



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

# Agenda

## Cabinet

Date: **Thursday 28 June 2018**

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Time: **12.30 pm**

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Place: **Chappell Room**

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For any further information please contact:

**Alec Dubberley**

Service Manager Democratic Services

0115 901 3906

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# Cabinet

## Membership

**Chair** Councillor John Clarke

**Vice-Chair** Councillor Michael Payne

Councillor Peter Barnes  
Councillor David Ellis  
Councillor Gary Gregory  
Councillor Jenny Hollingsworth  
Councillor Henry Wheeler

**Observers:** Councillor Chris Barnfather

## **AGENDA**

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| <b>17</b> | <b>Exclusion of Press and Public</b> |
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To move that in accordance with the provisions of the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000, the public be excluded from the remainder of the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

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## **MINUTES CABINET**

**Thursday 24 May 2018**

Councillor Michael Payne (Chair)

Councillor Peter Barnes  
Councillor David Ellis  
Councillor Gary Gregory

Councillor Jenny Hollingsworth  
Councillor Henry Wheeler

Observers: Councillor Kevin Doyle

Absent: Councillor John Clarke and Councillor Chris Barnfather

Officers in Attendance: J Robinson, H Barrington, A Dubberley, M Hill and D Wakelin

### **1 APOLOGIES FOR ABSENCE.**

Apologies for absence were received from Councillor Clarke and Councillor Barnfather (observer).

### **2 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 3 MAY 2018.**

#### **RESOLVED:**

That the minutes of the above meeting, having been circulated, be approved as a correct record subject to inserting the resolution for minute 118 as follows:

#### **RESOLVED to:**

- 1) Defer the decision on whether to implement recording of meetings until after the elections in May 2019; and
- 2) Request that further work is carried out to fully assess costs and options for recording of meetings so that a decision can be made in 2019.

### **3 DECLARATION OF INTERESTS.**

None

### **4 ANNUAL TREASURY ACTIVITY REPORT 2017/18**

The Deputy Chief Executive and Director of Finance introduced a report, which had been circulated prior to the meeting, informing Members of the outturn in respect of the 2017/18 Prudential Code Indicators, and to advise Members of the outturn on treasury activity, both as required by the Treasury Management Strategy.

**RESOLVED:**

To approve the Annual Treasury Activity Report and refer it to Council for approval as required by the regulations.

**5**

**COUNCIL PLAN AND BUDGET OUTTURN AND BUDGET CARRY FORWARDS 2018/19**

The Chief Executive and Deputy Chief Executive introduced the report and highlighted some key points from the report on financial and performance detail from the last financial year.

Members were shown a short film featuring the key achievements of service areas to give a flavour of what has been going on around the Council during the year.

Members thanked officers for their hard work during the year which is appreciated by all Councillors.

Councillor Payne requested a report for a future meeting of Cabinet to look at the issue of improving recycling rates and other issues around waste disposal.

**RESOLVED to:**

- 1) Note the Gedling Plan Performance and Budget Outturn figures for 2017/18;
- 2) Approve the movements in Reserves and Provisions as detailed in paragraphs 2.1.8 and 2.1.9 of the report;
- 3) Note the capital carry forwards approved by the Chief Financial Officer of £1,761,700 included in Appendix 6 to the report, being amounts not in excess of £50,000 and committed schemes above £50,000; and
- 4) Refer to Council for approval:
  - a) The capital carry forwards of £263,300 included in Appendix 6 to the report for non-committed schemes in excess of £50,000;

- b) The overall method of financing of the 2017/18 capital expenditure as set out in paragraph 2.6.5 of the report; and
- c) The capital determinations regarding financing and debt provisions as set out in paragraph 2.6.7 of the report..

**6 ANY OTHER ITEMS THE CHAIR CONSIDERS URGENT.**

None.

The meeting finished at 1.25 pm

Signed by Chair:  
Date:

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## **Report to Cabinet**

**Subject:** Modern Slavery

**Date:** 28 June 2018

**Author:** John Robinson, Chief Executive

### **Wards Affected**

All

### **Purpose**

To seek Cabinet's approval of a proposed Modern Slavery and Human Trafficking Policy and Transparency Statement, including the associated commitments to practical action.

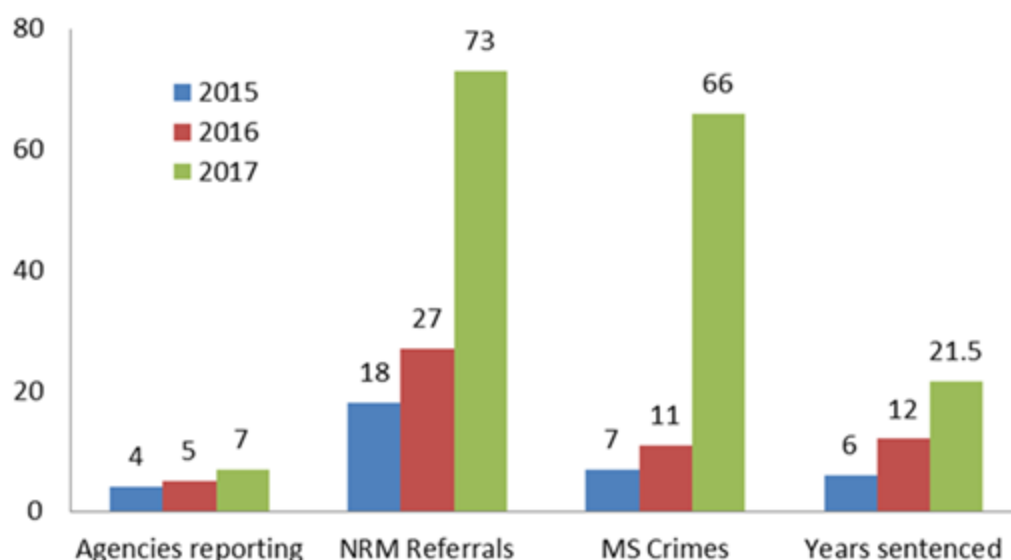
### **Key Decision**

This is not a key decision.

