICATION FOR A JOINT HACKNEY CARRIAGE / PRIVATE HIRE DRIVER'S LICENCE - SAK

SAK did not attend the meeting.

RESOLVED:

To treat the application from SAK as withdrawn as a result of a failure to attend Committee on two occasions.

The meeting finished at 7.15 pm

Signed by Chair:
Date:

This page is intentionally left blank

MINUTES OVERVIEW AND SCRUTINY COMMITTEE

Wednesday 11 February 2015

Councillor Mike Hope (Chair)

Councillor Gary Gregory	Councillor Paul Hughes
Councillor Sandra Barnes	Councillor Stephen Poole
Councillor Paul Feeney	Councillor Colin Powell
Councillor Patricia Andrews	Councillor Suzanne Prew-Smith
Councillor Cheryl Hewlett	Councillor Henry Wheeler

Apologies for absence: Councillor Lynda Pearson, Councillor Nick Quilty and Councillor John Truscott

Officers in Attendance: H Lee, A Bennett and D Wakelin

Guests in Attendance

66 APOLOGIES FOR ABSENCE.

Councillor John Truscott, Councillor Lynda Pearson and Councillor Nick Quilty.

67 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 15 DECEMBER 2014.

RESOLVED:

That the minutes of the above meeting, having been circulated, be approved as a correct record.

Councillor Powell requested that it be noted that CCTV cameras in Ravenshead were paid for by Ravenshead Parish Council.

68 DECLARATION OF INTERESTS.

None.

69 PORTFOLIO HOLDING TO ACCOUNT

Rolling Programme of Holding the Portfolio Holder to Account.

The Chair welcomed Councillor Henry Wheeler, Portfolio Holder for Health and Housing, David Wakelin, Corporate Director and Alison

Bennett, Service Manager Housing who were invited to respond to questions on the following areas of the Health and Housing Portfolio:

- Housing and Council tax benefits
- Housing strategy
- Safeguarding.

Advance Questions from Members:

1. What procedures does Gedling Borough Council have in place to ensure the safety of vulnerable adults and children?
2. Additional information on Q3 performance for the following items was also requested:
 - LI313 – percentage of families engaged with the Supporting Families Programme who will not require further support.
 - LI314 - The number of private sector households where Housing Act category 1 or 2 hazards have been remediated
 - LI099 - Percentage of those presenting for housing advice who submit a homeless application. Why is this increasing?
 - NI555 – disappointingly no affordable housing delivered this quarter. Information about the delivery of the 60 units in 2016.
3. What plans are there for ensuring that people are provided with 'housing for life' when plans are agreed?
4. As universal benefits are rolled out is there anything we can do to alert claimants to their responsibility for their council tax?
5. Does Cllr. Wheeler have a view about any closer joining of resources at County level for adult and children's safeguarding?

Question 1

What procedures does Gedling Borough Council have in place to ensure the safety of vulnerable adults and children?

Alison Bennett, Service Manager Housing outlined Gedling Borough Council's response to safeguarding both adults and children informing Members that:

- Safeguarding procedures are laid down by the County Council and it is a referral based system. All referrals are investigated and recorded on a database
- there was a major training programme carried out with officers and Members in 2014 and more training will be made available in 2015

- there were 51 one cases were referred in 2014, in the main referred by leisure centre, public protection and housing needs staff. These cases were referred to either the:
 - Multi Agency Safeguarding Hub (MASH), the County Councils multi agency unit which addresses safeguarding issues
or
 - for less serious cases the Vulnerable Persons Panel (VPP) which meets monthly and discusses vulnerable persons who have not met the safeguarding thresholds for MASH. This is attended by officers from GBC, the Police, the Troubled Families programme, Adult Social Care, mental health, Police schools officers, Family Intervention Project workers, Fire and Rescue, Victim Support and Gedling Homes. In 2014, 75 cases were addressed and actioned.

An example of how this referral system works was outlined:

- an initial referral from Housing Needs staff was made to Public Protection, a visit was carried out
- this identified health (person suffering from cancer) and housing condition concerns
- case taken to the VPP, where multi-agency actions were agreed including a deep clean of property organised by Nottinghamshire County Council Social Care
- customer was relocated to temporary accommodation while property was cleared
- a support package was put in place and benefit entitlement sorted
- the customer returned to address with ongoing support
- as a pragmatic solution in view of the likely timescale for the landlord to rectify the problems with the property, the Housing Needs team found another property
- this case required joint working by officers from GBC Public Protection and Housing Needs, the GP, Mental Health workers, Social Care, Nottingham Universities Hospital, Health Visitors and the private landlord.

The Portfolio Holder emphasised the necessity for staff and Members who have any concerns about vulnerable adults and children to refer.

Question 2

- **L1313 the percentage of families engaged with the Supporting Peoples Programme who will not require further support.**

This service is administered by the County Council. Results for this indicator are one quarter behind due to the time taken for the Supporting Families programme to compile the data. Performance is poor, not only have targets been missed but the performance in South Nottinghamshire is worse than elsewhere in the county.

The programme supports children who have six headline problems:

- i. parents or children involved in crime or anti-social behaviour
- ii. children who have not been attending school regularly
- iii. children who need help
- iv. adults out of work or at risk of financial exclusion and young people at risk of worklessness
- v. families affected by domestic violence
- vi. parents and children with a range of health problems.

The first phase of the programme ends April 2015 and phase two will be an enhanced programme lasting five years. The Supporting Families Programme will become part of a new structure working with young people 0 – 19 years old.

Members were concerned that the number of families in Gedling turned around is not as good as other areas and the value of the data and requested further clarification regarding:

- what is being measured – what the % figure relates to
 - what improvements are made for young people, what measure is used to cease engagement with the Supporting People programme
 - why performance in Gedling is not as good as other areas
 - what is being done to improve performance?
- **L1314 – the number of private sector households where Housing Act category 1 & 2 hazards have been remediated.**

Members learnt that this is a new indicator and it attempts to measure how much enforcement has been taken to ensure people in private sector housing category 1 & 2 - those with the worst property defects - have had their home returned to an acceptable condition. Enforcement has increased as a consequence of the indicator which has refocused staff on private sector work and brought about a more robust enforcement culture. Over time the number of properties in this category fluctuates, as some properties are improved others will fall into a poor state and require enforcement to improve. As there has not been a whole housing stock survey for some time it is difficult to accurately calculate the number of properties in this condition. Owner occupier properties in a poor state may be an indicator of other problems and may require interventions from other agencies.

Members were concerned about the possibility of tenants being evicted because of enforcement to improve properties and asked for data to be made available.

- **L1098 – percentage of those presenting for housing advice who submit a homeless application, also L1046 Preventing Homelessness.**

There is a whole raft of support and assistance available to try and prevent people becoming homeless. This includes mediating with the landlord or mortgage lender, using the homeless prevention fund or referring to partner agencies for support; all with the aim of helping people stay in their current property. An increase in caseload and the complexity of cases has had a detrimental effect on progress towards target. The impact of budget efficiencies, the decrease in the County Council Supporting People programme plus housing associations becoming more risk adverse have all had an influence on the effectiveness of the service which can receive up to 4200 calls per month.

This has impacted on the team's performance in terms of their ability to complete preventative work, instead the balance has shifted to homeless applications, but the Service Manager has introduced a series of measures to return the focus of the teams work on preventing homelessness, as this is the best solutions for clients.

- **NI 155 – number of affordable homes delivered (gross).**

There have been a low number of net completions in Quarter 3; however there are plans for this to increase. Tendering has been completed for two sites to deliver 60 new affordable homes in summer 2016. In addition the Service Manager is working with Gedling Homes and 12 Housing to progress two other sites in the borough and is planning a further tender round to take place later in the year

Question 3

What plans are there for ensuring that people are provided with 'housing for life' when plans are agreed.

New housing developments are expected to achieve the 'Lifetime Homes' standard. This covers issues such as a downstairs WC, wider doors to enable wheelchairs access and level entry to the property etc. This would deal with the physical aspects of the property, but often a greater factor is affordability. This is being addressed by the requirement that all new homes meet the Code of Sustainable Development level 3; this requires a set level of energy efficiency, making homes more affordable to run and protecting residents from fuel poverty, and the associated health risks of living in cold damp properties. An additional factor that can necessitate people to move is due to the changes in housing benefits. This is evident in the borough following the

under occupancy change (bedroom tax) which was included in the current welfare reforms. The need to downsize has increased the demand for one and two bedroomed properties. The increased demand for smaller properties has been a factor in deciding how best to develop the two sites and commuted sum in the recent tender exercise. The sites involved will deliver predominantly one and two bedroomed homes to address this need.

Question 4

As universal benefits are rolled out is there anything we can do to alert claimants to their responsibility for their council tax?

New claims for Universal Credit will commence in May 2015. This will be administered by the Department of Work and Pensions with Gedling having a supporting/advisory role. Universal Credit claimants will have to make a separate claim for the Council Tax Reduction scheme. It is possible an awareness raising campaign alerting people of the need to claim could be arranged.

Question 5

Does Cllr. Wheeler have a view about any closer joining of resources at County level for adult and children's safeguarding?

Councillor Wheeler explained there was already a close working relationship with the County and that this would continue into the future. Safeguarding training provided by the County was available to the authority and training for taxi drivers is being jointly developed. Gedling Borough Chairs the Vulnerable Persons Panel and makes referrals to the County Council Multi Agency Safeguarding Hub. The Care Act and the Children's and Families Act will require a strong working relationship and improved use of resources.

Members considered that the loss of the Credit Union representatives based in the Civic Centre was a great loss and that Credit Unions should be promoted to staff and Members. They concluded that even though it was no longer in the building it should still be available to staff and queried if it would be possible for contributions to be taken from salaries.

RESOLVED to:

- I. To thank the Portfolio Holder and Corporate Director for their attendance
- I. Request additional information regarding the Supporting Peoples Programme

- II. Request information concerning L1314 the number of private sector household where Housing Act category 1 and 2 hazards have been remediated and data regarding the number of evictions due to enforcement to improve properties
- III. Request information regarding the Credit Union.

70 SCRUTINY WORK PROGRAMME 2014/15

The Chair informed Members that the conclusions and recommendations arising from the:

- **Reducing Unemployment in the Borough**
- **Homelessness and Hardship in the Borough Scrutiny reviews**

would be discussed at Cabinet on 12th February and a written response to these reports would be available at the next Overview and Scrutiny Committee 13th April 2015.

The Transport Links to and within Gedling Borough Scrutiny Review would be having a further evidence gathering meeting prior to developing the conclusions and recommendations arising from the working group.

RESOLVED:

To note the report.

71 ITEMS REFERRED TO THE THE CHAIR OF THE OVERVIEW AND SCRUTINY COMMITTEE AS REQUIRED UNDER THE CONSTITUTION OR LAW

RESOLVED:

To note the report.

72 ANY OTHER ITEM WHICH THE CHAIR CONSIDERS URGENT.

None.

The meeting finished at 6.30 pm

Signed by Chair:

Date:

MINUTES CABINET

Thursday 12 February 2015

Councillor John Clarke (Chair)

Councillor Michael Payne
Councillor Peter Barnes

Councillor Darrell Pulk
Councillor Henry Wheeler

Observers: Councillor Chris Barnfather and Councillor Paul Hughes

Absent: Councillor Kathryn Fox

Officers in Attendance: J Robinson, S Bray, A Dubberley, M Kimberley,
L Sugden and D Wakelin

197 APOLOGIES FOR ABSENCE.

Apologies for absence were received from Councillor Fox.

198 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 8 JANUARY 2015.

RESOLVED:

That the minutes of the above meeting, having been circulated, be approved as a correct record.

199 DECLARATION OF INTERESTS.

None.

200 CREATION OF A COMBINED AUTHORITY FOR NOTTINGHAM AND NOTTINGHAMSHIRE.

Corporate Director Stephen Bray presented a report, which had been circulated prior to the meeting, seeking executive approval for the Council to join the Nottingham and Nottinghamshire combined authority.

RESOLVED to endorse the following, which was approved by Council on 21 January 2015:

- 1) To agree that a submission be made to the Secretary of State for Communities and Local Government for the establishment of a Combined Authority for Nottingham and Nottinghamshire;

- 2) To approve Gedling Borough Council formally joining the Nottingham and Nottinghamshire Combined Authority once this is established;
- 3) To delegate authority for the signing off of the final Governance Review and Scheme to the Chief Executive in consultation with the Leader and Opposition Group Leaders.

201 QUARTERLY BUDGET MONITORING, PERFORMANCE DIGEST & VIREMENT REPORT

Mark Kimberley, Corporate Director, presented a report, which had been circulated prior to the meeting, informing Cabinet of the position against Improvement Actions and Performance Indicators in the 2014/2015 Gedling Plan, updating Cabinet on the likely outturn of the Revenue and Capital Budgets for the 2014/2015 financial year and seeking approval for changes to targets and budgets as outlined in the report.

RESOLVED to:

- 1) Approve the changes to the Indicator Action target as detailed in paragraph 2.1. of the report, as an amendment to the agreed Gedling Plan;
- 2) Approve the General Fund Revenue Budget virements included within Appendix 1 to the report;
- 3) Approve the changes to the Capital Programme included in paragraph 2.2.3 of the report;
- 4) Include details of budget and performance monitoring in a quarterly performance digest, to be published on the Council's website and Intranet in line with the recommendations of Performance Review Scrutiny Committee.

202 PRUDENTIAL CODE INDICATOR MONITORING 2014/15 AND QUARTERLY TREASURY ACTIVITY REPORT FOR QUARTER ENDED 31 DECEMBER 2014

RESOLVED to:

Note the report, together with the Treasury Activity Report for Quarter 3 at Appendix 1 to the report, and the Prudential and Treasury Indicator Monitoring for Quarter 3 at Appendix 3 to the report.

203 SCRUTINY REPORTS.

The Leader invited Councillors Lawrence and Gregory to present findings of recently held scrutiny reviews, which had been circulated

prior to the meeting, into Reducing Unemployment in Gedling Borough and Homelessness and Hardship.

Members thanked Jane Ansell, who had moved to a new post at the Council, for her support and assistance with the reviews and wished her well for the future.

RESOLVED:

- 1) To receive the recommendations from the “Reducing Unemployment in Gedling Borough” and “Homelessness and Hardship” scrutiny reviews; and
- 2) That the appropriate Cabinet Member will respond to the next Overview and Scrutiny Committee as appropriate.

204

PROGRESS REPORTS FROM PORTFOLIO HOLDERS.

Councillor Peter Barnes (Environment)

- Work on the Gedling County Park was slowly coming to fruition with the opening arrangements currently being finalised. More details would soon follow.
- The Bulky Waste Amnesty had been well received by residents and was very popular.
- The new tree cutting service had been established and was proving successful.
- A new 4 x 4 vehicle had been purchased and was deployed in the recent bad weather conditions.

Councillor Henry Wheeler (Health and Housing)

- A meeting had taken place with the Gedling Homes Board on the subject of Universal Credit. It was agreed that Gedling Homes would write to affected tenants to explain the impact of the new arrangements.
- A series of information exhibitions would be held to showcase proposals for affordable housing in Netherfield.
- Work with the Gedling Older Persons Action Group was moving forward at pace.
- The Council’s Obesity Management strategy would launch soon.
- The first meeting of the anti-tobacco working group would be taking place soon.

- The Men in Sheds project would open during March at Jubilee House.
- The Youth Council was going from strength to strength and had recently held a Q and A session with Councillors Barnfather and Hughes. Youth Parliament elections were currently taking place.

Councillor Darrell Pulk (Leisure and Development)

- Work was being done to review leisure centre pricing tariffs in light of reduced revenue especially the downturn in squash court bookings.

Councillor Michael Payne (Public Protection and Communications)

- The inaugural pride of Gedling Awards had recently taken place and was a great success. Gedling's Communications team and the Nottingham Post were thanked for their work in organising the event.
- The extra edition of Contacts Magazine had been finished and would soon be printed and sent out to residents.

205 MEMBER'S QUESTIONS TO PORTFOLIO HOLDERS.

None.

206 ANY OTHER ITEMS THE CHAIR CONSIDERS URGENT.

None.

The meeting finished at 1.30 pm

Signed by Chair:
Date:

MINUTES PLANNING COMMITTEE

Wednesday 18 February 2015

Councillor Barbara Miller (Chair)

In Attendance: Councillor Pauline Allan Councillor Cheryl Hewlett
 Councillor Roy Allan Councillor Jenny Hollingsworth
 Councillor Peter Barnes Councillor Mike Hope
 Councillor Chris Barnfather Councillor Meredith Lawrence
 Councillor Denis Beeston MBE Councillor Marje Paling
 Councillor John Boot Councillor Colin Powell
 Councillor Bob Collis Councillor Suzanne Prew-Smith
 Councillor Andrew Ellwood

Absent: Councillor John Truscott, Councillor Alan Bexon,
 Councillor Ged Clarke and Councillor Lynda Pearson

Officers in Attendance: P Baguley, J Cole, L Parnell and F Whyley

271 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.

Apologies for absence were received from Councillors Bexon, Clarke and Pearson.

Councillor Payne attended the meeting as substitute for Councillor Truscott, who had sent his apologies.

272 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 28 JANUARY 2015.

RESOLVED:

That the minutes of the above meeting, having been circulated, be approved as a correct record.

273 DECLARATION OF INTERESTS

None.

274 APPLICATION NO. 2014/0238- LAND WEST OF WESTHOUSE FARM, MOOR ROAD, BESTWOOD.

Land West Of Westhouse Farm Moor Road Bestwood Nottinghamshire

Councillor Barnfather proposed a motion to defer determination of application number 2014/0238, on the grounds of sustainability and education provision, to allow time for an agreement to be made between the developer, Gedling Borough Council and Nottinghamshire County Council that would ensure adequate educational provision.

The motion was duly seconded and following a vote, the motion was lost.

Ms. Karen Peacock, a local resident, spoke against the proposals.

The Service Manager, Planning and Economic Development, informed Members of two additional letters that had been received in relation to the application since the publication of the agenda.

RESOLVED to GRANT OUTLINE PLANNING PERMISSION, subject to the applicant entering into a Section 106 Agreement with the Borough Council as local planning authority and with the County Council as local highway and education authority for the provision of, or financial contributions towards Affordable Housing, Open Space, Healthcare Facilities, Integrated Transport and Educational Facilities; and subject to the following conditions:

Conditions

1. Application for the approval of the reserved matters shall be made to the Borough Council not later than three years from the date of this permission.
2. The vehicular access hereby permitted shall be constructed in accordance with the Proposed Site Access drawing (13152-010), deposited on 28th February 2014.
3. Prior to the commencement of the development hereby approved a written assessment of the nature and extent of any potential or actual contamination shall be submitted to and approved in writing by the Borough Council. This assessment shall include a survey of the extent, scale and nature of contamination and an assessment of the potential risks to human health, property, adjoining land, controlled waters, ecological systems, archaeological sites and ancient monuments. The assessment shall be undertaken by a competent person and shall assess any contamination of the site whether or not it originates on site.
4. In the event that remediation is required to render the development suitable for use, a written remediation scheme and timetable of works shall be submitted to and approved in writing by the Borough Council. The scheme shall then be implemented in accordance with the approved details. Prior to the development being first brought into use, a Verification Report

(that satisfactorily demonstrates the effectiveness of the remediation carried out and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action) must be submitted to and approved in writing by the Borough Council.

5. Before development is commenced, there shall be submitted to and approved in writing by the Borough Council details of a Dust Management Plan. The plan shall be produced in accordance with 'The Control of Dust and Emissions from Construction and Demolition' (Best Practice Guidance). The plan shall be implemented in accordance with the approved details.
6. Before development is commenced there shall be submitted to and approved in writing by the Borough Council details of the new road, including longitudinal and cross sectional gradients, visibility splays, Traffic Regulation Orders, street lighting, drainage and outfall proposals, construction specification, provision of and diversion of utilities services, and any proposed structural works. All details submitted to the Borough Council for approval shall comply with the County Council's Highway Design and Parking Guides which are current at the time the details are submitted. The development shall be implemented in accordance with the approved details, which shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.
7. Before development is commenced there shall be submitted to and approved in writing by the Borough Council details of: (1) a suitable access arrangement, as shown for indicative purposes on drawing number 13152-010; (2) the provision of pedestrian links and a suitable crossing point to the nearby bus stops; (3) the provision of potential upgrades to the public footpath link to the NET tram stop at Butlers Hill, as well as cycle links to the Leen Valley Country Park; and (4) the provision of a new 'Gateway' treatment and extended traffic calming zone for Moor Road. The development shall be implemented in accordance with the approved details, which shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.
8. Before development is commenced, there shall be submitted to and approved in writing by the Borough Council details of wheel washing facilities to be used by vehicles entering and leaving site during the construction period. The approved wheel washing facilities shall be maintained in working order at all times during the construction period and shall be used by every vehicle carrying mud, dirt or other debris on its wheels before leaving the site so that no mud, dirt or other debris is discharged or carried on to a public road.

9. Before development is commenced there shall be submitted to and approved in writing by the Borough Council drainage plans for the proposed means of disposal of foul sewage. The scheme shall be implemented in accordance with the approved details before the development is first brought into use, unless otherwise prior agreed in writing by the Borough Council.
10. Before development is commenced there shall be submitted to and approved in writing by the Borough Council, details of a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed and shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council. The scheme to be submitted shall demonstrate: (1) The utilisation of holding sustainable drainage techniques which incorporate at least two differing forms of SuDS treatment in accordance with Table 3.3 of CIRIA C697 'The SuDS Manual' prior to discharging from the site; (2) The limitation of surface water run-off to the equivalent Greenfield runoff rate; (3) The ability to accommodate surface water run-off on-site up to the critical 1 in 100 year event plus an appropriate allowance for climate change, based upon the submission of drainage calculations; and (4) Responsibility for the future maintenance of drainage features.
11. Before development is commenced, there shall be submitted to and approved in writing by the Borough Council details of an archaeological scheme of treatment. The scheme shall include post-determination evaluation beginning with a scheme of geophysical survey, possibly with a subsequent scheme of trial trenching and/or archaeological monitoring, as deemed necessary. The scheme shall be implemented in accordance with the approved details, unless otherwise prior agreed in writing by the Borough Council.
12. Before development is commenced, including vegetation clearance or ground works, the existing trees and hedgerows to be retained shall be protected in accordance with the details specified in the Arboricultural Survey, February 2014, by Middlemarch Environmental Ltd. The means of protection shall be implemented in accordance with the approved details for the duration of the construction period, unless otherwise prior agreed in writing by the Borough Council.
13. Before development is commenced there shall be submitted to and approved in writing by the Borough Council details of a 'bat friendly' lighting scheme to ensure that artificial lighting (including

any construction site lighting and compound lighting), avoids illuminating boundary features such as hedgerows and other areas of retained or created habitat (including the balancing pond). The scheme shall be implemented in accordance with the approved details, unless otherwise prior agreed in writing by the Borough Council.

14. Before development is commenced, there shall be submitted to and approved in writing by the Borough Council details of a scheme for the incorporation of integrated bird and bat boxes within the fabric of a proportion of the houses; bird boxes should target species such as house sparrow, swallow and swift. The scheme shall be implemented in accordance with the approved details before the development is first brought into use and shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.
15. Before development is commenced, including vegetation clearance or ground works, there shall be submitted to and approved in writing by the Borough Council a reptile method statement to ensure the field margins are cleared sensitively. The method statement shall be implemented in accordance with the approved details before the development is first commenced, unless otherwise prior agreed in writing by the Borough Council.
16. No vegetation clearance or ground works shall be undertaken until the site has been walked by an ecologist to ensure that badgers have not moved onto the site. If any badgers are found to be present, details of any mitigation measures that may be deemed necessary shall be submitted to and approved in writing by the Borough Council before vegetation clearance or ground works commence. The mitigation measures shall be implemented in accordance with the approved details before development commences.
17. No removal of hedgerows, trees or shrubs shall take place on site during the bird nesting season (1st March to 31st August inclusive in any given year), unless pre-commencement checks for nesting birds have been undertaken by an appropriately qualified ecologist and the outcome reported to the Borough Council. If any nesting birds are found to be present, details of any proposed mitigation measures shall be submitted to and approved in writing by the Borough Council before the development commences. The mitigation measures shall be implemented in accordance with the approved details before development commences, unless otherwise prior agreed in writing by the Borough Council.
18. During the construction phase, if any trenches are left open overnight, they should be left with a sloping end or ramp to allow badgers or other mammals that may fall into the excavation to

escape, and any pipes over 150 mm in diameter should be capped off at night to prevent mammals from entering them.

19. The detailed plans and particulars to be submitted as reserved matters in relation to scale shall include details of existing and proposed site levels in relation to adjacent properties. The development shall be implemented in accordance with the approved details, unless otherwise prior agreed in writing by the Borough Council.
20. The detailed plans and particulars to be submitted as reserved matters in relation to appearance shall include details of the materials to be used in the external elevations and roofs of the proposed buildings. The development shall be carried out in accordance with the approved details, which shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.
21. The detailed plans and particulars to be submitted as reserved matters in relation to landscaping shall include: (a) details of the size, species, positions and density of all trees and shrubs to be planted, which shall consist of native species, ideally of local provenance, where possible; (b) details of the boundary treatments, including those to individual plot boundaries; (c) the proposed means of surfacing access roads, car parking areas, roadways and the frontages of properties such as driveways and footpaths to front doors and (d) a programme of implementation. The development shall be implemented in accordance with the approved details, which shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.
22. If within a period of five years beginning with the date of the planting of any tree or shrub, approved as reserved matters in relation to landscaping, that tree or shrub, or any tree or shrub that is planted in replacement of it, is removed, uprooted or destroyed or dies, or becomes in the opinion of the Borough Council seriously damaged or defective, another tree or shrub of the same species and size as that originally planted shall be planted at the same place, unless otherwise prior agreed in writing by the Borough Council.
23. Any garage doors shall be set back from the highway boundary a minimum distance of 5 metres for sliding or roller shutter doors, 5.5 metres for up and over doors or 6 metres for doors opening outwards. The garage doors shall be retained to this specification for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.

Reasons

1. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004 and Section 92 of the Town and Country Planning Act 1990.
2. For the avoidance of doubt.
3. To ensure that practicable and effective measures are taken to treat, contain or control any contamination and to protect controlled waters in accordance with the aims of Policies ENV1 and ENV3 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
4. To ensure that practicable and effective measures are taken to treat, contain or control any contamination and to protect controlled waters in accordance with the aims of Policies ENV1 and ENV3 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
5. To protect the residential amenity of the area in accordance with the aims of Section 11 of the National Planning Policy Framework and Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014).
6. To ensure that the roads of the proposed development are designed to an adoptable standard in order to accord with Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
7. To ensure an adequate form of development in the interests of highway safety in accordance with Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
8. In the interests of highway safety in accordance with Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
9. To ensure a satisfactory development in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
10. To prevent the increased risk of flooding; to improve and protect water quality; to improve habitat and amenity; to ensure the future maintenance of the sustainable drainage structures; and to protect the water environment from pollution, in accordance with the National Planning Policy Framework and Policies 1 and 17 of the Aligned Core Strategy Submission Documents.
11. To ensure the appropriate investigation and recording of archaeological features, in accordance with Section 12 of the

National Planning Policy Framework and Policy 11 of the Aligned Core Strategy for Gedling Borough (September 2014).

12. To minimise any potential impacts on biodiversity and the landscape in accordance with Section 11 of the National Planning Policy Framework and Policy 17 of the Aligned Core Strategy for Gedling Borough (September 2014).
13. To minimise any potential impacts on biodiversity in accordance with Section 11 of the National Planning Policy Framework and Policy 17 of the Aligned Core Strategy for Gedling (September 2014).
14. To enhance biodiversity in accordance with Section 11 of the National Planning Policy Framework and Policy 17 of the Aligned Core Strategy for Gedling Borough (September 2014).
15. To minimise any potential impacts on biodiversity in accordance with Section 11 of the National Planning Policy Framework and Policy 17 of the Aligned Core Strategy for Gedling (September 2014).
16. To minimise any potential impacts on biodiversity in accordance with Section 11 of the National Planning Policy Framework and Policy 17 of the Aligned Core Strategy for Gedling (September 2014).
17. To minimise any potential impacts on biodiversity in accordance with Section 11 of the National Planning Policy Framework and Policy 17 of the Aligned Core Strategy for Gedling Borough (September 2014).
18. To minimise any potential impacts on biodiversity in accordance with the National Planning Policy Framework and Policy 17 of the Aligned Core Strategy for Gedling Borough (September 2014).
19. To ensure a satisfactory development in accordance with the aims of Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014) and Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
20. To ensure a satisfactory development in accordance with the aims of Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014) and Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
21. To ensure that the landscaping of the proposed development accords with Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014) and Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).

22. To ensure a satisfactory development, in accordance with Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014) and Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
23. In the interests of highway safety in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).

Reasons for Decision

The development has been considered in accordance with the National Planning Policy Framework, the Aligned Core Strategy for Gedling Borough (September 2014) and the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014), where appropriate. In the opinion of the Borough Council, the proposed development largely accords with the relevant policies of these frameworks and plans. Where the development conflicts with the Development Plan, it is the opinion of the Borough Council that other material considerations indicate that permission should be granted. The benefits of granting the proposal outweigh any adverse impact of departing from the Development Plan.

Notes to Applicant

It is an offence under S148 and S151 of the Highways Act 1980 to deposit mud on the public highway and as such you should undertake every effort to prevent it occurring.

The applicant should note that notwithstanding any planning permission that if any highway forming part of the development is to be adopted by the Highways Authority. The new roads and any highway drainage will be required to comply with the Nottinghamshire County Council's current highway design guidance and specification for roadworks.

The Advanced Payments Code in the Highways Act 1980 applies and under section 219 of the Act payment will be required from the owner of the land fronting a private street on which a new building is to be erected. The developer should contact the Highway Authority with regard to compliance with the Code, or alternatively to the issue of a Section 38 Agreement and bond under the Highways Act 1980. A Section 38 Agreement can take some time to complete. Therefore, it is recommended that the developer contact the Highway Authority as early as possible.

It is strongly recommended that the developer contact the Highway Authority at an early stage to clarify the codes etc. with which compliance will be required in the particular circumstance, and it is essential that design calculations and detailed construction drawings for

the proposed works are submitted to and approved by the County Council (or District Council) in writing before any work commences on site.