### **Background**

- 1.1 Figures from the International Labour Organisation (ILO) suggest that there are more than 40 million people in modern slavery across the world.
- 1.2 In 2013, the Home Office estimated that there were between 10,000 and 13,000 potential victims of modern slavery in the UK, though this number may well be much greater as modern slavery is often hidden.
- 1.3 In recent years, at a national and local level, the number of victims being identified and the number of crimes being recorded has increased significantly. As the graphs below indicate, though the numbers are relatively small, they are increasing rapidly, supporting the view of the police and other partners who are at the sharp end of this agenda – "if you look for it, you'll find it".

**Nottinghamshire - Modern Slavery reporting / outcomes**



1.4 In March 2015, the Government enacted the Modern Slavery Act 2015 which:-

- consolidated and clarified existing modern slavery and human trafficking offences and increased the maximum sentences for committing these offences
- introduced slavery and trafficking prevention orders and slavery and trafficking risk orders – which can be used to disrupt activities by modern slavery perpetrators
- created the role of the Independent Anti-Slavery Commissioner
- introduced support and protection for victims
- introduced a requirement for certain businesses to produce and publish a modern slavery statement on what they are doing to tackle modern slavery and trafficking in their supply chains.

1.5 The Act includes a number of provisions for local authorities. Firstly, a duty to identify and refer modern slavery child victims and consenting adults through the National Referral Mechanism (NRM). Secondly, a duty to notify the Home Secretary of adults who do not consent to enter the NRM. Thirdly, a duty to cooperate with the Independent Anti-Slavery Commissioner.

1.6 As already referenced above, commercial organisations, turning over in excess of £36 million annually, are also required to report their efforts to identify, prevent and mitigate the risk of modern slavery in their commercial operations by publishing an annual Slavery and Human Trafficking Statement.

- 1.7 While there is uncertainty as to whether the legal requirement to produce 'Transparency Statements' applies to local authorities, in April 2017, Parliament's Joint Committee on Human Rights recommended that "If the Government expects business to take human rights issues in their supply chains seriously, it must demonstrate at least the same level of commitment in its own procurement supply chains". The same can be said of local authorities i.e. that they have a responsibility to ensure that the risks of modern slavery within their supply chains are understood and that they are demonstrating community leadership in promoting a human rights approach towards procurement.
- 1.8 Beyond ensuring that supply chains are free from modern slavery, local authorities have three key roles to play:-
- identification and referral of victims
  - supporting victims, for example, through safeguarding children and adults with care and support needs and through housing/homelessness services
  - community safety, disruption and enforcement activities
- 1.9 Gedling is already actively involved in tackling modern slavery in a number of ways. Gedling's Member of Parliament, Vernon Coaker, Chairs an All Party Select Committee on Modern Slavery and the Chief Executive leads the Nottingham and Nottinghamshire Modern Slavery Partnership. Key members of staff have been trained by the external organisation Hope for Justice and Modern Slavery featured as the key item at the most recent round of Staff Briefings which raised staff awareness of the signs to look out for which may indicate an individual is enslaved and how to report any concerns. Gedling was also a partner to a successful bid for Home Office funding for a pilot scheme to better support victims and the introduction of the Selective Licensing Scheme carries the potential to trigger additional enforcement and disruption activity. Contractual clauses requiring suppliers and contractors to comply with requirements under the Modern Slavery Act 2015 are also now included in Gedling's standard contract terms and tender documents.
- 1.10 The Council is conscious of the needs of those fleeing modern slavery and human trafficking and the issues they face in relation to their eligibility to access both social housing and financial support. Officers are working with neighbouring authorities in terms of providing a consistent housing offer for these applicants and will take into account the particular issues they face as part of the current review of the Housing Allocations Policy. The updated Policy will be referred to Portfolio Holder for approval to consult in due course.
- 1.11 Enclosed with this report are proposed Policy and Transparency Statements that are intended to not only clarify and respond to the Council's statutory

obligations but also create a framework for ongoing action.

## **Proposal**

- 2.1 Cabinet is asked to approve the Modern Slavery Policy Statement and Transparency Statement attached to this report.

## **Alternative Options**

- 3.1 Members could choose not to approve the Modern Slavery and Human Trafficking Policy Statement and Transparency Statement or approve a different version. However, the documents have been prepared in order to set out the current and ongoing action the Council intends to take to demonstrate its commitment to tackling this issue in a clear and concise way. Whilst the Council could take a less proactive approach than set out in the documents, this would not demonstrate the Council's ambition and commitment to tackle and prevent Modern Slavery issues in the Borough, the County and in its own supply chains.

## **Financial Implications**

- 4.1 None at this stage

## **Appendices**

- 5.1 Proposed Modern Slavery and Human Trafficking Policy Statement and Transparency Statement.

## **Recommendations**

Cabinet is recommended to approve the Modern Slavery and Human Trafficking Policy Statement and Transparency Statement attached to this report.

## **Reasons for Recommendations**

To meet Gedling's legal obligations and to take a proactive role in tackling what is a heinous crime.

## **Modern Slavery and Human Trafficking Transparency Statement**

This statement sets out the steps Gedling Borough Council (“the Council”) has taken during 2017/18 and the steps the Council will be taking in 18/19 to ensure that slavery and human trafficking is not taking place in any of its supply chains and in any part of its own business.

We are committed to ensuring there is transparency in our own business and in our approach to tackling modern slavery throughout our supply chains. We expect the same standards from our contractors, suppliers and other partners and as part of our procurement processes, we will ensure that when pre-contract questionnaires are distributed to potential contractors, that they include questions in relation to the contractor/supplier’s Modern Slavery and Human Trafficking policies, processes and responsibilities, to ensure the Council enters into contracts with those organisations who are fulfilling their statutory responsibilities. A review of the Council’s Procurement Strategy will incorporate a risk assessment of the Council’s supply chain to ensure the areas with a deemed risk of modern slavery are appropriately monitored.

In addition the Council has already included anti-slavery clauses in its standard contract terms and conditions and tender documents, to ensure that the Council is entering into contracts with suppliers who are committed to complying with requirements under the anti-slavery and human trafficking laws, including but not limited to the Modern Slavery Act 2015.

Organisationally the Council takes its responsibilities for safeguarding extremely seriously. The organisation, through its HR practices and employment checks, will ensure that anyone offered work as an employee will be scrutinised to ensure that they are legally entitled to work in the U.K. The Council through its pay policies will adhere to appropriate legislation that determines and prescribes levels of minimum payment for work undertaken as an employee.

Through a series of staff briefings, staff have been advised of the impact of modern slavery both locally and nationally. They have also been advised of the potential signs that slavery or human trafficking may be occurring and where to report their concerns. Further training will be given to staff, in particular those staff working in front facing services who may be more likely to encounter instances of modern slavery, such as the Homelessness team and Public Protection and also to the Council’s key buyers to ensure due diligence in both procurement and ongoing contract management. The co-ordination of training and disseminating further information to staff in respect of Modern Slavery will be dealt with by the Council’s Corporate Safeguarding group.

June 2018



## **Modern Slavery and Human Trafficking Policy Statement**

### **1. Policy statement**

1.1. Modern slavery and human trafficking are a crime and a violation of fundamental human rights. It is widely recognised as increasing in prevalence across the UK and a safeguarding concern for all communities. Modern slavery can take various forms, such as slavery, domestic servitude, forced and compulsory labour and human trafficking, all of which have in common the deprivation of a person's liberty by another in order to exploit them for personal or commercial gain. Gedling Borough Council has a zero-tolerance approach to modern slavery.

1.2. Gedling Borough Council are committed to ensuring there is transparency in our own business and in our approach to tackling modern slavery throughout our supply chains.

1.3. We expect the same high standards from all of our contractors, suppliers and other business partners, and as part of our contracting processes, we now include specific clauses in our standard contract templates and tender documents to ensure we are contracting with organisations who are committed to complying with requirements under the anti-slavery and human trafficking laws, including but not limited to the Modern Slavery Act 2015.

1.4. This policy applies to all persons working for us or on our behalf in any capacity, including employees at all levels, directors, officers, agency workers, seconded workers, volunteers, interns, agents, contractors, external consultants, third-party representatives and business partners.

### **2. Responsibility**

2.1. The Council's Members and Senior Management Team have overall responsibility for ensuring this policy complies with our legal and ethical obligations. This policy document will be kept under review to ensure it complies with any legislative changes and remains fit for purpose.

2.2 It is the responsibility of the Service Manager responsible for procurement to ensure that procurement processes are robust in identifying risks in relation to slavery and human trafficking. Any high risks identified should be assessed in consultation with the officer responsible for safeguarding and a risk assessment prepared.

2.3 It is the responsibility of the officer responsible for safeguarding to ensure that any risks or issues in relation to modern slavery and human trafficking identified outside of the supply chain are dealt with appropriately and in a timely fashion, this includes assisting officers in the preparation of risk assessments where activities are

identified as high risk in relation to slavery and human trafficking and utilising the appropriate reporting methods where any issues of modern slavery or human trafficking are identified within the Council and reported to the officer responsible for safeguarding by staff or Service Managers.

2.4. The Council's Service Managers have primary and day-to-day responsibility for implementing, monitoring the policy's use and effectiveness, dealing with any queries regarding it and auditing internal control systems and procedures, including effective contract management, to ensure they are effective in countering modern slavery.

2.5. All levels of management are responsible for ensuring that those reporting to them understand and comply with this policy and are given appropriate training on the issue of modern slavery in supply chains.

### **3. Training**

3.1 Staff have already been briefed on the impact of modern slavery and human trafficking both locally and nationally. Staff will receive further training in respect of this policy, how to identify the signs of human slavery and trafficking and how to escalate potential slavery or human trafficking issues to the relevant person within the Council.

3.2 Training on this policy, and on the risk the business and the community face from modern slavery in its supply chains, will also form part of the induction process for all individuals who commence employment with the Council.

3.3 The co-ordination of training and disseminating further information to staff in respect of modern slavery will be dealt with by the Council's Corporate Safeguarding Group.

### **4. Reporting**

4.1 If a member of staff identifies the signs of human slavery or human trafficking they should report their concerns to their manager. The manager or Service Manager for the service area must report this to the officer responsible for safeguarding.

4.2 The officer responsible for safeguarding will ensure that the appropriate reporting mechanisms to external agencies are followed where appropriate, and will assist the reporting staff member in the preparation of any necessary referral documents.

### **5. Compliance with the policy**

5.1. All employees must be aware of, read, understand and comply with this policy.



5.2. The prevention, detection and reporting of modern slavery in any part of the Council's business or supply chains is the responsibility of all those working for the Council or under its control. Employees are required to avoid any activity that might lead to, or suggest, a breach of this policy. If an employee is unsure about whether a particular act or treatment of workers or working conditions constitutes any of the various forms of modern slavery, their concerns should be raised with their manager.

5.3. Employees must notify their manager as soon as possible if they believe or suspect that a conflict with this policy has occurred, or may occur in the future.

5.4. Employees are encouraged to raise concerns about any issue or suspicion of modern slavery in any parts of our business or supply chains of any supplier tier at the earliest possible stage.

5.5. Employees should note that where appropriate, the Council will give support and guidance to our suppliers to help them address abusive and exploitative work practices in their own business and supply chains.

5.6. The Council aims to encourage openness and will support anyone who raises genuine concerns in good faith under this policy, even if they turn out to be mistaken and no one should suffer any detrimental treatment as a result of reporting in good faith their suspicion that modern slavery is or may be taking place. This includes dismissal, disciplinary action, threats or other unfavourable treatment.

## **6. Relevant Policies**

6.1 The Council operates the following policies which may also be relevant in relation to the identification of modern slavery risks:

- Child Protection Policy
- Whistleblowing

June 2018

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## **Report to Cabinet**

**Subject:** Data Protection Policy and Appropriate Policy Document as required by the Data Protection Act 2018

**Date:** 28 June 2018

**Author:** Craig Allcock – Legal Advisor

## **Wards Affected**

Not applicable.