In order to carry out the off-site works required you will be undertaking work in the public highway which is land subject to the provisions of the Highways Act 1980 (as amended) and therefore land over which you have no control. In order to undertake the works you will need to enter into an agreement under Section 278 of the Act. All correspondence with the Highway Authority should be addressed to: TBH - NCC (Highways Development Control) (Floor 8), Nottinghamshire County Council, County Hall, Loughborough Road, West Bridgford, Nottingham, NG2 7QP.

The Environment Agency advises that condition 8 should not be altered without its prior notification to ensure that the above requirements can be incorporated into an acceptable drainage scheme that reduces the risk of flooding.

The Environment Agency does not consider oversized pipes or box culverts as sustainable drainage. Should infiltration not be feasible at the site, alternative above ground sustainable drainage should be used.

The Environment Agency advises that surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management. Sustainable Drainage Systems (SuDS) are an approach to managing surface water run-off which seeks to mimic natural drainage systems and retain water on-site, as opposed to traditional drainage approaches which involve piping water off-site as quickly as possible.

The Environment Agency advises that SuDS involve a range of techniques, including methods appropriate to impermeable sites that hold water in storage areas e.g. ponds, basins, green roofs etc rather than just the use of infiltration techniques. Support for the SuDS approach is set out in NPPF.

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0845 762 6848. Further information is also available on The Coal Authority website at www.coal.decc.gov.uk. Property specific summary information on past, current and future coal mining activity can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com.

The Borough Council has worked positively and proactively with the applicant, in accordance with paragraphs 186 and 187 of the National Planning Policy Framework, based on seeking solutions to problems

arising in relation to dealing with the planning application. This has been achieved by meeting the applicant to discuss issues raised, providing details of issues raised in consultation responses; requesting clarification, additional information or drawings in response to issues raised; and providing updates on the application's progress.

The County Council Rights of Way require that the availability of the Bestwood St Albans Parish Footpath No.3, which runs alongside the northern boundary of the site, is not affected or obstructed in any way by the proposed development at this location, unless subject to appropriate diversion or closure orders. The County Council should be consulted on any re-surfacing or gating issues and the developers should be aware of potential path users in the area, who should not be impeded or endangered in any way.

275 APPLICATION NO. 2014/0950- LAND FRONTING WIGHAY ROAD, LINBY.

Erect 38 No Dwellings and Associated Works.

Councillor Payne proposed a motion to briefly adjourn the meeting to allow Members to consider the minutes of the recent technical briefing, which had been circulated by email earlier in the week. The motion was duly seconded and following a vote, the meeting adjourned.

Following a brief adjournment, the meeting resumed.

Councillor Hope left the meeting.

Ms. Denise Ireland, on behalf of Linby Parish Council, spoke against the application.

Mr. Ian Corner, on behalf of Strata Homes, spoke in favour of the application.

The Service Manager, Planning and Economic Development, provided an update to Members on correspondence received in relation to the application since the publication of the agenda, clarified comments received from a number of statutory consultees and providing policy information.

RESOLVED to GRANT PLANNING PERMISSION subject to the applicant entering into a Section 106 Agreement with the Borough Council as local planning authority and with the County Council as education authority for financial contributions towards, Educational Facilities, Healthcare Facilities, Affordable Housing and Open Space; and subject to the following conditions:

Conditions

1. The development must be begun not later than three years beginning with the date of this permission.
2. The development hereby permitted shall be constructed in accordance with the following approved plans: Standard External Details (SD7-06 Rev A, SD8-01, SD9-12), received on 11th August 2014; Existing and Proposed Levels (Hu/Wh/01/007), received on 21st November 2014; Single and Double Garage plans and elevations (Pa/WY/SG1, Pa/WY/SG2, Pa/WY/DG3), received on 12th December 2014; Materials Layout (29158-04-01-01 Rev A), received on 6th January 2015; Site Layout (29158-02-01 Rev E); Siena, Naples, Florence, Barcelona and Madrid house types (Drawing Nos: 09, 11, 12, 15 and 16), received on 8th January 2015; and new footway to Wighay Road (29158-04-02-01), received on 6th February 2015.
3. The remediation scheme hereby permitted (to bring the site to a condition suitable for the intended use by removing unacceptable risks to critical receptors) shall be implemented in accordance with the approved details and timetable of works. Prior to the occupation of any dwelling(s), a Verification Report (that demonstrates the effectiveness of the remediation carried out) must be submitted to and approved in writing by the Borough Council.
4. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Borough Council and development must be halted immediately on that part of the site until such time that the Borough Council has given written approval for works to recommence on site. Once contamination has been reported to the Borough Council, an assessment of contamination must be undertaken. This assessment shall include a survey of the extent, scale and nature of contamination and an assessment of the potential risks to human health, property, adjoining land, controlled waters, ecological systems, archaeological sites and ancient monuments. The assessment shall be undertaken by a competent person and shall assess any contamination of the site whether or not it originates on site. Where remediation is necessary, a written remediation scheme, together with a timetable for its implementation and verification reporting, must be submitted to and approved in writing by the Borough Council. The remediation scheme shall be implemented as approved.
5. During both the initial earthworks and then during construction, dust levels shall be mitigated in accordance with the measures proposed in the submitted 'Control of Dust and Noise during Construction' document, deposited on 11th August 2014.

6. No trees shall be felled during the bat active season (which runs from 1st April to 31st October inclusive in any given year), unless a single precautionary emergence survey has been undertaken immediately prior to felling work commencing. In the event of bats being found to be present, development must be halted immediately on that part of the site until such time as the outcome of the survey and details of any proposed mitigation measures have been submitted to and approved in writing by the Borough Council. Any mitigation measures shall be implemented in accordance with the approved details before the tree(s) in question is/are felled.
7. No vegetation clearance or ground works shall be undertaken until the site has been walked by an ecologist, and any refugia which could be used by reptiles have been subject to hand searches. If any reptiles are found to be present, they will be moved to a safe location outside the footprint of the development and the refugia will be removed or dismantled. Details of any further mitigation measures that may be deemed necessary shall be submitted to and approved in writing by the Borough Council before vegetation clearance or ground works commence. The mitigation measures shall be implemented in accordance with the approved details before development commences.
8. No removal of hedgerows, trees or shrubs shall take place on site during the bird nesting season (1st March to 31st August inclusive in any given year), unless pre-commencement checks for nesting birds have been undertaken by an appropriately qualified ecologist and the outcome reported to the Borough Council. If any nesting birds are found to be present, details of any proposed mitigation measures shall be submitted to and approved in writing by the Borough Council before the development commences. The mitigation measures shall be implemented in accordance with the approved details before development commences, unless otherwise prior agreed in writing by the Borough Council.
9. No building materials, plant or machinery shall be stored during the construction period within a distance of 10 metres from the eastern boundary of the application site to the retained Local Wildlife Site, unless specifically required for the construction of that part of the development or unless otherwise prior agreed in writing by the Borough Council.
10. Before development is commenced, including vegetation clearance or ground works, the existing trees and hedgerows to be retained shall be protected in accordance with the details specified in the Arboricultural Impact Assessment, August 2014 by Thomson Ecology. The means of protection shall be implemented in accordance with the approved details for the

duration of the construction period, unless otherwise prior agreed in writing by the Borough Council.

11. Before development is commenced there shall be submitted to and approved in writing by the Borough Council drainage plans for the proposed means of disposal of surface water and foul sewage. The scheme shall be implemented in accordance with the approved details before the development is first brought into use and shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.
12. Before development is commenced there shall be submitted to and approved in writing by the Borough Council details of measures to prevent the unregulated discharge of surface water from the access driveways, parking and turning areas. No part of the development hereby permitted shall be brought into use until the access driveways, parking and turning areas have been constructed in accordance with the approved details, which shall be retained for the lifetime of the development.
13. Before development is commenced, there shall be submitted to and approved in writing by the Borough Council details of the methods to be used in the construction of the private drives serving plots 1 to 8 in order to ensure the protection of the existing trees which are to be retained. The development shall be implemented in accordance with the approved details, unless otherwise prior agreed in writing by the Borough Council.
14. Before development is commenced, there shall be submitted to and approved in writing by the Borough Council details of a scheme for the incorporation of integrated bird and bat boxes on trees or within the fabric of a proportion of the houses; bird boxes should target species such as house sparrow and swallow. The scheme shall be implemented in accordance with the approved details before the development is first brought into use and shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.
15. Before development is commenced there shall be submitted to and approved by the Borough Council a landscape plan of the site showing the position, type and planting size of all trees, hedges, shrubs or seeded areas proposed to be planted, and including where appropriate details of existing trees to be felled and retained. The landscape plan shall include native species of local provenance and details of the re-instatement and seeding of the areas affected by the banking works on the eastern side of the access road and how this area is to be managed. The approved landscape plan shall be carried out in the first planting season following the substantial completion of the development. If within a period of five years beginning with the date of the

planting of any tree, hedge, shrub or seeded area, that tree, shrub, hedge or seeded area, or any tree, hedge, shrub or seeded area that is planted in replacement of it, is removed, uprooted or destroyed or dies, or becomes in the opinion of the Borough Council seriously damaged or defective, another tree, shrub or seeded area of the same species and size as that originally planted shall be planted at the same place, unless otherwise prior agreed in writing by the Borough Council.

16. Before development is commenced, there shall be submitted to and approved in writing by the Borough Council details of an archaeological scheme of treatment. The scheme shall be implemented in accordance with the approved details, unless otherwise prior agreed in writing by the Borough Council.
17. Before development is commenced there shall be submitted to and approved in writing by the Borough Council details of a Local Employment Agreement to cover the construction of the development hereby permitted. The Local Employment Agreement shall be implemented in accordance with the approved details, unless otherwise prior agreed in writing by the Borough Council.
18. No part of the development hereby permitted shall be brought into use until the new priority junction, two dropped kerb access points and the footway have been provided at the boundary of the site and along the northern side of Wighay Road. The junction, two dropped kerb access points and footway shall be retained as approved for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.
19. Before any of the dwellings which they serve are first occupied, all driveways, parking and turning areas shall be surfaced in a hard bound material behind the highway boundary. The surfaced driveways, parking and turning areas shall then be maintained in such hard bound material for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.
20. Any garage doors shall be set back from the highway boundary a minimum distance of 5 metres for sliding or roller shutter doors, 5.5 metres for up and over doors or 6 metres for doors opening outwards. The garage doors shall be retained to this specification for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.
21. Any proposed soakaway shall be located at least 5 metres to the rear of the highway boundary and shall be retained to this specification for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.

22. The means of enclosure and surfacing hereby permitted shall be provided in accordance with the approved details before the dwellings they serve are first occupied and shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.

Reasons

1. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt.
3. To ensure that practicable and effective measures are taken to treat, contain or control any contamination and to protect controlled waters in accordance with the aims of Policies ENV1 and ENV3 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
4. To ensure that practicable and effective measures are taken to treat, contain or control any contamination and to protect controlled waters in accordance with the aims of Policies ENV1 and ENV3 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
5. To protect the residential amenity of the area in accordance with the aims of Section 11 of the National Planning Policy Framework and Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014).
6. To minimise any potential impacts on biodiversity in accordance with Section 11 of the National Planning Policy Framework and Policy 17 of the Aligned Core Strategy for Gedling (September 2014).
7. To minimise any potential impacts on biodiversity in accordance with Section 11 of the National Planning Policy Framework and Policy 17 of the Aligned Core Strategy for Gedling (September 2014).
8. To minimise any potential impacts on biodiversity in accordance with Section 11 of the National Planning Policy Framework and Policy 17 of the Aligned Core Strategy for Gedling Borough (September 2014).
9. To minimise any potential impacts on biodiversity in accordance with Section 11 of the National Planning Policy Framework and Policy 17 of the Aligned Core Strategy for Gedling (September 2014).

10. To minimise any potential impacts on biodiversity and the landscape in accordance with Section 11 of the National Planning Policy Framework and Policy 17 of the Aligned Core Strategy for Gedling Borough (September 2014).
11. To ensure the development is provided with a satisfactory means of drainage and to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution, in accordance with Section 11 of the National Planning Policy Framework and Policy 1 of the Aligned Core Strategy for Gedling Borough (September 2014).
12. In the interests of highway safety in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
13. To minimise any potential impacts on biodiversity and the landscape in accordance with Section 11 of the National Planning Policy Framework and Policy 17 of the Aligned Core Strategy for Gedling Borough (September 2014).
14. To enhance biodiversity in accordance with Section 11 of the National Planning Policy Framework and Policy 17 of the Aligned Core Strategy for Gedling Borough (September 2014).
15. To ensure that the landscaping of the proposed development accords with Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014) and Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
16. To ensure the appropriate investigation and recording of archaeological features, in accordance Section 12 of the National Planning Policy Framework and Policy 11 of the Aligned Core Strategy for Gedling Borough (September 2014).
17. To seek to ensure that the construction of the site employs wherever possible local people and assists economic growth in the area.
18. In the interests of highway safety in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
19. In the interests of highway safety in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
20. In the interests of highway safety in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).

21. In the interests of highway safety in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
22. To ensure a satisfactory development in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).

Reasons for Decision

The development has been considered in accordance with the National Planning Policy Framework, the Aligned Core Strategy for Gedling Borough (September 2014) and the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014), where appropriate. In the opinion of the Borough Council, the proposed development largely accords with the relevant policies of these frameworks and plans. Where the development conflicts with the Development Plan, it is the opinion of the Borough Council that other material considerations indicate that permission should be granted. The benefits of granting the proposal outweigh any adverse impact of departing from the Development Plan.

Notes to Applicant

The applicant should note that notwithstanding any planning permission that if any highway forming part of the development is to be adopted by the Highways Authority, the new roads and any highway drainage would be required to comply with the Nottinghamshire County Council's current highway design guidance and specification for roadworks, the 6C's Design Guide.

The Advanced Payments Code in the Highways Act 1980 applies and under section 219 of the Act payment would be required from the owner of the land fronting a private street on which a new building is to be erected. The developer should contact the Highway Authority with regard to compliance with the Code, or alternatively to the issue of a Section 38 Agreement and bond under the Highways Act 1980. A Section 38 Agreement can take some time to complete, so it is recommended that the developer contact the Highway Authority as early as possible.

In order to carry out the off-site works required you will be undertaking work in the public highway which is land subject to the provisions of the Highways Act 1980 (as amended) and therefore land over which you have no control. In order to undertake the works you will need to enter into an agreement under Section 278 of the Act. Please contact the Highway Authority for details.

In the interests of safety, operational needs and integrity of the Robin Hood Line railway, Network Rail advises that no part of the development should cause any existing level crossing road signs or traffic signals, or the crossing itself, to be obscured. Clear sighting of the crossing must be maintained for the construction/operational period and as a permanent arrangement. The same conditions apply to the rail approaches to the level crossing. This stipulation also includes the parking of vehicles, caravans, equipment, and materials, which again must not cause rail and road approach sight lines of the crossing to be obstructed.

The Borough Council requests that the applicant considers incorporating provision for residential dwellings (with dedicated parking) to have dedicated outside electric power points, to allow residents to charge electric/hybrid vehicles into the future (see IET Code of Practice for EV Charging Equipment Installation).

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0845 762 6848. Further information is also available on The Coal Authority website at www.coal.decc.gov.uk. Property specific summary information on past, current and future coal mining activity can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com.

The Borough Council has worked positively and proactively with the applicant, in accordance with paragraphs 186 and 187 of the National Planning Policy Framework, based on seeking solutions to problems arising in relation to dealing with the planning application. This has been achieved by meeting the applicant to discuss consultation responses; providing details of issues raised in consultation responses; requesting clarification, additional information or drawings in response to issues raised; and providing updates on the application's progress.