## **Purpose of the Report**

To seek approval for the amendments made to the Council's Data Protection Policy to reflect the legislative changes made by the General Data Protection Regulations (GDPR) and the Data Protection Act 2018 (DPA 2018).

## **Key Decision**

This is not a Key Decision.

## **Background**

- 1.1 As Cabinet is aware, the legislation governing data protection in the UK changed on 25 May 2018. The Data Protection Act 1998 has now been repealed and replaced by the GDPR and the DPA 2018. The GDPR and DPA 2018 place new and additional requirements on the Council to demonstrate compliance with the legislation. There are a number of significant changes in the way the Council processes and documents personal information which aren't currently reflected in the Council's Data Protection Policy and therefore a policy update is required. In addition the DPA 2018 requires the Council to have an Appropriate Policy Document in place as it processes special categories of personal data.
- 1.2 There are a number of GDPR and DPA 2018 requirements that are not reflected in the current Data Protection Policy. The GDPR requires the Council to provide individuals with certain information, relating to how and why their personal information is used, at the point of collecting their personal data. This new requirement is met by the Council through the use of layered privacy notices at the point data is collected from individuals, the current policy does not mention the use of privacy notices and this has been included in the amended policy at Appendix 1.
- 1.3 In some instances, personal data can only be collected from an individual with the individual's consent. The GDPR provides a higher burden for what constitutes

valid consent. However the current policy still allows for an 'opt out' or implied consent which is no longer compliant with the legislation. The Council now need to be able to demonstrate that individuals have given an unambiguous indication that they want their personal information to be used for certain purposes. Again the current policy is out dated and allows for what is now unlawful consent to be used. The policy at Appendix 1 provides detail on what constitutes valid consent.

- 1.4 The Data Protection Act 1998 categorised personal information relating to race and ethnic origin, political opinion, religious and other beliefs, trade union membership, physical or mental health, sex life and criminal convictions as 'sensitive personal data'. The GDPR recognises these as 'Special Categories of Personal Data' instead of 'sensitive personal data'. The GDPR also includes genetic data, biometric data and sexual orientation within the special categories of personal data, in addition to the data listed above. The reference to 'sensitive personal data' in the current policy is therefore out of date and has been updated in Appendix 1.
- 1.5 The statutory role of Data Protection Officer (DPO) was created by the GDPR, and at Cabinet on 3 May 2018 members appointed the Legal Service Manager as DPO with two deputies. The current policy has no reference to the DPO or deputies and their role. The policy at Appendix 1 has been updated to point officers to the DPO and/or deputies when they have any data protection queries. It also requires the DPO to be consulted when changes to existing or new types of processing of personal data are being considered.
- 1.6 Schedule 1 of the DPA 2018 requires all organisations to have an Appropriate Policy Document (APD) in place if they are processing special categories of personal data for a number of specified purposes. The APD must set out which special categories of personal data referred to in the DPA 2018 the Council are processing and why. The APD must also explain the Council's procedures for securing compliance with the six data protection principles included within the GDPR. The APD must also explain the Council's policies and procedures regarding the retention and erasure of personal data and give an indication of how long personal data is likely to be retained.

In terms of compliance with these obligations, an explanation of the Council's procedures for complying with the data protection principles is already dealt with in the body of the amended Data Protection Policy. Retention periods are already recorded in the Council's Records Retention and Disposal policy and are also included in the Council's Information Asset Register ("IAR"). The APD, at Appendix 2 to this report sets out which special categories of personal data this Council processes and for what purpose, it also refers the reader to the Records Retention Policy and the IAR in relation to record retention and disposal and refers the reader to the body of the Data Protection Policy in respect of securing compliance with the six data protection principles. The APD at Appendix 2 forms an Annex to the amended Data Protection Policy.

## **Proposal**

- 2.1 It is proposed that Members approve the amendments made to the Data Protection Policy including the Appropriate Policy Document which will form an annex to the Data Protection Policy. The amended Policy is attached at Appendix 1 to this report and the proposed APD is attached at Appendix 2.

## **Alternative Options**

- 3.1 An alternative option is that Members do not grant approval to amend Data Protection Policy including the APD annex. This would mean that the Council's policy is out dated and would not comply with the recent legislative changes and requirements. The out dated policy would also include incorrect information on how the Council treats personal information. The failure to have an up to date policy document including the APD would mean that the Council would be in breach of the DPA 2018 and could open the Council up to enforcement action by the Information Commissioner's Office and ultimately financial penalties.

## **Financial Implications**

- 4.1 There are no immediate financial implications arising from the adoption of this policy.

## **Appendices**

Appendix 1 – Data Protection Policy

Appendix 2 – Annex to the Data Protection Policy - Appropriate Policy Document

## **Background Papers**

None identified.

## **Recommendation**

### **THAT Cabinet:**

- (a) approves the amendments to the Data Protection Policy at Appendix 1 to the report including the Annex to the Data Protection Policy, the Appropriate Policy Document at Appendix 2 to this report.

## **Reasons for Recommendation**

To ensure the Council's data protection policies and procedures are up to date with the recent legislation changes. To ensure the Council is compliant with the GDPR and the DPA 2018.

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## **GEDLING BOROUGH COUNCIL**

### **DATA PROTECTION POLICY**

#### **1. Scope of the Policy**

The Council needs to collect and use certain types of information about people with whom it deals in order to operate and provide services to the residents of the Borough. These include current, past and prospective employees, suppliers, clients, customers and others with whom it communicates.

This personal information must be dealt with and used in a correct and lawful manner regardless of the method of collection. This policy applies to all records of personal information, whether on paper, on computer or on any other material. The General Data Protection Regulations (“GDPR”) and the Data Protection Act 2018 (“the Act”) provide safeguards to ensure all personal information is collected and used in a lawful fair and transparent manner.