276 APPLICATION NO. 2014/1282- LINBY HOUSE, LINBY LANE, LINBY.

Application withdrawn prior to the meeting.

277 APPLICATION NO. 2014/1360- 294 SPRING LANE, LAMBLEY

Councillor Boot left the meeting.

Change of use at Aspect Court from B1 office unit to D2 Personal Training Studio.

Mr. James Woodford, the applicant, spoke in favour of the application.

The Service Manager, Planning and Economic Development, outlined a proposed additional condition, in the following terms:

“The operator of the use hereby approved shall keep a written record of all clients visiting the site (in relation to date and time of visits) for the lifetime of the development. The records shall be made available to the Borough Council when requested in writing by the Borough Council.”

RESOLVED to GRANT PLANNING PERMISISON subject to the following conditions:

Conditions

1. The development must be begun not later than three years beginning with the date of this permission.
2. The proposal shall be undertaken in accordance with the details as set out within the application forms received on the 2nd December 2014, the plans received on the 2nd December 2014, the letter from the applicant dated the 1st December 2014 and the e-mail received on the 2nd February 2015 which clarifies in precise details the number of clients expected to attend the premises within the morning and afternoon/evening periods.
3. The maximum number of clients visiting the site in the morning period shall not exceed twelve and the number of clients visiting the site in the afternoon/evening period shall not exceed twelve, this excludes the staffing levels at the site at any one time.
4. The operator of the use hereby approved shall keep a written record of all clients visiting the site (in relation to date and time of visits) for the lifetime of the development. The records shall be made available to the Borough Council when requested in writing by the Borough Council.

Reasons

1. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt.
3. To protect the amenity of neighbouring properties and the area in general in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Saved Policies 2014).
4. To protect the amenity of neighbouring properties in accordance with ENV1 and to assist with the monitoring of condition 3.

Reasons for Decision

The proposal is appropriate development within the Green Belt, results in no undue impact on the open character of the Green Belt or neighbouring properties and the proposal is acceptable from a highway safety viewpoint. The proposal therefore accords with policies contained within the Aligned Core Strategy, the National Planning Policy Framework and policy ENV1 of the Gedling Borough Council Replacement Local Plan (Certain Policies Saved 2014).

Notes to Applicant

Planning Statement - The Borough Council has worked positively and proactively with the applicant in accordance with paragraphs 186 to 187 of the National Planning Policy Framework.

278 APPLICATION NO. 2015/0028- GEDLING COUNTRY PARK, SPRING LANE, GEDLING

The Chair declared a non-pecuniary interest, on behalf of all Members, as the applicant is Gedling Borough Council.

Erection of two pit tubs on either side of the entrance to Gedling Country Park at Spring Lane.

RESOLVED to delegate authority to the Corporate Director to GRANT CONDITIONAL PLANNING PERMISSION subject to no representations being received that raise material planning considerations.

Conditions

1. The development must be begun not later than three years beginning with the date of this permission.
2. The development shall be undertaken in accordance with the details as set out within the application forms received on the 8th January 2015, the plans received on the 8th January 2015 and the revised plan received on the 27th January 2015.

Reasons

1. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt.

Reasons for Decision

The proposed development is visually acceptable and results in no significant impact on nearby properties or the area in general. The proposed development is also acceptable from a highway safety viewpoint. The development therefore accords with the Aligned Core Strategy and the Gedling Borough Council Replacement Local Plan (Certain Policies Saved 2014).

Notes to Applicant

The attached permission is for development which will involve building up to, or close to, the boundary of the site. Your attention is drawn to the fact that if you should need access to neighbouring land in another ownership in order to facilitate the construction of the building and its future maintenance you are advised to obtain permission from the owner of the land for such access before beginning your development.

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0845 762 6848. Further information is also available on The Coal Authority website at www.coal.decc.gov.uk. Property specific summary information on past, current and future coal mining activity can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com.

Planning Statement - The Borough Council has worked positively and proactively with the applicant in accordance with paragraphs 186 to 187 of the National Planning Policy Framework.

279 APPLICATION NO. 2015/0030- GEDLING COUNTRY PARK, SPRING LANE, GEDLING

The Chair declared a non-pecuniary interest, on behalf of all Members, as the applicant is Gedling Borough Council.

Site information boards x No 7.

RESOLVED to GRANT CONDITIONAL ADVERTISEMENT CONSENT:

Conditions

1. The advertisements hereby approved shall be carried out in accordance with the details as set out within the application forms received on the 8th January 2015, the plans received on the 8th January 2015 and the revised plan received on the 27th January 2015.

Reasons

1. For the avoidance of doubt.

280 PLANNING DELEGATION PANEL ACTION SHEET

RESOLVED:

To note the information.

281 FUTURE PLANNING APPLICATIONS

RESOLVED:

To note the information.

282 ANY OTHER ITEMS WHICH THE CHAIR CONSIDERS URGENT.

None.

The meeting finished at 7.50 pm

Signed by Chair:

Date:

This page is intentionally left blank

MINUTES CABINET

Thursday 19 February 2015

Councillor John Clarke (Chair)

Councillor Michael Payne
Councillor Peter Barnes

Councillor Darrell Pulk
Councillor Henry Wheeler

Observers: Councillor Chris Barnfather and Councillor Paul Hughes

Absent: Councillor Kathryn Fox

Officers in Attendance: H Barrington, S Bray, M Kimberley, L Parnell and D Wakelin

207 APOLOGIES FOR ABSENCE.

Apologies for absence were received from Councillor Fox.

208 DECLARATION OF INTERESTS.

None.

209 PRUDENTIAL AND TREASURY INDICATORS AND TREASURY STRATEGY 2015/16

The Chief Financial Officer introduced the report, which had been circulated prior to the meeting, presenting the Council's Prudential Code Indicators and Treasury Strategy for 2015/16 for approval.

RESOLVED:

To note the Prudential Indicators and Treasury Strategy 2015/16, as detailed in the report, and refer it to Full Council for approval as required by the regulations.

210 CAPITAL PROGRAMME 2015/16

The Chief Financial Officer presented the report of the Senior Leadership Team, on behalf of the Leader, which had been circulated prior to the meeting, summarising the proposed capital programme for 2015/16 and future years in light of the Council's priorities and available resources.

RESOLVED to:

- 1) Note the capital financing available for 2015/16;
- 2) Note the likely resources available for 2016/17 and 2017/18; and
- 3) Refer the Capital Programme for 2015/16, detailed at appendix 1 to the report, to Council for approval.

211 GEDLING PLAN (INCLUDING BUDGET) 2015/16

The Chief Financial Officer and Corporate Director introduced the report of the Senior Leadership Team, on behalf of the Leader, which had been circulated prior to the meeting, setting out the priorities, objectives and top actions for the Council for the forthcoming year with the associated revenue budget.

RESOLVED:

The recommend to Council on 3 March 2015:

- 1) That the financial threshold above which decisions will be regarded as Key Decisions be set at £0.5m for 2015/16;
- 2) A Council Tax increase of 0% which balances the financing of a Net Council Tax Requirement of £5,450,800 in 2015/16; and
- 3) That the detailed budget, priorities, objectives and actions and performance measures for 2015/16, as detailed in Appendices 1, 2 and 4 of the report, be approved.

212 ANY OTHER ITEMS THE CHAIR CONSIDERS URGENT.

None.

The meeting finished at 1.00 pm

Signed by Chair:
Date:

44 CLOSURE OF CONSULTATION- AUDIT & ASSET MANAGEMENT

Mark Kimberley, Corporate Director, presented a report, which had been circulated prior to the meeting, reintroducing restructure proposals for Audit and Asset Management service area.

It was explained that whilst feedback received from the affected staff was useful and appreciated, it was not proposed to alter the recommendations that were presented to the previous meeting.

RESOLVED:

To recommend the revised final structure for consideration by the Chief Executive, under whose delegated authority a final staffing structure will be implemented.

45 HEALTH AND SAFETY

The Health and Safety Officer presented a verbal overview of current developments in his work.

RESOLVED:

To note the information.

46 CURRENT TRENDS IN SICKNESS ABSENCE

The Service Manager for Organisational Development presented a report, which had been circulated prior to the meeting, summarising current trends in sickness absence.

RESOLVED:

To note the report

47 CURRENT STAFFING ISSUES

The Service Manager for Organisational Development presented a report, which had been circulated prior to the meeting, presenting current workforce issues.

RESOLVED:

To note the report.

48 LOCAL GOVERNMENT PENSION SCHEME; POLICY DISCRETIONS

The Service Manager for Organisational Development presented a report, which had been circulated prior to the meeting, detailing a

statement of policy, as required by legislation, on certain discretions which the Council has the power to exercise in relation to the Local Government Pension Scheme.

RESOLVED:

To support the draft policy statement as set out and recommend it to the Appointments and Conditions of Service Committee for formal adoption.

49 MINOR CHANGES TO ESTABLISHMENT AGREED OUTSIDE FORMAL FULL JCSC PROCESS

The Service Manager for Organisational Development presented a report, which had been circulated prior to the meeting, informing members of a minor change to the establishment in the Revenues and Benefits service which had been agreed outside the formal committee process.

RESOLVED:

To note the report

50 ANY OTHER ITEM WHICH THE CHAIRMAN CONSIDERS URGENT.

None.

The meeting finished at 6.55 pm

Signed by Chair:
Date:

This page is intentionally left blank

MINUTES STANDARDS COMMITTEE

Thursday 26 February 2015

Councillor John Boot (Chair)

Councillor Tony Gillam

Councillor Paul Hughes

Councillor Suzanne Prew-Smith

Mr. D. Evans

Mr. G. Parkinson

Mr. G. Wallis

Apologies for absence: Councillor Peter Barnes and Councillor Michael Payne

Officers in Attendance: H Barrington

23 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.

Apologies for absence were received from Councillors Barnes and Payne.

24 DECLARATION OF INTERESTS.

Mr Parkinson declared a pecuniary interest in Item 5 (Code of Conduct Complaints) as a Member of Woodborough Parish Council.

25 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 28 AUGUST 2014.

RESOLVED:

That the minutes of the above meeting, having been circulated, be approved as a correct record, subject to the following amendment:

1. That Mr Baggaley be removed from the list of members in attendance as, as the Independent Person, he is not a member of the Committee.

26 ARRANGEMENTS FOLLOWING THE MAY 2015 ELECTIONS.

Consideration was given to a report of the Council Solicitor and Monitoring Officer, which had been circulated prior to the meeting, informing Members of proposals with regard to arrangements following the May 2015 election and seeking comments.

RESOLVED:

To note the report and provide comments on the proposals for the induction of new Members and the Standards Committee work programme.

27 CODE OF CONDUCT COMPLAINTS.

Consideration was given to a report of the Council Solicitor and Monitoring Officer, which had been circulated prior to the meeting, informing Members of complaints received between 1 August 2014 and 31 January 2015

RESOLVED:

To note the report.

28 ANY OTHER ITEM WHICH THE CHAIR CONSIDERS URGENT.

None.

The meeting finished at 5.20 pm

Signed by Chair:
Date:

MINUTES PLANNING COMMITTEE

Wednesday 4 March 2015

Councillor John Truscott (Chair)

In Attendance: Councillor Barbara Miller
Councillor Pauline Allan
Councillor Roy Allan
Councillor Peter Barnes
Councillor Denis Beeston MBE
Councillor John Boot
Councillor Bob Collis
Councillor Andrew Ellwood
Councillor Cheryl Hewlett
Councillor Jenny Hollingsworth
Councillor Mike Hope
Councillor Marje Paling
Councillor Lynda Pearson
Councillor Colin Powell
Councillor Suzanne Prew-Smith

Absent: Councillor Chris Barnfather, Councillor Alan Bexon,
Councillor Ged Clarke and Councillor Meredith
Lawrence

Officers in Attendance: P Baguley, D Gray, L Mellors, L Parnell and F Whyley

283 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.

Apologies for absence were received from Councillors Barnfather, Bexon, Clarke and Lawrence.

The Chair informed Members of the recent passing of Councillor Clarke's partner and asked Members to observe a minute's silence.

284 DECLARATION OF INTERESTS

None.

285 APPLICATION NO. 2014/1109- LAND ADJACENT NEWSTEAD ABBEY PARK

Formation of six glamping cabins and supporting ancillary accommodation, within the existing context of the site.

The Service Manager, Planning and Economic Development, introduced applications no. 2014/1109 and 2014/1110, outlining the reasons for Officers' recommendation to grant conditional planning permission and listed building consent.

Councillor Hewson entered the meeting.

Mr. Nigel Hawkins, on behalf of the applicant, Nottingham City Council, spoke in favour of the application.

Ms. Ann McCauley, a resident objector, spoke against the application.

RESOLVED To GRANT CONDITIONAL PLANNING PERMISSION:

Conditions

1. The development must be begun not later than three years beginning with the date of this permission.
2. The development hereby permitted shall be built in accordance with the submitted plans, Design and Access Statement and application forms received on 29th September 2014 drawing no's: 4393 (20) 253 (Proposed Service Location Plan), 11107/ENV/001 (Existing Drainage Layout), 4393 (20) 250 (Proposed Site Plan), 4393 (20) 252 (Site Plan), 4393 (40) 455 (Toilet Cabin Elevation), 4393 (30) 353 (WC Floor Plans and Elevations), 4393 (30) 352 (Floor Plans), 4393 (30) 351 (Floor Plans), 4393 (20) 251 (Site Plan), and 4393 (00) 001.
3. The glamping cabins hereby permitted shall be used as holiday accommodation and shall not be occupied continuously by any person or persons for a period in excess of 28 days in any one single letting. There shall be no consecutive lettings beyond four weeks to the same person, family or group and a written record of lettings shall be kept and made available for inspection by the Local Planning Authority at their reasonable request.
4. The temporary car parking for the unloading and loading of vehicles shall use the area marked on the plan received on 12th February 2015 drawing number: 4393 (20) 250 Revision E. The loading and unloading of vehicles shall operate in accordance with the email received on 12th February 2015. The loading and unloading of vehicles shall only occur between the hours of 09:00hrs and 21:00hrs and will only accommodate a maximum of 2 vehicles at any time. The maximum period to use this area shall be 1hr for each vehicle.
5. Before development is commenced there shall be submitted to and approved by the Borough Council precise details of the materials to be used on the external elevations of the proposed development. The development shall be carried out in accordance with the approved details.
6. The development hereby approved shall be carried out in accordance with the recommendations of the Arboricultural Implications Assessment and Arboricultural Method Statement,

BS 5873: 2012, Dated 3 September 2014 revised 16 September 2014.