Gedling Borough Council recognises its responsibilities regarding the information it holds about people and is committed to upholding the principles of the GDPR and the Act and shall:

- Ensure that all officers understand their responsibilities regarding the GDPR and the Act and that they receive regular mandatory appropriate training/instruction and supervision to enable them to comply fully with the Data Protection Principles.
- Hold no more personal information than is necessary to enable it to perform its functions, and the information will be securely destroyed or erased once the need to hold it has passed.
- Seek to ensure that information is accurate, up-to-date, and that inaccuracies are corrected without unnecessary delay.
- Ensure that there are sufficient safeguards and controls in place for security of data.
- Ensure requests for access to Personal data will be dealt with promptly and appropriately, ensuring that either the person requesting the data or their authorised representative has a legitimate right to access and that the request is clear and unambiguous.
- Ensure for notification purposes that the Council’s Data Protection Officer or their deputy is informed of the details of all systems containing Personal data and of any subsequent amendments likely to affect notification.
- Ensure that all reportable Data breaches are reported to the Information Commissioner’s Office within 72 hours of the Council becoming aware of the breach.

## **2. Definitions**

### **Data breach**

The accidental or deliberate unauthorised access, loss, destruction or damage of Personal data which is likely to result in a risk to the rights and freedoms of natural persons.

### **Data controller**

A person or organisation who makes decisions with regard to Personal data, including decisions regarding the purposes for which and the manner in which Personal data may be processed.

### **Data processor**

An individual or organisation other than an employee of the Data controller who processes Personal data on behalf of the Data controller: e.g. a firm which collects and processes data on the Council's behalf under contract. Data controllers are responsible for the Processing which is carried out for them by Data processors, and have to ensure that this Processing takes place within appropriate security arrangements (see 9.Security of Data).

### **Data subject**

A living individual who is the subject of Personal data.

### **Direct marketing**

The communication of advertising or marketing material directed to particular individuals.

### **Manual data**

Personal data which are not being processed by equipment operating automatically, or recorded with the intention that they should be processed by such equipment: e.g. data held in paper form.

### **Personal data**

Any information relating to an identified or identifiable natural person. An identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

### **Processing**

Any operation on Personal data, including obtaining, recording, holding, organizing,



adapting, combining, altering, retrieving, consulting, disclosing, disseminating, deleting, destroying and otherwise using the data.

### **Special categories of Personal data**

Personal data revealing the racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, Processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health, sex life or sexual orientation.

For the purpose of the policy personal information relating to criminal convictions and offences will be treated as being Special categories of persona data.

### **Third parties**

An individual or organisation other than the Data subject, the Data controller or a Data processor acting on behalf of the Data controller.

### **Vital interests**

Although not defined in the Act, the Information Commissioner has advised that "vital interests" should be interpreted as relating to life and death situations: e.g. the disclosure of a Data subject's medical details to a hospital casualty department after a serious accident.

## **3. Overview of the Data Protection legislation**

The GDPR and the Act commenced on 25 May 2018. They replaced and broadened the Data Protection Act 1998. The purpose of the GDPR and the Act is to protect the rights and privacy of individuals, and to ensure that data about them are not processed without their knowledge and are processed with their consent wherever possible. The GDPR has a much greater focus on individuals and what rights they have over their Personal data. It places a greater emphasis on transparency and requires the Council to have and maintain clear documentation and records to demonstrate accountability. The GDPR makes best practice a legal requirement and affords more rights to the Data subject so the Data subject can make informed decisions about how and why their Personal data is processed. The GDPR and the Act cover Personal data relating to living identifiable individuals, and defines Special categories of Personal data which are subject to more stringent conditions on their Processing than other Personal data.

The GDPR and the Act apply to all Personal data regardless of whether it is held in electronic or paper form. The GDPR and the Act also recognise online indicators and activities, such as I.P addresses and location data, as Personal data.

The Council is a Data controller in respect of the data for which it is responsible. This means that the Council is responsible under the GDPR and the Act for decisions with regard to the Processing of Personal data, including the decisions and actions of external Data processors acting on the Council's behalf. The GDPR and the Act require that Processing should be carried out according to six Data Protection Principles. These

are outlined below, together with the Council's commitments to upholding these Principles:

## **Data Protection Principles**

### **(a) Personal data shall be processed lawfully, fairly and in a transparent manner (lawfulness, fairness and transparency)**

The Council will ensure that personal data is obtained fairly and that the Council has a lawful basis for Processing. Data subjects are told who the Data controller is, what the data will be used for, for how long the data will be kept and any Third parties to whom the data will be disclosed within the relevant privacy notices. In order for Processing to be fair and lawful, data which is not within the Special categories of Personal data will only be processed by the Council if at least one of the following conditions, set down in Article 6 of the GDPR, has been met:

- The Data subject has given his/her consent to the Processing.
- The Processing is necessary for the performance of a contract to which Data subject is a party, or for the taking of steps, at the request of the Data subject, with a view to entering into a contract.
- The Processing is required under a legal obligation to which the Council is subject.
- The Processing is necessary to protect the Vital interests of the Data subject or of a natural person.
- The Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the Council.

Processing of Special categories of Personal data is subject to more stringent restrictions under the GDPR. Processing of Special categories of Personal data will only be carried out by the Council if at least one of the above conditions, applicable to Personal data, has been met. **In addition**, at least one of the conditions, set down in Article 9 of the GDPR relating to Special categories of Personal data, must **also** be met, examples of these are:

- The Data subject has given his/her explicit consent.
- The Processing is necessary for the purpose of carrying out obligations and exercising specific rights of the controller or the Data subject in the field of employment.
- The Processing is necessary to protect the Vital interests of the Data subject or another person where the Data subject is physically or legally incapable of giving consent.
- The Processing is carried out in the course of legitimate activities relating to Trade union membership.

- The information has been made manifestly public by the Data subject.
- The Processing is necessary for the establishment, exercise or defence of legal claims.
- The Processing is necessary for reasons of substantial public interest.
- The Processing is necessary for the purpose of preventive or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis, the provisions of health or social care or treatment or the management of health and social care systems.
- The Processing is necessary for reasons of public health.
- Processing is necessary for archiving in the public interest, scientific or historical research purposes.

**(b) Personal data shall be collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes. (purpose limitation)**

The Council will ensure that personal data which is obtained for a specified purpose are not used for a different purpose, unless that use is done with the consent of the Data subject. The Data subject will be informed of the purposes for which their Personal data will be used in the privacy notice given at the time of collecting their Personal data, or is otherwise permitted under the GDPR and the Act.