7. The proposed bird and bat boxes shall be sited in the locations as indicated on the plan received by email on 2nd February 2015 and all works shall be carried out in accordance with the recommendations of sections 5 and 6 of the Protected Species Survey dated September 2014. The bird and bat boxes shall be installed before the development is first brought into use.
8. Before development hereby permitted is commenced there shall be submitted to and approved in writing precise details of the proposed external lighting on the cabins (together with the luminance levels and an estimated lux plot of the luminance). The lighting shall be implemented in accordance with the approved details.
9. Before development is commenced there shall be submitted to and approved by the Borough Council precise details of the proposed external meter cubicle (shown on plan no: 4393 (20) 250) adjacent to the rear wall of the Glamping Cabin WC. The development shall be carried out in accordance with the approved details.
10. Before development is commenced there shall be submitted to and approved by the Borough Council precise details of the proposed bin area including the type and stain of the wooden fencing. The development shall be carried out in accordance with the approved details. The bin store shall be constructed within the parameters set out in the email dated 12th February 2015 and the plan received on 12th February 2015 drawing no: 4393 (20) 250.
11. The application site shall only be used for holiday accommodation in the 6 approved cabins and no other camping or caravanning shall be operated on the site other than the provisions permitted within The Town and Country Planning (General Permitted Development) 1995 - Part 4 and Part 5 (or any provision equivalent to that Class in any Statutory Instrument revoking and re-enacting that Order).

Reasons

1. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt.
3. To ensure the use of the cabins is effectively restricted to tourist accommodation as the introduction of a permanent residential

use would be contrary to paragraph 89 of the National Planning Policy Framework (March 2012).

4. To ensure that car parking serving the development is directed to the main car park serving the site. In order to protect the amenity of nearby residential properties and protect the open character of the area in line with the aims and objectives of Policy ENV1, ENV21, ENV25, ENV36 and ENV37 and the aims and objectives of the National Planning Policy Framework (March 2012).
5. To ensure a satisfactory development, in accordance with Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014) and with the aims of policy ENV1, ENV21, ENV25, and ENV37 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
6. To minimise the arboricultural impact of the proposed development, in accordance with Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014) and Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
7. To protect and enhance ecology interest in the area and to accord with paragraph 109 of the National Planning Policy Framework.
8. To protect and enhance ecology interest in the area and to accord with paragraph 109 of the National Planning Policy Framework.
9. To ensure that the proposed works do not impact on the fabric or setting of a Listed Building and Registered Garden in accordance with the aims and objectives of Policy ENV21, the National Planning Policy Framework and the Planning (Listed Buildings and Conservation) Act 1990.
10. To ensure a satisfactory development, in accordance with Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014) and with the aims of policy ENV1, ENV21, ENV25, and ENV37 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
11. To ensure the use of the cabins is effectively restricted to the tourist accommodation proposed and not as a permanent campsite or caravan site.

Reasons for Decision

In the opinion of the Borough Council the proposed development would result in no significant undue impact on the character and setting of a Listed Building and Registered Park and Garden, and would not have an adverse impact on the amenities of neighbouring residential properties.

The development has been considered in accordance with the National Planning Policy Framework, the Aligned Core Strategy for Gedling Borough (September 2014) and the Gedling Borough Council Replacement Local Plan (Certain Policies Saved 2014), where appropriate. It is the opinion of the Borough Council that where the development conflicts with the Development Plan that other material considerations indicate that permission should be granted. The benefits of granting the proposal outweigh any adverse impact to the setting of the Listed Building and Registered Park and Garden.

Notes to Applicant

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0845 762 6848. Further information is also available on The Coal Authority website at www.coal.decc.gov.uk. Property specific summary information on past, current and future coal mining activity can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com.

No removal of hedgerows, trees or shrubs which have the potential to support nesting birds shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check for active birds' nests immediately before clearance works commence and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority. As you will be aware all birds, their nests and eggs (except pest species) are protected by the Wildlife and Countryside Act 1981 (and as amended).

The Borough Council has worked positively and proactively with the applicant, in accordance with paragraphs 186 and 187 of the National Planning Policy Framework, based on seeking solutions to problems arising in relation to dealing with the planning application. This has been achieved by meeting the applicant and agent to discuss consultation responses; providing details of issues raised in consultation responses; requesting clarification, additional information or drawings in response to issues raised and providing updates on the application's progress.

286

APPLICATION NO. 2014/1110- LAND ADJACENT NEWSTEAD ABBEY PARK

Formation of six glamping cabins and supporting ancillary accommodation, within the existing context of the site.

RESOLVED To GRANT LISTED BUILDING CONSENT:

Conditions

1. The development must be begun not later than three years beginning with the date of this permission.
2. The development hereby permitted shall be built in accordance with the submitted plans, Design and Access Statement and application forms received on 29th September 2014 drawing no's: 4393 (20) 253 (Proposed Service Location Plan), 11107/ENV/001 (Existing Drainage Layout), 4393 (20) 250 (Proposed Site Plan), 4393 (20) 252 (Site Plan), 4393 (40) 455 (Toilet Cabin Elevation), 4393 (30) 353 (WC Floor Plans and Elevations), 4393 (30) 352 (Floor Plans), 4393 (30) 351 (Floor Plans), 4393 (20) 251 (Site Plan), and 4393 (00) 001.
3. Prior to any development taking place a full recording and written specification of the surfacing and ground condition of the route of the proposed (electric, water and foul) services along with a method statement for the works required to connect the services should be submitted to and approved by the Local Planning Authority. Details should include the methodology and dig technology to be used and must include a comprehensive scheme to return the proposed routes to the original written specification once the development has been completed. The proposed works and decommissioning of the site shall be implemented in accordance with the approved details.

Reasons

1. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt.
3. To ensure that the proposed works do not impact on the fabric or setting of a Listed Building and Registered Garden in accordance with the aims and objectives of Policy ENV21, the National Planning Policy Framework and the Planning (Listed Buildings and Conservation) Act 1990.

Reasons for Decision

In the opinion of the Borough Council the proposed development would result in no significant undue impact on the character and setting of a Listed Building and Registered Park and Garden. The development has been considered in accordance with the National Planning Policy Framework, the Aligned Core Strategy for Gedling Borough (September

(1330-PL-08), External Views (1 of 2) 1330-PL-09, External Views (2 of 2) (1330-PL-10), Internal Views (1330-PL-11), Sixth Form Centre - Existing Plans Elevations (1330-PL-12), Sixth Form Centre - Proposed Plans Elevations (1330-PL-13), Site Sections (ALA231L03), BB103 Plans _ Areas (ALA231L04), Fencing Arrangement (excluding the bin store location) (ALA231L05), Detailed Plan 1 of 3 (ALA231L07), Detailed Plan 2 of 3 (ALA231L08), Detailed Plan 3 of 3 (ALA231L09), Sports Pitch Analysis (ALA231 L12), Site Circulation (ALA231 L13), Tree Retention and Removal (ALA231L07), Planning Application Boundary (ALA231L15), Planting Plan (ALA231L16), External Lighting Philosophy Proposed Site Plan (EX-100-03), Preliminary Ecology Appraisal (July 2014), Transport Statement (Curtins Ref: TPLE1149/TS), Geothermal Desk Study (July 2014), Acoustic Feasibility Report by Matt MacDonald (September 2014), and The Travel Plan, all received on 6th December 2014.

- 3 Within 10 weeks from the date of this approval there shall be submitted to and approved by the Borough Council precise details of the materials to be used in the external elevations of the proposed development. Once approved the development shall be carried out in accordance with these details unless otherwise agreed in writing by the Borough Council.
- 4 Unless otherwise agreed by the Local Planning Authority, development must not commence until the following has been complied with: Site Characterisation: An assessment of the nature and extent of any potential contamination has been submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site. Moreover, it must include; a survey of the extent, scale and nature of contamination and; an assessment of the potential risks to: human health, property, adjoining land, controlled waters, ecological systems, archaeological sites and ancient monuments. Submission of Remediation Scheme: Where required, a detailed remediation scheme (to bring the site to a condition suitable for the intended use by removing unacceptable risks to critical receptors) should be submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures.
- 5 In the event that remediation is required to render the development suitable for use, the agreed remediation scheme shall be implemented in accordance with the approved timetable of works. Prior to occupation of any building(s) a Verification Report (that demonstrates the effectiveness of the remediation

carried out) must be submitted and approved in writing by the Local Planning Authority.

- 6 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority and once the Local Planning Authority has identified the part of the site affected by the unexpected contamination development must be halted on that part of the site. An assessment must be undertaken in accordance with the requirements set out in condition 4 and 5 above, and where remediation is necessary a remediation scheme, together with a timetable for its implementation and verification reporting, must be submitted to and approved in writing by the Local Planning Authority.
- 7 Unless otherwise agreed by the Local Planning Authority, development shall not commence until a Dust Management Plan has been submitted to, and approved in writing by, the Local Planning Authority. The plan should be produced in accordance with 'The Control of Dust and Emissions from Construction and Demolition' (Best Practice Guidance). Once approved the demolition and construction shall be carried out in accordance with the approved details unless otherwise agreed in writing by the Borough Council.
- 8 Before development is commenced, including vegetation clearance or ground works, the existing trees and hedgerows to be retained shall be protected in accordance with the details specified in the Arboricultural Survey Report (July 2014) by Matt MacDonald and the Arboricultural Impact Assessment and Method Statement by fcpr, dated December 2014. The means of protection shall be implemented in accordance with the approved details for the duration of the construction period, unless otherwise prior agreed in writing by the Borough Council.
- 9 The proposed bin store shown on General Arrangement Plan (ALA231L02) shall be installed using no dig technology as outlined in Appendix D of the Arboricultural Impact Assessment and Method Statement dated December 2014 unless otherwise agreed in writing by the Borough Council.
- 10 The removal of existing surfaces shall be carried out in accordance with section 4.6 of the Arboricultural Impact Assessment and Method Statement by fcpr, dated December 2014.
- 11 Within 10 weeks of the date of this approval, an assessment of the quality of the existing grass playing fields identified as E2, E7 and E8, on drawing: Sports Pitch Analysis (ALA321 L12),

received on 6th December 2014, shall be submitted to and approved in writing by the Borough Council.

- 12 Within 6 months of commencement of development, design details of: a) replacement playing field construction (which shall be to a standard at least equivalent to the baseline assessment provided in compliance with Condition 11); shall be submitted to and approved in writing by the LPA. Replacement playing field and new areas of hard play shall be provided in accordance with the approved details prior to the development first being brought into use or in accordance with a timetable that shall first be agreed in writing with the Borough Council. The sports pitches and any area of open space shall be retained in accordance with these approved details for the life of the development.
- 13 The proposed pitch identified as P1 on drawing: Sports Pitch Analysis (ALA231 L12) shall be provided within the first 9 months of the date of this permission. The replacement playing field construction shall be to a standard at least equivalent to the baseline assessment provided in compliance with Condition 10 and Condition 11. The replacement playing field shall be provided in accordance with the approved details, and retained thereafter for the life of the development, unless otherwise agreed in writing by the Borough Council.
- 14 The proposed bin store shall be erected in accordance with the proposed details received by email on 10th of February (2.0 metres high close boarded solid timber fencing with lockable gates) and the plan received on 23rd February 2015 (ALA231SK15).
- 15 The development hereby approved shall be carried out in accordance with the phases plans received on 20th February 2015 unless otherwise agreed in writing by the Borough Council prior to the commencement of a particular phase.
- 16 Before the development of the external canopies and terraced seating area (shown on the Landscape General Arrangement Plan (ALA231L02) received on 20th February 2015) is commenced there shall be submitted to and approved by the Local Planning Authority scale plans and elevations of this element. Once approved the development shall be constructed in accordance with these approved details unless otherwise agreed in writing by the Borough Council.

Reasons

- 1 In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 For the avoidance of doubt.
- 3 To ensure a satisfactory development, in accordance with the aims of Policy 10 of the Aligned Core Strategy and Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
- 4 To ensure that practicable and effective measures are taken to treat, contain or control any contamination and to protect controlled waters in accordance with the aims of Policies ENV1 and ENV3 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
- 5 To ensure that practicable and effective measures are taken to treat, contain or control any contamination and to protect controlled waters in accordance with the aims of Policies ENV1 and ENV3 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
- 6 To ensure that practicable and effective measures are taken to treat, contain or control any contamination and to protect controlled waters in accordance with the aims of Policies ENV1 and ENV3 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
- 7 To protect the residential amenity of the area, in accordance with the aims of Section 11 of the National Planning Policy Framework and Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014).
- 8 To minimise any potential impacts on biodiversity and the landscape in accordance with Section 11 of the National Planning Policy Framework and Policy 17 of the Aligned Core Strategy for Gedling Borough (September 2014).
- 9 To minimise any potential impacts on biodiversity and the landscape in accordance with Section 11 of the National Planning Policy Framework and Policy 17 of the Aligned Core Strategy for Gedling Borough (September 2014).
- 10 To minimise any potential impacts on biodiversity and the landscape in accordance with Section 11 of the National Planning Policy Framework and Policy 17 of the Aligned Core Strategy for Gedling Borough (September 2014).
- 11 To provide an appropriate baseline assessment of playing pitch quality that would be impacted by the development.

- 12 To ensure the provision of a replacement playing field area is fit for purpose.
- 13 In order to minimise disruption and provide a replacement pitch as soon as possible.
- 14 For the avoidance of doubt.
- 15 To provide a degree of flexibility to assist the delivery of the site, that also enables the Borough Council to monitor and manage the phases of development.
- 16 To ensure a satisfactory development, in accordance with the aims of Policy 10 of the Gedling Aligned Core Strategy (September 2014) and policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).

Reasons for Decision

The development has been considered in accordance with National Planning Policy Framework, the Aligned Core Strategy for Gedling Borough (September 2014), and the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014) where appropriate. In the opinion of the Borough Council, the proposal largely accords with the relevant policies of these frameworks and plans. Where the development conflicts with the Development Plan, it is the opinion of the Borough Council that other material considerations indicate that permission should be granted. The benefits of granting the proposal outweigh any adverse impact of departing from the Development Plan.

Notes to Applicant

Should any bat/s be found during demolition, work must stop immediately. If the bat/s does not voluntarily fly out, the aperture is to be carefully covered over to provide protection from the elements whilst leaving a small gap for the bat to escape should it so desire. The Bat Conservation Trust should be contacted immediately on (0845) 1300228 for further advice and they will provide a licensed bat worker to evaluate the situation and give advice. Failure to comply is an offence under the Wildlife and Countryside Act 1981 and the Conservation of Habitats and Species Regulations 2010 which makes it an offence to kill, injure or disturb a bat or to destroy any place used for rest or shelter by a bat (even if bats are not in residence at the time). The Countryside and Rights of Way Act 2000 strengthens the protection afforded to bats covering 'reckless' damage or disturbance to a bat roost.

The attached permission is for development which will involve building up to, or close to, the boundary of the site. Your attention is drawn to the fact that if you should need access to neighbouring land in another ownership in order to facilitate the construction of the building and its

future maintenance you are advised to obtain permission from the owner of the land for such access before beginning your development.

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0845 762 6848. Further information is also available on The Coal Authority website at www.coal.decc.gov.uk. Property specific summary information on past, current and future coal mining activity can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com.

Planning Statement - The Borough Council has worked positively and proactively with the applicant in accordance with paragraphs 186 to 187 of the National Planning Policy Framework, based on seeking solutions to problems arising in relation to dealing with the planning application. This has been achieved by achieving amendments to the scheme following consultation responses; additional information or drawings in response to issues raised; and providing updates on the application's progress.

No removal of hedgerows, trees or shrubs which have the potential to support nesting birds shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check for active birds' nests immediately before clearance works commence and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority. As you will be aware all birds, their nests and eggs (except pest species) are protected by the Wildlife and Countryside Act 1981 (and as amended).

The Borough Council requests that the applicant considers incorporating enhancement of the natural world. Consideration should be given to the findings of Appendix G of the ecological report listing possible enhancements which would be suitable for the proposed development.

The Borough Council requests that the applicant considers incorporating provision (with dedicated parking) for dedicated outside electric power points, to allow to charge electric/hybrid vehicles into the future (see IET Code of Practice for EV Charging Equipment Installation).

Date Recommended: 20th February 2015

288 PLANNING DELEGATION PANEL ACTION SHEETS

RESOLVED:

To note the information.

289 FUTURE PLANNING APPLICATIONS

RESOLVED:

To note the information.

290 ANY OTHER ITEMS WHICH THE CHAIR CONSIDERS URGENT.

None.

The meeting finished at 7.00 pm

Signed by Chair:

Date:

MINUTES ENVIRONMENT AND LICENSING COMMITTEE

Tuesday 10 March 2015

Councillor Marje Paling (Chair)

Present: Councillor Meredith Lawrence Councillor Cheryl Hewlett
Councillor Bruce Andrews Councillor Mike Hope
Councillor Nicki Brooks Councillor Barbara Miller
Councillor Roxanne Ellis Councillor Carol Pepper
Councillor Tony Gillam Councillor Stephen Poole
Councillor Gary Gregory

Absent: Councillor Sandra Barnes and Councillor John Parr

Officers in Attendance: R Pentlow and D Blasdale

189 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.

Apologies for absence were received from Councillor Barnes.

Councillor Prew-Smith attended as substitute for Councillor Parr, who gave his apologies.

190 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 10 FEBRUARY 2015.

RESOLVED:

That the minutes of the above meeting, having been circulated, be approved as a correct record.

191 DECLARATION OF INTERESTS.

None.

192 PROPOSED GENERAL AND TAXI LICENSING FEES FOR 2015/16

Consideration was given to a report of the Service Manager, Public Protection, which had been circulated prior to the meeting, seeking approval to increase taxi licensing fees, subject to advertisement requirements being satisfied, and approval to increase General Fees for the 2015/16 financial year.

A revised Appendix 1 was circulated at the meeting.

RESOLVED to:

1. Approve the fees and charges detailed in Appendix 2 of the report for 2015/16 with effect from 1st April 2015;
2. Approve the fees for taxi operators and vehicle licences as detailed in the revised Appendix 1, as circulated at the meeting, for 2015/16 for advertisement in accordance with the Local Government (Miscellaneous Provisions) Act 1976, such fees to automatically come into force if no objections are received within the statutory period; and
3. Approve the proposed fees for taxi driver's licences detailed in the revised Appendix 1, as circulated at the meeting, for 2015/16 for advertisement and the Corporate Director in consultation with the Chair of Environment and Licensing Committee be authorised to agree the final fees after taking into account any comments received during the consultation period.

193 ANY OTHER ITEM WHICH THE CHAIR CONSIDERS URGENT.

None.

194 EXCLUSION OF THE PRESS AND PUBLIC.

RESOLVED:

That, the Members being satisfied that the public interest in maintaining the exemption outweighs the public interest in disclosing the information that under Section 100(A)(4) of the Local Government Act 1972, the public and press be excluded from the meeting during the consideration of the ensuing reports on the grounds that the report involves the likely disclosure of exempt information as defined in Paragraph 7 of Part 1 of Schedule 12A of the Local Government Act 1972.

195 APPLICATION FOR HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE - SJ

The Committee considered a report from Corporate Director, David Wakelin, regarding an application for a Joint Hackney Carriage/Private Hire Driver's Licence from SJ.

SJ attended the meeting and addressed the Committee.

In making its decision, the Committee applied the Council's approved Policy and Guidelines and took into consideration the circumstances of the event. On the basis of what it heard, the Committee was satisfied on

balance that no exceptional circumstances existed which warranted departure from this policy.

RESOLVED:

To approve SJ's application for a Hackney Carriage/Private Hire Driver's Licence, with a warning as to the necessary consequences of failure to declare any convictions or pending prosecutions to the Licensing Department.

196 APPLICATION FOR A HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE - JA

The Committee considered a report from Corporate Director, David Wakelin, regarding an application for a Joint Hackney Carriage/Private Hire Driver's Licence from JA.

JA attended the meeting and addressed the Committee.

In making its decision, the Committee applied the Council's approved Policy and Guidelines and took into consideration the circumstances of the event. On the basis of what it heard, the Committee was satisfied on balance that no exceptional circumstances existed which warranted departure from this policy.

RESOLVED:

To approve JA's application for a Hackney Carriage/Private Hire Driver's Licence.

197 APPLICATION FOR A HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE - MR

MR did not attend the meeting.

RESOLVED:

To treat the application from MR as withdrawn as a result of a failure to attend Committee on two occasions.

198 APPLICATION FOR A HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE - KAQ

The Committee considered a report from Corporate Director, David Wakelin, regarding an application for a Joint Hackney Carriage/Private Hire Driver's Licence from KAQ.

KAQ attended the meeting accompanied by his Father who addressed the Committee on his behalf.

In making its decision, the Committee applied the Council's approved Policy and Guidelines and took into consideration the circumstances of the event. On the basis of what it heard, the Committee was satisfied on balance that no exceptional circumstances existed which warranted departure from this policy.

RESOLVED:

To approve KAQ's application for a Hackney Carriage/Private Hire Driver's Licence.

199 APPLICATION FOR A HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE - MMS

MMS did not attend the meeting, but did inform the Licensing Department of his inability to attend Committee on this occasion and requested that the application be considered at a future meeting.

RESOLVED:

To defer consideration of the application to a future meeting of the Committee.

200 APPLICATION FOR A HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE - IM

The Committee considered a report from Corporate Director, David Wakelin, regarding an application for a Joint Hackney Carriage/Private Hire Driver's Licence from IM.

IM attended the meeting and addressed the Committee.

In making its decision, the Committee applied the Council's approved Policy and Guidelines. On the basis of what it heard, the Committee was satisfied on balance that no exceptional circumstances existed which warranted departure from this policy.

RESOLVED:

To refuse IM's application for a Hackney Carriage/Private Hire Driver's Licence on the grounds that he is not a fit and proper person.

IM was advised of his right to appeal against the decision of the Committee.

The meeting finished at 5.15 pm

Signed by Chair:
Date:

This page is intentionally left blank

MINUTES LICENSING ACT COMMITTEE

Tuesday 10 March 2015

Councillor Marje Paling (Chair)

Councillor Meredith Lawrence	Councillor Cheryl Hewlett
Councillor Bruce Andrews	Councillor Mike Hope
Councillor Nicki Brooks	Councillor Barbara Miller
Councillor Roxanne Ellis	Councillor Carol Pepper
Councillor Tony Gillam	Councillor Stephen Poole
Councillor Gary Gregory	

Apologies for absence: Councillor Sandra Barnes and Councillor John Parr

Officers in Attendance: D Blasdale and R Pentlow

18 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.

Apologies for absence were received from Councillor Barnes.

Councillor Prew- Smith attended the meeting as a substitute for Councillor Parr, who gave his apologies.

19 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 25 MARCH 2015.

RESOLVED:

That the minutes of the above meeting, having been circulated, be approved as a correct record.

20 DECLARATION OF INTEREST.

21 PROPOSED GAMBLING ACT FEES

Consideration was given to a report of the Service Manager, Public Protection, which had been circulated prior to the meeting, seeking to approve an increase to gambling fees for the 2015/16 financial year.

RESOLVED:

To approve the fees and charges, as detailed Appendix 1 to the report, for 2015/16 with effect from 1st April 2015.

22 ANY OTHER ITEM WHICH THE CHAIR CONSIDERS URGENT.

None.

The meeting finished at 4.07 pm

Signed by Chair:
Date:

MINUTES PLANNING COMMITTEE

Wednesday 11 March 2015

Councillor John Truscott (Chair)

In Attendance: Councillor Barbara Miller Councillor Cheryl Hewlett
Councillor Peter Barnes Councillor Mike Hope
Councillor Chris Barnfather Councillor Meredith Lawrence
Councillor Denis Beeston MBE Councillor Marje Paling
Councillor Alan Bexon Councillor Lynda Pearson
Councillor John Boot Councillor Colin Powell
Councillor Bob Collis

Absent: Councillor Pauline Allan, Councillor Roy Allan, Councillor Ged Clarke,
Councillor Andrew Ellwood, Councillor Jenny Hollingsworth and
Councillor Suzanne Prew-Smith

Officers in Attendance: P Baguley, J Cole, H Lee, L Mellors and F Whyley

291 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.

Apologies for absence were received from Councillors Pauline Allan, Roy Allan, Clarke and Hollingsworth.

Councillor Parr attended the meeting as a substitute for Councillor Prew-Smith, who gave apologies.

292 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 18 FEBRUARY 2015.

RESOLVED:

That the minutes of the above meeting, having been circulated, be approved as a correct record.

293 DECLARATION OF INTERESTS

The Chair declared a non-pecuniary interest in Application No. 2014/0856 on behalf of all Members as Gedling Borough Council own the land and in Application No. 2014/0740, as Gedling Borough Council have a leasehold interest in part of the land.

Councillor Beeston MBE declared a pecuniary interest in the authorisation for a deed of variation to the section 106 agreement at Park Road, Bestwood, as a Member of Bestwood Parish Council.

294 APPLICATION NO. 2014 0856- 21 ETHEL AVENUE, MAPPERLEY

The Chair informed the Committee that Application No. 2014 0856 – 21 Ethel Avenue, Mapperley had been withdrawn from the agenda.

295 APPLICATION NO. 2014/1349- THE GROVE PUBLIC HOUSE, DAYBROOK.

Proposed erection of 18 flats and 2 houses.

RESOLVED To GRANT PLANNING PERMISSION subject to the following conditions:

Conditions

1. The development must be begun not later than three years beginning with the date of this permission.
2. The development hereby permitted shall be constructed in accordance with the following approved plans: Flats - First Floor (2265/P 103 A), Flats - Second Floor (2265/P 104 A), and Roof Plan (2265/P 105 A), received on 3rd December 2014; Proposed Site Plan (2265/P 101 B), and Flats - Ground Floor (2265/P 102 B), received on 13th January 2015; and Flats - Elevations 1 (2265/P 106 C), Flats - Elevations 2 (2265/P 107 E), Flats - Elevations 3 (2265/P 108 D) and House Plans & Elevations (2265/P 109 A), received on 23rd February, 2015.
3. Before development is commenced, excluding the demolition of the existing buildings, there shall be submitted to and approved in writing by the Borough Council a design scheme for a mechanical ventilation system. The air for the required mechanical ventilation system shall be drawn from the rear of the property and all windows along the Mansfield Road elevation shall be sealed and un-openable at all times. The design scheme shall be implemented in accordance with the approved details before the development is first brought into use and shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.
4. Before development is commenced, excluding the demolition of the existing buildings, there shall be submitted to and approved in writing by the Borough Council details of a sound insulation scheme. The sound insulation scheme shall include the glazed areas and any associated acoustical ventilation scheme. The sound insulation scheme shall also include third octave band analysis and all

assumptions made (e.g. glazing and façade areas) and should be designed to achieve the following internal noise levels: (1) Not exceeding 30 dB LAeq,8hr and not exceeding NR 25 in bedrooms between 23:00 and 07:00; and (2) Not exceeding 35 dB LAeq,16hr and not exceeding NR30 for bedrooms and living rooms between 07:00 and 23:00. The sound insulation scheme shall be implemented in accordance with the approved details before the development hereby permitted is first occupied and shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.

5. Prior to the commencement of the development hereby approved, excluding the demolition of the existing buildings, a written assessment of the nature and extent of any potential or actual contamination shall be submitted to and approved in writing by the Borough Council. This assessment shall include a survey of the extent, scale and nature of contamination and an assessment of the potential risks to human health, property, adjoining land, controlled waters, ecological systems, archaeological sites and ancient monuments. The assessment shall be undertaken by a competent person and shall assess any contamination of the site whether or not it originates on site.
6. In the event that remediation is required to render the development suitable for use, a written remediation scheme and timetable of works shall be submitted to and approved in writing by the Borough Council. The scheme shall then be implemented in accordance with the approved details. Prior to the development being first occupied, a Verification Report (that satisfactorily demonstrates the effectiveness of the remediation carried out) must be submitted to and approved in writing by the Borough Council.
7. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Borough Council and development must be halted immediately on that part of the site until such time that the Borough Council has given written approval for works to recommence on site. Once contamination has been reported to the Borough Council, an assessment of contamination must be undertaken in accordance with the requirements of condition 5 above. Where remediation is necessary, a written remediation scheme, together with a timetable for its implementation and verification reporting, must be submitted to and approved in writing by the Borough Council. The Remediation Scheme shall be implemented as approved.
8. Before development is commenced, excluding the demolition of the existing buildings, there shall be submitted to and approved in writing by the Borough Council details of a Dust Management Plan. The plan shall be produced in accordance with 'The Control of Dust and Emissions from Construction and Demolition' (Best Practice Guidance). The plan shall be implemented in accordance with the approved details.

9. Before development is commenced, excluding the demolition of the existing buildings, there shall be submitted to and approved in writing by the Borough Council details of measures to prevent the deposit of debris upon the adjacent public highway. The approved measures shall be provided before development is commenced and shall be maintained in working order at all times during the construction period and shall be used by every vehicle carrying mud, dirt or other debris on its wheels before leaving the site so that no mud, dirt or other debris is discharged or carried on to a public road.
10. Before development is commenced, excluding the demolition of the existing buildings, there shall be submitted to and approved in writing by the Borough Council drainage plans for the proposed means of disposal of surface water and foul sewage. The scheme shall be implemented in accordance with the approved details before the development is first brought into use and shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.
11. Before development is commenced, excluding the demolition of the existing buildings, there shall be submitted to and approved in writing by the Borough Council details of the proposed means of enclosure of the site. The means of enclosure shall be implemented in accordance with the approved details before the development is first brought into use and shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.
12. Before development is commenced, excluding the demolition of the existing buildings, there shall be submitted to and approved in writing by the Borough Council details of a Local Employment Agreement to cover the construction of the development hereby permitted. The Local Employment Agreement shall be implemented in accordance with the approved details, unless otherwise prior agreed in writing by the Borough Council.
13. No part of the development hereby permitted shall be first occupied until the private drive, parking and turning areas are surfaced in a hard bound material in accordance with drawing number 2265/P 101 B, behind the highway boundary. The surfaced drives and any parking or turning areas shall then be maintained in such hard bound material for the life of the development.
14. No part of the development hereby permitted shall be first occupied until details of a dropped vehicular footway crossing have been submitted to and approved in writing by the Borough Council. The dropped vehicular footway crossing shall be constructed in accordance with the approved details before the development hereby permitted is first occupied and shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.

15. No part of the development hereby permitted shall be first occupied until details of the proposed means of closure of the existing site access and re-instatement of the access crossing as footway have been submitted to and approved in writing by the Borough Council. The existing site access shall be permanently closed and the access crossing reinstated as footway in accordance with the approved details before the development hereby permitted is first occupied and shall be retained as approved for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.
16. No part of the development hereby permitted shall be first occupied until the cycle parking layout indicated on drawing no: 2265/P 101 B has been provided and that area shall not thereafter be used for any purpose other than the parking of cycles for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.
17. The proposed means of surfacing shall be implemented before the development hereby permitted is first brought into use and shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.
18. The approved landscape plan shall be carried out in the first planting season following the substantial completion of the development. If within a period of five years beginning with the date of planting of any tree, hedge, shrub or seeded area, that tree, shrub, hedge or seeded area, or any tree, hedge, shrub or seeded area that is planted in replacement of it, is removed, uprooted or destroyed or dies, or becomes in the opinion of the Borough Council seriously damaged or defective, another tree, shrub or seeded area of the same species and size as that originally planted shall be planted at the same place, unless otherwise prior agreed in writing by the Borough Council.