**(c) Personal data shall be adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed. (data minimisation)**

The Council will not collect Personal data which are not strictly necessary for the purpose or purposes for which they were obtained.

**(d) Personal data shall be accurate and, where necessary, kept up to date. (accuracy)**

The Council will take reasonable steps to ensure the accuracy of Personal data which it holds, and will take steps to correct inaccurate data when requested to do so by a Data subject.

**(e) Personal data shall be kept in a form which permits identification of the data subject for no longer than is necessary for that purpose. (Storage limitation)**

The Council will ensure that Personal data are not kept for longer than is required by the purpose or purposes for which the data were gathered. The Council may retain certain data indefinitely for research purposes (including historical or statistical purposes), as permitted under the GDPR and the Act, subject to the conditions laid down in the GDPR and the Act for this type of Processing. Where deletion of Personal data is not possible

the Council will anonymise any records contain Personal data.

**(f) Processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing of personal data and the accidental loss, destruction of or damage to personal data using appropriate technical or organisational measures. (Integrity and confidentiality)**

The Council will take steps to ensure the security of Personal data, held electronically and in manual form, to prevent the unauthorised disclosure of data to Third parties, and loss or damage to data that may affect the interests of Data subjects. The Council will also ensure that Data processors provide an appropriate level of security for the Personal data which they are Processing on the Council's behalf (see 9. Security of data).

#### **4. General Responsibilities of Council Officers**

The Council as a corporate body is a Data controller under the GDPR and the Act. The Data Protection Officer and their deputy deals with day to day Data Protection matters, ongoing compliance with the GDPR and the Act, and is a point of contact for issues relating to Data Protection (see 14. Data protection contacts).

When Processing Personal data, Council Officers must ensure that they abide by the GDPR and the Act, this policy and any related policies and any data Processing or information sharing agreements (see 13. Related guidelines and policies). In practice, most routine uses of Personal data will be covered by the Council's privacy notices. However, this will not necessarily be the case where changes are introduced to the way in which data are processed - such as using the data for a purpose for which the data have not previously been used, or transferring the data to a new source.

**Before** such changes are introduced, staff should check to ensure that the proposed changes will comply with the GDPR, the Act and this policy. Staff will also ensure that any changes are in accordance with the Council's privacy notices and are included on the Information Asset Register for the service area. Officers who are uncertain as to whether their Processing of data meets these requirements should refer any queries to their Service Manager or line manager in the first instance. If there is any uncertainty as to whether the Processing is covered by the Council's privacy notices then the Data Protection Officer and/or their deputy must be contacted before any changes to the Processing can occur. Officers should also ensure that any personal information for which they are responsible is accurate and up to date, including information which the Council holds about themselves (e.g. their home address), and that data for which they are responsible are kept secure and are not disclosed to unauthorised parties.

Data should only be transferred internally within the Council when the privacy notice makes it clear this is how personal data will be processed and the Council has a lawful basis to process under the GDPR and the Act. Officers who receive transferred data are

equally responsible for ensuring that the data are processed in accordance with this policy and the Council's obligations under the GDPR and the Act.

Service Managers and line managers are responsible for ensuring that the Processing of Personal data in their department conforms to the requirements of the GDPR, the Act and this policy. In particular, they should ensure that new and existing officers who are likely to process Personal data are aware of their responsibilities under the Act. This includes drawing the attention of officers to the requirements of this policy, and ensuring that officers who have responsibility for handling Personal data attend mandatory training.

Service Managers must also see that correct information and records management procedures are followed in their departments (see 11. Records management). This includes complying with established retention periods to ensure that Personal data are not kept for longer than is required (see 10. Retention of data).

Officers should also note that the Council is not responsible for any Processing of Personal data by them which is not related to the business of the Council, for example if officers store their own personal data on Council equipment, even if the Processing is carried out using the Council's equipment and facilities. Officers are personally responsible for complying with the GDPR and the Act in regard to data for which they are the Data controller.

## **5. Gathering Data**

Any gathering of Personal data by officers of the Council must be in accordance with the GDPR, the Act and the Council's privacy notices and the six data protection principles. (see 3. Overview of the Data Protection legislation). The Data Protection Officer and/or their deputy must be informed of any changes to or new forms of gathering data before they are implemented, so that the Data Protection Officer can advise whether a Data Protection Impact Assessment is required and ensure the Council's privacy notices are updated (see 14. Data Protection Contacts).

The majority of the processing of personal data carried out by the Council will be carried out under the 'Public Task' and/or 'Legal Obligation' lawful basis. However there will be occasions where consent of the Data subject is required in order for the processing of their personal data to be fair and lawful. Where this is the case consent must be freely given, informed and a clear indication from the Data subject that they consent to the processing is required to comply with the GDPR and the Act. (see 3. Overview of the Data Protection legislation).

**Paper and electronic forms** (including web based forms) created by the Council which gather Personal data must include a short-form privacy statement explaining:

- Why the data needs to be gathered.

- Gather only the personal data required for the business need and not request excessive personal data.
- The lawful basis for Processing contained within Article 6 of the GDPR, and where Special categories of Personal data is being collected the lawful basis under Article 9.
- The fact that completion of the form will be taken as consent by the Data subject to the use of the data as outlined.
- The contact details of the Council and the Council's Data protection officer; and
- refer to the relevant privacy notice on the Council's website.

(A template short-form privacy notice is available from the Data Protection Officer and/or their deputy).

Privacy notices on the Council's website will explain in detail

- Why the data needs to be gathered.
- The lawful basis for Processing contained within Article 6 of the GDPR, and where Special categories of Personal data are being collected the lawful basis under Article 9.
- How the data will be used.
- The parts of the Council that will use the data.
- Any Third parties outside the Council to whom the data will be disclosed or transferred.
- How long the data will be kept.
- How the Data subject can exercise his/her rights under the Data Protection Act (e.g. by linking to the Council's Data Protection pages or by providing contact details for the Council's Data Protection Officer).

Forms and other methods of data collection should not gather more data than are necessary for the task at hand. Officers who are responsible for the design of forms should ensure that there is a clear business need for each data item requested. Otherwise, the form should be amended to remove the data item.

Data subjects have the right to prevent the Processing of their data for Direct marketing purposes (e.g. promotional mailshots). If Personal data gathered via a form is to be used for Direct marketing, the form **must** contain a tick box to actively opt in to receive marketing communications. The form must also include:

- A statement explaining how the data will be used for Direct marketing.
- Information on how the Data subject can remove their consent to the use of the data for that purpose (e.g. by unsubscribing from emails).

- A short-form privacy notice.

## **6. Disclosure of Data to Third Parties**

Officers must take particular care when disclosing Personal data to Third parties, to ensure that there is no breach of the GDPR and/or Act or the law of confidence. Disclosure may be unlawful even if the third party is a family member of the data subject, or a local authority, government department or the police.

The disclosure of Personal data represents a form of Processing of the data. This means that the conditions for fair, lawful and transparent Processing of Personal data and Special categories of Personal data set out in first Data Protection Principle must be met (see 3. Overview of the Data Protection legislation). Consideration should also be given as to whether the disclosure was one of the purposes for which the data were originally gathered; in particular, whether the disclosure is covered by the Council's privacy notice and there is a data Processing or information sharing agreement in place, or is a purpose to which the Data subject has consented. If not, the disclosure is likely to represent further Processing contrary to the second Data Protection Principle.

The GDPR and the Act also allows Personal data to be disclosed to Third parties without the consent of the Data subject, in the following circumstances:

- The disclosure is necessary for safeguarding national security, defence or public security.
- The disclosure is necessary for the prevention, investigation, detection or prosecution of criminal offences, or the execution of criminal penalties.
- The disclosure is necessary for the assessment or collection of any tax or duty.
- The disclosure is necessary for the protection of judicial independence and judicial proceedings.
- The disclosure is necessary for the prevention, investigation, detection and prosecution of breaches of ethics for regulated professions.
- The disclosure is necessary for the protection of the Data subject or the rights and freedoms of others.
- The disclosure is necessary for the maintenance of effective immigration control or the investigation or detection of activities that would undermine the maintenance of effective immigration control.
- The disclosure is necessary for the discharge of regulatory functions (including the health, safety and welfare of people at work).
- The data are information which the Council is obliged by legislation to provide to the public.

- The disclosure of the data is required by legislation, rule of law or the order of a court.
- The Freedom of Information Act 2000 (FOI Act) sets out certain circumstances in which Personal data can be disclosed to a third party (i.e. someone other than the Data subject) who has submitted a Freedom of Information request. In particular, the FOI Act provides that Personal data can be disclosed where doing so would not breach any of the Data Protection Principles (see 3. Overview of the Data Protection legislation). Guidance from the Information Commissioner suggests that this is likely to apply to data relating to an individual's official or work capacity which it would normally be reasonable to release, such as name, job title, official functions, grade, decisions made in an official capacity, and salaries of senior officers.

FOI requests for the release of Personal data to Third parties need to be handled according to the rules set down in the FOI Act, which are different from those in the Act. Any release of Personal data in response to an FOI request should be cleared in advance with the Council's Data Protection Officer or their deputy (see 14. Data Protection Contacts).

### **Individual requests for personal data**

Officers should always exercise caution when dealing with requests from Third parties for the disclosure of Personal data. Disclosure requests should be in writing, and should be responded to in writing. Where reasonable, the party making the request should be required to provide a statement explaining the purpose for which the data is requested, the length of time for which the data will be held, and an undertaking that the data will be held and processed according to the Data Protection Principles.

Where the request relates to the prevention/detection of crime, the apprehension /prosecution of offenders, assessment/collection of any tax or duty, or the discharge of regulatory functions, appropriate paperwork should be produced by the enquirer to support their request (e.g. official documentation stating that the information is required in support of an ongoing investigation). Guidance for staff on how to respond to requests for data from the police and similar agencies is available in the Detailed Employee Guidance on Access to Information.

Personal data should only be disclosed over the telephone in emergencies, where the health or welfare of the Data subject would be at stake. If data have to be disclosed by telephone, it is good practice to ask the enquirer for their number and to call them back. If an officer is unsure about disclosure the matter should be referred to their Line Manager or Head of Service before disclosure is made.

### **Regular Data Sharing**



Where information is being disclosed or shared with Third parties on a regular basis the GDPR and the Act Require that a data Processing or information sharing agreement is in place. Where Personal data is being shared in accordance with any agreements the disclosure of that data must be in accordance with the GDPR, the Act and the terms of the relevant Processing of sharing agreement.

The GDPR and the Act lay particular obligations on Data controllers to ensure that there are adequate safeguards for Processing which is carried out on their behalf by Data processors. Whenever Personal data is to be processed by an external body acting on the Council's behalf, the Council must:

- Choose a Data processor which provides sufficient guarantees in regard to its technical and organisational security measures;
- Take reasonable steps to ensure that the Data processor complies with these measures, and
- Ensure that the Processing takes place under a written contract which stipulates that the processor will act only on instructions from the Council, and that the processor will have security measures in place that ensure compliance with the sixth Data Protection Principle.

## **7. Transferring Data Outside the EEA**

The GDPR requires that Personal data must not be transferred outside the European Economic Area (the European Union member states plus Iceland, Norway and Liechtenstein), unless the country or territory to which the data are to be transferred provides an adequate level of protection for Personal data.

The European Commission has recognised a number of non-EEA countries which it deems to provide an adequate level of protection for Personal data. Transfer of data to these countries will not be in breach of the GDPR. Similarly, the GDPR will not be violated if transfer occurs in the following circumstances:

- The data is transferred to a company in the United States which has signed up to the 'Privacy Shield' framework agreement (a set of rules similar to those found in the UK's data protection law).
- The transfer is made under a contract which includes the model clauses adopted by the European Commission to ensure that there will be adequate safeguards for data transferred to a source outside the EEA.
- Further information about the EC's list of approved countries, the 'Privacy Shield' agreement and the EC's model contractual clauses is available on the website of the Information Commissioner.

Officers must ensure appropriate enquires are made to establish where hosted website and private email servers are located before transferring any personal data.