Reasons

1. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt.
3. To protect the occupants of the proposed development, in accordance with the aims of Section 11 of the National Planning Policy Framework.
4. To protect the occupants of the proposed development, in accordance with the aims of Section 11 of the National Planning Policy Framework.
5. To ensure that practicable and effective measures are taken to treat, contain or control any contamination, in accordance with the aims of Section 11 of the National Planning Policy Framework and Policies

ENV1 and ENV3 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).

6. To ensure that practicable and effective measures are taken to treat, contain or control any contamination, in accordance with the aims of Section 11 of the National Planning Policy Framework and Policies ENV1 and ENV3 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
7. To ensure that practicable and effective measures are taken to treat, contain or control any contamination, in accordance with the aims of Section 11 of the National Planning Policy Framework and Policies ENV1 and ENV3 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
8. To protect the residential amenity of the area, in accordance with the aims of Section 11 of the National Planning Policy Framework and Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014).
9. In the interests of highway safety in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
10. To ensure the development is provided with a satisfactory means of drainage and to minimise the risk of pollution, in accordance with Section 11 of the National Planning Policy Framework and Policy 1 of the Aligned Core Strategy for Gedling Borough (September 2014).
11. To protect the residential amenity of the area, in accordance with the aims of Section 11 of the National Planning Policy Framework and Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014).
12. To seek to ensure that the construction of the site provides appropriate employment and training opportunities, in accordance with Policy 4 of the Aligned Core Strategy for Gedling Borough (September 2014).
13. In the interests of highway safety in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
14. In the interests of highway safety in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
15. In the interests of highway safety in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).

16. To promote sustainable transport, in accordance with the aims of Section 4 of the National Planning Policy Framework and Policy 1 of the Gedling Borough Aligned Core Strategy Submitted Documents.
17. To ensure a satisfactory development, in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
18. To ensure a satisfactory development, in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).

Reasons for Decision

The development has been considered in accordance with the National Planning Policy Framework, the Aligned Core Strategy for Gedling Borough (September 2014) and the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014), where appropriate. In the opinion of the Borough Council, the proposed development largely accords with the relevant policies of these frameworks and plans. Where the development conflicts with the Development Plan, it is the opinion of the Borough Council that other material considerations indicate that permission should be granted. The benefits of granting the proposal outweigh any adverse impact of departing from the Development Plan.

Notes to Applicant

The development makes it necessary to construct and alter a vehicular crossing over a footway of the public highway. These works shall be constructed to the satisfaction of the Highway Authority. You are, therefore, required to contact the County Council's Highways Office to arrange for these works to be carried out.

It is an offence under S148 and S151 of the Highways Act 1980 to deposit mud on the public highway and as such you should undertake every effort to prevent it occurring.

The development makes it necessary to relocate an existing bus stop in the public highway. These works shall be constructed to the satisfaction of the Highway Authority. You are, therefore, required to contact the County Council's Public Transport Office to arrange for these works to be carried out.

Should any bats be found during demolition, work must stop immediately. If the bats do not voluntarily fly out, the aperture shall be carefully covered over to provide protection from the elements whilst leaving a small gap for the bat to escape should it so desire. The Bat Conservation Trust (08451 300228) or an appropriately qualified ecologist should be contacted immediately for further advice and any advice must be followed before any further demolition work takes place.

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0845 762 6848. Further information is also available on The Coal Authority website at www.coal.decc.gov.uk. Property specific summary information on past, current and future coal mining activity can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com.

The Borough Council has worked positively and proactively with the applicant, in accordance with paragraphs 186 and 187 of the National Planning Policy Framework, based on seeking solutions to problems arising in relation to dealing with the planning application. This has been achieved by providing details of issues raised in consultation responses; requesting clarification, additional information or drawings in response to issues raised; and providing updates on the application's progress.

**296 AUTHORISATION FOR ENFORCEMENT NOTICE- LINBY HOUSE,
LINBY LANE**

Breach of Planning Control, unauthorised development.

RESOLVED:

That the Corporate Director be authorised in Consultation with the Council Solicitor and Monitoring Officer to take any necessary enforcement action including service of notices and issuing/defending legal proceedings if required.

**297 APPLICATION NO. 2014/0740- LAND ADJACENT BRADSTONE
DRIVE, SPRING LANE, LAMBLEY.**

Hybrid Planning application comprising: Part A Full planning application for creation of temporary access and enabling earth works to create development platform, Part B Outline planning application for residential development of up to 150 houses with associated access, landscaping and public open space. Approval sought for access. All other matters reserved.

Mr Stuart Ashton, the applicant, spoke in favour of the application.

The Service Manager, Planning and Economic Development, informed the Committee that in negotiations with the County Council, as the local Highway Authority, the council had requested a contribution to the Gedling Access Road as part of the Section 106 Agreement.

RESOLVED To GRANT FULL AND OUTLINE PLANNING PERMISSION, subject to the applicant entering into a Section 106 Agreement with the Borough Council as local planning authority and with the County Council as local highway and education authority for the provision of, or financial contributions towards Affordable Housing, Open Space, Healthcare Facilities, Highways, Educational and Library Facilities; and subject to the following conditions:

Conditions

1. The development hereby permitted for the creation of a temporary access and enabling earthworks must be begun not later than three years beginning with the date of this permission.
2. Application for the approval of reserved matters relating to the residential development (appearance, landscaping, layout and scale) shall be made not later than three years beginning with the date of this permission and the development shall be begun not later than two years from the final approval of the reserved matters or, in the case of approval of the reserved matters on different dates, the final approval of the last such matter to be approved.
3. The development hereby granted full planning permission for the creation of a temporary access and enabling earthworks, and outline planning permission for the residential development, shall be constructed in accordance with the following approved plan: Proposed Access Junction Layout (ADC1040/001 Rev A) and Cut and Fill Volumetrics (10-02 Rev P1), received on 19th June, 2014, except where further details are required for approval by other conditions of this planning permission.
4. The temporary access hereby permitted shall be provided on Spring Lane in accordance with the details shown on drawing number ADC1040/001 Rev A, prior to the commencement of the enabling works. The temporary access shall be retained for the duration of the enabling works, unless otherwise prior agreed in writing by the Borough Council.
5. The temporary access hereby permitted shall be completed and surfaced in a bound material for a minimum distance of 15.00 metres behind the highway boundary, prior to the commencement of the enabling works. The temporary access shall be retained for the duration of the enabling works, unless otherwise prior agreed in writing by the Borough Council.
6. Before development is commenced on the temporary access and enabling earthworks, there shall be submitted to and approved in writing by the Borough Council a Materials Management Plan. The development would require significant earth movements and these

should be identified within the Materials Management Plan, which would need to be well developed and integrated within the Construction Environmental Management Plan, given the potential for contamination release during excavations. The stability issues of the spoil tip itself should also be considered, such that the stability of the slopes of the spoil tips are not compromised. The enabling earthworks shall be implemented in accordance with the approved details, unless otherwise prior agreed in writing by the Borough Council.

7. Prior to the commencement of the temporary access and enabling earthworks and prior to the commencement of the residential development, there shall be submitted to and approved in writing by the Borough Council: (1) cross-sections and contour plans showing details of the existing and proposed site levels in relation to adjacent properties, including finished floor levels for the residential development, for each of these phases; and (2) an assessment of any site slope stability issues the development may have with respect to the creation of ponds and any special stabilisation measures that are required to mitigate slope stability issues for each of these phases. Each phase of the development shall be implemented in accordance with the approved details, unless otherwise prior agreed in writing by the Borough Council.
8. Prior to the commencement of the temporary access and enabling earthworks and prior to the commencement of the residential development hereby permitted, a written assessment of the nature and extent of any potential or actual contamination shall be submitted to and approved in writing by the Borough Council. This assessment shall include a survey of the extent, scale and nature of contamination and an assessment of the potential risks to human health, property, adjoining land, controlled waters, ecological systems, archaeological sites and ancient monuments. The assessment shall be undertaken by a competent person and shall assess any contamination of the site whether or not it originates on site.
9. In the event that remediation is required to render the development suitable for use in any phase, a written remediation scheme and timetable of works for that phase shall be submitted to and approved in writing by the Borough Council. The scheme shall then be implemented in accordance with the approved details. Prior to the development for that phase being first brought into use, a Verification Report (that satisfactorily demonstrates the effectiveness of the remediation carried out, including a review of the soil sampling results and the proposed areas for residential development, refining the conceptual site model and ensuring the whole of the site is suitable for use, and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action) must be submitted to and approved in writing by the Borough Council.

10. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Borough Council and development must be halted immediately on that part of the site until such time that the Borough Council has given written approval for works to recommence on site. Once contamination has been reported to the Borough Council, an assessment of contamination must be undertaken in accordance with the requirements of condition 8 above. Where remediation is necessary, a written remediation scheme, together with a timetable for its implementation and verification reporting, must be submitted to and approved in writing by the Borough Council. The Remediation Scheme shall be implemented as approved.
11. Prior to the commencement of the temporary access and enabling earthworks and prior to the commencement of the residential development, there shall be submitted to and approved in writing by the Borough Council details of a scheme to treat and remove suspended solids from surface water run-off during construction works for each of these phases. The approved scheme shall be implemented prior to any other works (excluding those required by conditions 12 and 13) commencing on each of these phases and shall be retained for the duration of the construction period for each phase, unless otherwise prior agreed in writing by the Borough Council.
12. Prior to the commencement of the temporary access and enabling earthworks and prior to the commencement of the residential development, there shall be submitted to and approved in writing by the Borough Council details of a Dust Management Plan for each of these phases. The plan shall be produced in accordance with 'The Control of Dust and Emissions from Construction and Demolition' (Best Practice Guidance). The approved plan shall be implemented in accordance with the approved details prior to any other works (excluding those required by conditions 11 and 13) commencing on each of these phases and shall be retained for the duration of the construction period for each phase, unless otherwise prior agreed in writing by the Borough Council.
13. Prior to the commencement of the temporary access and enabling earthworks and prior to the commencement of the residential development, there shall be submitted to and approved in writing by the Borough Council details of measures to prevent the deposit of debris upon the adjacent public highway. The approved measures shall be implemented prior to any other works (excluding those required by conditions 11 and 12) commencing on each of these phases and shall be retained for the duration of the construction period for each phase, unless otherwise prior agreed in writing by the Borough Council.
14. Prior to the commencement of the temporary access and enabling earthworks and prior to the commencement of the residential development, there shall be submitted to and approved in writing by the

Borough Council details of a surface water drainage scheme for each of these phases. The surface water drainage scheme shall be based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development. The scheme to be submitted shall: (1) Demonstrate that the surface water drainage system(s) are designed in accordance with CIRIA C697 and C687, or the National SuDS Standards, should the later be in force when the detailed design of the surface water drainage system is undertaken; (2) Limit the discharge rate generated by all rainfall events up to and including the 100 year plus 30% (allowance for climate change) critical rain storm to ideally the Greenfield runoff rates for the site. As a minimum, the developed site must not exceed the run-off from the undeveloped site and must not increase the risk of flooding off-site; (3) Demonstrate the provisions of surface water run-off attenuation storage in accordance with the requirements specified in 'Science Report SC030219 Rainfall Management for Developments'; (4) Demonstrate detailed design (plans, network details and calculations) in support of any surface water drainage scheme, including details of any attenuation system, and outfall arrangements. Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 2 year, 1 in 30 year, 1 in 100 year and 1 in 100 year plus climate change return periods; and (5) Confirm how the on-site surface water drainage systems will be adopted and maintained in perpetuity to ensure long term operation at the designed parameters. The surface water drainage scheme shall be implemented in accordance with the approved details at the time that each phase is constructed and shall be retained in accordance with the approved details for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.

15. Prior to the commencement of the temporary access and enabling earthworks and prior to the commencement of the residential development, a written Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Borough Council for each of these phases. The CEMP shall include the following: (1) details of an ecological clerk who shall be employed to oversee ecological mitigation and to gain necessary licences to undertake ecological mitigation; (2) details of the proposed hours of working during the period of development, together with details of any site lighting and compound lighting; (3) details of the proposed area for the storage of soil and other materials during the period of development, together with details of how dust, noise, incidental damage and spillages will be monitored and dealt with; (4) details of the proposed means of access of construction vehicles during the period of development; (5) details of a methodology and programme of site clearance of vegetation; (6) details of a methodology and mechanism for the surveying, recording and reporting together with the provision of a programme and timetable for the implementation of mitigation measures, including translocation measures, in relation to flora and

fauna that could be affected during the period of development (the ecological interest to be covered shall include amphibians, badgers, bats, birds, insects, reptiles, trees, hedgerows and grassland); and (7) details of planting schemes indicating the location, size, species and density of all planting proposed to compensate for the loss of habitat during development and a schedule of implementation and timetable of the proposed planting and a management plan including long term design objectives, management responsibilities and maintenance schedules covering the construction phase. The CEMP shall be implemented in accordance with the approved details for each of these phases and the proposed mitigation measures shall be retained in accordance with approved details.

16. Prior to the commencement of the temporary access and enabling earthworks and prior to the commencement of the residential development, a written Ecological Management Plan (EMP) for the retained and created habitats, including any appropriate mitigation measures, shall be submitted to and approved in writing by the Borough Council for each of these phases. The EMP shall be implemented in accordance with the approved details and the proposed mitigation measures shall be retained in accordance with the approved details.
17. Prior to the commencement of site clearance for the temporary access and enabling earthworks and prior to the commencement of the residential development, there shall be submitted to and approved in writing by the Borough Council a Tree Protection Plan and Method Statement for each of these phases. The Tree Protection Plan and Method Statement shall be implemented in accordance with the approved details for the duration of each phase.
18. Prior to the commencement of the temporary access and enabling earthworks, there shall be submitted to and approved in writing by the Borough Council: (1) details of a new hedgerow, which shall consist of native species, along the new alignment of the visibility splays to Spring Lane; and (2) details of how the existing hedgerow to Spring Lane is to be managed, including the planting up of gaps and laying. The new hedgerow and any management works to the existing hedgerow to Spring Lane shall be implemented in accordance with the approved details in the first planting season following the completion of the temporary access and enabling earthworks and shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.
19. Prior to the commencement of the temporary access and enabling earthworks, there shall be submitted to and approved in writing by the Borough Council an assessment of the practicality of prior extraction of brick clay from the site. In the event that the assessment demonstrates that the prior extraction of brick clay is feasible, the development

hereby permitted shall not commence until the prior extraction of brick clay has been completed.

20. Before development is commenced on the residential development, there shall be submitted to and approved in writing by the Borough Council details of the parking and turning facilities, access widths, gradients, surfacing, street lighting, structures, visibility splays and drainage. All details submitted to the Borough Council for approval shall comply with the County Council's Highway Design and Parking Guides which are current at the time the details are submitted. The development shall be implemented in accordance with the approved details, which shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.
21. Before development is commenced on the residential development there shall be submitted to and approved in writing by the Borough Council drainage plans for the proposed means of disposal of foul sewage. The scheme shall be implemented in accordance with the approved details before the development is first brought into use, unless otherwise prior agreed in writing by the Borough Council.
22. Before development is commenced on the residential development, there shall be submitted to and approved in writing by the Borough Council details of a Local Employment Agreement to cover the construction of the development hereby permitted. The Local Employment Agreement shall be implemented in accordance with the approved details, unless otherwise prior agreed in writing by the Borough Council.
23. Before development is commenced on the residential development there shall be submitted to and approved in writing by the Borough Council details of a 'bat friendly' lighting scheme to ensure that artificial lighting, avoids illuminating boundary features such as hedgerows and other areas of retained or created habitat. The scheme shall be implemented in accordance with the approved details, unless otherwise prior agreed in writing by the Borough Council.
24. Before development is commenced on the residential development, there shall be submitted to and approved in writing by the Borough Council details of a scheme for the incorporation of integrated bird and bat boxes within the fabric of a proportion of the houses; bird boxes should target species such as house sparrow, swallow and swift. The scheme shall be implemented in accordance with the approved details before the development is first brought into use and shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.
25. No removal of hedgerows, trees, shrubs or grassland shall take place on site during the bird nesting season (1st March to 31st August inclusive in any given year), unless pre-commencement checks,

including transects and vantage points in areas of rough vegetation to search for the presence of ground nesting birds, have been undertaken by an appropriately qualified ecologist and the outcome reported to the Borough Council. If any nesting birds are found to be present, details of any proposed mitigation measures shall be submitted to and approved in writing by the Borough Council before the development commences. The mitigation measures shall be implemented in accordance with the approved details before development commences, unless otherwise prior agreed in writing by the Borough Council. If birds are found to be nesting once development has commenced, works must be halted in the vicinity until the young have fledged.

26. During the construction of the temporary access, the enabling earthworks and construction of the residential development, if any trenches are left open overnight, they should be left with a sloping end or ramp to allow badgers or other mammals that may fall into the excavation to escape, and any pipes over 150 mm in diameter should be capped off at night to prevent mammals from entering them.
27. The detailed plans and particulars to be submitted as reserved matters for the residential development in relation to appearance shall include details of the materials to be used in the external elevations and roofs of the proposed buildings. The development shall be carried out in accordance with the approved details, which shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.
28. The detailed plans and particulars to be submitted as reserved matters for the residential development in relation to landscaping shall include: (1) details of the size, species, positions and density of all trees and shrubs to be planted, which shall consist of native species, ideally of local provenance, where possible; (2) details of the boundary treatments, including those to individual plot boundaries, which shall retain and incorporate the strips of plantation woodland and peripheral hedgerows into the proposed scheme; (3) typical cross-sections, showing areas to be planted and how they will reduce the visual impact of the development from the Country Park; (4) the proposed means of surfacing access roads, car parking areas, roadways and the frontages of properties such as driveways and footpaths to front doors and (5) a programme of implementation. The development shall be implemented in accordance with the approved details, which shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.
29. If within a period of five years beginning with the date of the planting of any tree or shrub, approved as reserved matters for the residential development in relation to landscaping, that tree or shrub, or any tree or shrub that is planted in replacement of it, is removed, uprooted or destroyed or dies, or becomes in the opinion of the Borough Council seriously damaged or defective, another tree or shrub of the same

species and size as that originally planted shall be planted at the same place, unless otherwise prior agreed in writing by the Borough Council.

30. The existing pedestrian link in the north-western corner of the application site at its junction with Spring Lane, and its associated footpath to the Country Park, shall be retained as part of any design layout for the residential development of the site, unless otherwise prior agreed in writing by the Borough Council.
31. Any garage doors shall be set back from the highway boundary a minimum distance of 5 metres for sliding or roller shutter doors, 5.5 metres for up and over doors or 6 metres for doors opening outwards. The garage doors shall be retained to this specification for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.

Reasons

1. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
2. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
3. For the avoidance of doubt.
4. To ensure adequate means of access to the site for initial construction traffic in the interests of highway safety, in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
5. To ensure a full rotation of vehicle wheels to prevent mud and detritus being deposited on the highway in the interests of highway safety, in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
6. To ensure a satisfactory development and to ensure that practicable and effective measures are taken to treat, contain or control any contamination and to protect controlled waters in accordance with the aims of Section 11 of the National Planning Policy Framework and Policies ENV1 and ENV3 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
7. To ensure a satisfactory development in accordance with the aims of Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014) and Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
8. To ensure that practicable and effective measures are taken to treat, contain or control any contamination and to protect controlled waters in

accordance with the aims of Section 11 of the National Planning Policy Framework and Policies ENV1 and ENV3 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).

9. To ensure that practicable and effective measures are taken to treat, contain or control any contamination and to protect controlled waters in accordance with the aims of Section 11 of the National Planning Policy Framework and Policies ENV1 and ENV3 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
10. To ensure that practicable and effective measures are taken to treat, contain or control any contamination and to protect controlled waters in accordance with the aims of Section 11 of the National Planning Policy Framework and Policies ENV1 and ENV3 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
11. To reduce the risk of surface water contamination during the construction phase, in accordance with the aims of Section 11 of the National Planning Policy Framework and Policies ENV1 and ENV3 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
12. To protect the residential amenity of the area in accordance with the aims of Section 11 of the National Planning Policy Framework and Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014).
13. To prevent mud and detritus being deposited on the highway in the interests of highway safety, in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
14. To prevent the increased risk of flooding; to improve and protect water quality; to improve habitat and amenity; and to ensure the future maintenance of the sustainable drainage structures, in accordance with the National Planning Policy Framework and Policies 1 and 17 of the Aligned Core Strategy for Gedling Borough (September 2014).
15. To minimise any potential impacts on biodiversity in accordance with Section 11 of the National Planning Policy Framework and Policy 17 of the Aligned Core Strategy for Gedling (September 2014).
16. To minimise any potential impacts on biodiversity in accordance with Section 11 of the National Planning Policy Framework and Policy 17 of the Aligned Core Strategy for Gedling (September 2014).
17. To minimise the arboricultural impact of the proposed development, in accordance with Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014) and Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).

18. To ensure that the landscaping of the proposed development accords with Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014) and Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
19. To ensure that there will be no unnecessary sterilisation of mineral resource, in accordance with Section 13 of the National Planning Policy Framework.
20. To ensure that the roads of the proposed development are designed to an adoptable standard, in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
21. To ensure a satisfactory development in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
22. To seek to ensure that the construction of the site provides appropriate employment and training opportunities, in accordance with Policy 4 of the Aligned Core Strategy for Gedling Borough (September 2014).
23. To minimise any potential impacts on biodiversity in accordance with Section 11 of the National Planning Policy Framework and Policy 17 of the Aligned Core Strategy for Gedling (September 2014).
24. To enhance biodiversity in accordance with Section 11 of the National Planning Policy Framework and Policy 17 of the Aligned Core Strategy for Gedling Borough (September 2014).
25. To minimise any potential impacts on biodiversity in accordance with Section 11 of the National Planning Policy Framework and Policy 17 of the Aligned Core Strategy for Gedling Borough (September 2014).
26. To minimise any potential impacts on biodiversity in accordance with the National Planning Policy Framework and Policy 17 of the Aligned Core Strategy for Gedling Borough (September 2014).
27. To ensure a satisfactory development in accordance with the aims of Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014) and Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
28. To ensure that the landscaping of the proposed development accords with Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014) and Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).

29. To ensure a satisfactory development, in accordance with Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014) and Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).
30. To retain pedestrian links to the Country Park, in accordance with the aims of Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014).
31. In the interests of highway safety in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014).

Reasons for Decision

The development has been considered in accordance with the National Planning Policy Framework, the Aligned Core Strategy for Gedling Borough (September 2014) and the Gedling Borough Replacement Local Plan (Certain Policies Saved 2014), where appropriate. In the opinion of the Borough Council, the proposed development largely accords with the relevant policies of these frameworks and plans. Where the development conflicts with the Development Plan, it is the opinion of the Borough Council that other material considerations indicate that permission should be granted. The benefits of granting the proposal outweigh any adverse impact of departing from the Development Plan.

Notes to Applicant

It is an offence under S148 and S151 of the Highways Act 1980 to deposit mud on the public highway and as such you should undertake every effort to prevent it occurring.

The applicant should note that notwithstanding any planning permission that if any highway forming part of the development is to be adopted by the Highways Authority. The new roads and any highway drainage will be required to comply with the Nottinghamshire County Council's current highway design guidance and specification for roadworks.

The Advanced Payments Code in the Highways Act 1980 applies and under section 219 of the Act payment will be required from the owner of the land fronting a private street on which a new building is to be erected. The developer should contact the Highway Authority with regard to compliance with the Code, or alternatively to the issue of a Section 38 Agreement and bond under the Highways Act 1980. A Section 38 Agreement can take some time to complete. Therefore, it is recommended that the developer contact the Highway Authority as early as possible.

It is strongly recommended that the developer contact the Highway Authority at an early stage to clarify the codes etc. with which compliance will be required in the particular circumstance, and it is essential that design

calculations and detailed construction drawings for the proposed works are submitted to and approved by the County Council (or District Council) in writing before any work commences on site.

In order to carry out the off-site works required you will be undertaking work in the public highway which is land subject to the provisions of the Highways Act 1980 (as amended) and therefore land over which you have no control. In order to undertake the works you will need to enter into an agreement under Section 278 of the Act. Please contact the Highway Authority for details.

The Environment Agency advises that condition 14 should not be altered without its prior notification to ensure that the above requirements can be incorporated into an acceptable drainage scheme that reduces the risk of flooding.

The Environment Agency does not consider oversized pipes or box culverts as sustainable drainage. Should infiltration not be feasible at the site, alternative sustainable drainage should be used, with a preference for above ground solutions.

The Environment Agency advises that surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management. Sustainable Drainage Systems (SuDS) are an approach to managing surface water run-off which seeks to mimic natural drainage systems and retain water on-site, as opposed to traditional drainage approaches which involve piping water off-site as quickly as possible.

The Environment Agency advises that SuDS involve a range of techniques, including methods appropriate to impermeable sites that hold water in storage areas e.g. ponds, basins, green roofs etc rather than just the use of infiltration techniques. Support for the SuDS approach is set out in the NPPF.

The Environment Agency notes that the application proposes a number of culvert crossings to access the site. The Environment Agency recommends that preference be given to clear span bridges to limit the loss of channel capacity, risk of blockages and the loss of bank habitat. If clear span bridges are not feasible, then the culverts should be designed to convey up to the 100 year plus climate change flows. Consent for culverting the ordinary watercourses will be required from the Lead Local Flood Authority (LLFA) and therefore the Environment Agency recommends that the applicant contacts the LLFA as early as practically possible.

Severn Trent Water advise that there is a public sewer located within the application site. Public sewers have statutory protection by virtue of the Water Industry Act 1991, as amended by the Water Act 2003, and you may not build close to, directly over or divert a public sewer without consent. You are advised to contact Severn Trent Water to discuss your proposals. Severn Trent Water will seek to assist you in obtaining a solution which protects both

the public sewer and the proposed development. If you require further information, please contact Severn Trent Water on 0116 234 3834.

The Borough Council requests that the applicant considers incorporating provision for residential dwellings (with dedicated parking) to have dedicated outside electric power points, to allow residents to charge electric/hybrid vehicles into the future (see IET Code of Practice for EV Charging Equipment Installation).

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0845 762 6848. Further information is also available on The Coal Authority website at www.coal.decc.gov.uk. Property specific summary information on past, current and future coal mining activity can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com.

The Borough Council has worked positively and proactively with the applicant, in accordance with paragraphs 186 and 187 of the National Planning Policy Framework, based on seeking solutions to problems arising in relation to dealing with the planning application. This has been achieved by meeting the applicant to discuss issues raised, providing details of issues raised in consultation responses; requesting clarification, additional information or drawings in response to issues raised; and providing updates on the application's progress.

298 AUTHORISATION FOR DEED OF VARIATION TO S106- PARK ROAD, BESTWOOD.

Variation of Section 106 Agreement to provide for Off Site Financial Contribution associated with proposed development of 175 dwellings, public open space and associated works.

RESOLVED:

To give authorisation to the Corporate Director to instruct the Council's Solicitor and Monitoring Officer to make a deed of variation to the Section 106 associated with Planning Application 2005/0928 to enable an off-site contribution of £55,000 (to be paid to the Parish Council) to be made in lieu of the full provision on site of a formal ball court/kick about area on the Park Road Development.

299 PLANNING DELEGATION PANEL ACTION SHEETS

RESOLVED:

To note the information.

300 FUTURE PLANNING APPLICATIONS

The Chair requested that, if possible, application nos. 2011/0523, Woodborough Park, and 2012/0616 Land North of the Lighthouse, Catfoot Lane, be considered at separate meetings of the Planning Committee.

RESOLVED:

To note the information.

301 ANY OTHER ITEMS WHICH THE CHAIR CONSIDERS URGENT.

None.

The meeting finished at 6.40 pm

Signed by Chair:
Date:

DECISIONS MADE UNDER DELEGATED AUTHORITY

<u>Business</u>	<u>Summary</u>	<u>Ref.</u>	<u>Date</u>	<u>Portfolio</u>
Partnership payment in respect of the Gedling Access Road ref: 284	To make a partnership payment to Nottingham City Council in respect of land for the Gedling Access Road.	D284	29/01/2015	Finance, Performance and Economic Development
PASC Fees and Charges 2015 -16 ref: 290	Approval of fees and charges for Parks and Street department care from 1 st April.	D290	18/02/2015	Environment
National Non-Domestic Rates Reoccupation Relief ref: 289	Authority given to determine an application for discretionary reoccupation relief.	D289	18/02/2015	Finance, Performance and Economic Development
Sale of disused toilet at Carlton Hill ref: 287	Approval to sell a disused toilet.	D287	19/02/2015	Environment
Building Regulation Charging Scheme and Standard Charges ref: 288	Approval to increase charges.	D288	24/02/2015	Leisure and Development
Playground Equipment Framework Report ref: 291	Approval to use Eastern Shires Purchasing Organisation to procure future playground equipment.	D291	24/02/2015	Environment
Communications Fees and Charges Report 2015/16 ref: 293	Approval of fees and charges for Communications department from 1st April.	D293	26/02/2015	Communications and Public Protection

Cardio-vascular equipment contract for Redhill Leisure Centre ref: 292	Approval to tender for cardiovascular equipment at Redhill Leisure Centre.	D292	03/03/2015	Leisure and Development
Rent levels for Temporary Housing ref: 296	Approval of 1% increase for temporary housing from 1 April.	D296	06/03/2015	Health and Housing
Leisure Centres Fees and Charges 2015-16 ref: 294	Approval of fees and charges for Leisure Centres from 1st April.	D294	13/03/2015	Leisure and Development
National Non-Domestic Rates Discretionary Transitional Relief ref: 295	Approval of guidance to determine applications for discretionary transitional relief	D295	13/03/2015	Finance, Performance and Economic Development
Public Protection Fees and Charges 2015/16 ref: 301	Approval of fees and charges for Leisure Centres from 1st April.	D301	18/03/2015	Communications and Public Protection
Community Centre Fees and Charges 2015/16 ref: 286	Approval of fees and charges for Communications department from 1st April.	D286	23/03/2015	Finance, Performance and Economic Development
Sale of disused toilet at Front Street, Arnold ref: 298	Approval to sell a disused toilet.	D298	25/03/2015	Environment