## **8. Publication of Data**

The Council routinely publishes a number of items that include Personal data, and will continue to do so. These include staff information (such as name, department, job title, email address and telephone number) in the Council Directory and Council's websites; and other information connected with annual reports, the Gen, intranet, guides, etc. this also includes routinely published contact details of Elected members.

Any individual who has good reason for wishing their details in such publications to remain confidential should contact the Council's Data Protection Officer (see 14. Data Protection Contacts).

## **9. Security of Data**

The sixth Data Protection Principle requires that precautions should be taken against the physical loss or damage of Personal data, and that access to and disclosure of Personal data should be restricted. Officers of the Council who are responsible for Processing Personal data must ensure that Personal data are kept securely, and that personal information is not disclosed orally or in writing, by accident or otherwise, to unauthorised Third parties. Officers must also ensure that they comply with the Access Controls set out in the Information Security Policy.

### **Manual data**

- When not in use, files containing Personal data should be kept in locked stores or cabinets to which only authorised staff have access.
- Procedures for booking files in and out of storage should be developed, so that file movements can be tracked.
- Files should be put away in secure storage at the end of the working day, and should not be left on desks overnight.

### **Electronic data**

Care must be taken to ensure that PCs and terminals on which Personal data are processed are not visible to unauthorised persons, especially in public places. Screens on which Personal data are displayed should not be left unattended. Particular care must be taken when transmitting Personal data.

As well as preventing unauthorised access, it is equally important to avoid the accidental or premature destruction of Personal data which could prejudice the interests of Data subjects and of the Council.

Personal data in both manual and electronic formats should only be destroyed in accordance with the Council's Records Retention and Disposal Policy (see 10. Retention of data). Care must be taken to ensure that appropriate security measures are in place for the disposal of Personal data. Manual data should be shredded or

disposed of as confidential waste, while hard drives, disks and other media containing Personal data should be wiped clean (e.g. by reformatting, over-writing or degaussing) before disposal.

## **10. Retention of Data**

The GDPR and the Act do not specify periods for the retention of Personal data. It is left to Data controllers to decide how long Personal data should be retained, taking into account the Data Protection Principles, limitation periods, business needs and any professional guidelines. In the context of the Council, the following factors need to be taken into consideration:

- The need to balance the requirement of the fifth Data Protection Principle - that Personal data should not be kept for longer than necessary - against the need to prevent the premature or accidental destruction of data which would damage the interests of Data subjects, contrary to the sixth Data Protection Principle.
- The exemptions provided by the GDPR and the Act which allow the permanent retention of data for historical and statistical research. The Council's history should not be endangered by the overzealous destruction of data that could be retained as historical archives.
- The fact that the Act does not override provisions in other legislation (e.g. health and safety legislation) which specify retention periods for Personal data.

The Council has set out appropriate retention periods in the Records Retention and Disposal Policy.

Officers should note that under the Freedom of Information Act, it is a criminal offence to deliberately alter, deface, block, erase, destroy or conceal data which has been the subject of an access request under the GDPR or the Freedom of Information Act with the intention of preventing the release of the data. However, data may be amended or deleted after receipt of the access request but before disclosure of the data, if the amendment or deletion would have taken place regardless of the request (e.g. under a retention and disposal policy).

## **11. Records Management**

Effective management of paper and electronic records is essential for compliance with the Act and other legislation, such as the FOI Act. In the context of Data Protection, good records management ensures that Personal data contained in records:

- Can be located in response to subject access requests and business needs.
- Are protected from accidental loss or destruction.
- Are retained according to established retention periods.
- Are secured against unauthorised access and disclosure.

- Are preserved for future use, where necessary, in formats suitable for long-term preservation.

Service Managers are responsible for ensuring the effective management of records in their sections. To assist managers in these functions reference should be made to the Records Retention and Disposal Policy

## **12. Access to Data**

The GDPR and the Act give Data subjects the right of access to Personal data which the Council holds about them. Anyone who wishes to exercise this right should apply in writing to [Inforequest@gedling.gov.uk](mailto:Inforequest@gedling.gov.uk). The Council requires proof of identity to prevent the unlawful disclosure of Personal data.

The Council will respond to subject access requests as quickly as possible, and is required by law to respond within 1 calendar month of receipt of the request and proof of identity. Where a request is deemed to be complex, the GDPR allows the Council an additional 2 calendar months to respond to the request. If this is the case the individual will be informed. In some cases, the Council may not release information because the data are subject to exemptions under the Act or doing so would release Personal data relating to other individuals.

If the requested data are located and can be released, the Data subject will normally be provided with the information in permanent form on paper: e.g. as a printout, photocopy, transcript or transcription.

Officers who receive a request which they believe to be a request for data under the GDPR should pass the request on to their departmental FOI representative. Under no circumstances should officers deliberately alter, conceal or destroy data which has been the subject of an access request in order to prevent the release of the data (see 10.Retention of data).

## **13. Related Guidelines and Policies**

The following guidelines and policies are also relevant to the implementation of Data Protection at the Council:

- Data Protection Policy – Appropriate Policy Document
- Information Security Policy
- Records Retention and Disposal Policy
- Detailed Employee Guidance on Access to Information
- Freedom of Information Charging Policy
- Information Asset Register

- Any Data Processing or Information Sharing Agreements
- Records Management Policy
- Staff Handbook
- Policy governing the operation of CCTV

#### **14. Data Protection Contacts**

Data Protection enquiries should be directed to the Council's Data Protection Officer at the following address:

[Dataprotectionofficer@gedling.gov.uk](mailto:Dataprotectionofficer@gedling.gov.uk)

Data Protection Officer  
Legal Services  
Gedling Borough Council  
Civic Centre  
Arnot Hill Park  
Arnold  
Nottingham  
NG5 6LU

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# Data Protection Policy- Appropriate Policy Document

## 1. Introduction

Gedling Borough Council recognises its obligations to comply with the requirements laid down in the General Data Protection Regulation (GDPR) ((EU) 2016/679 and any national implementing laws, including the Data Protection Act 2018 (DPA 2018).

This Appropriate policy document should be read in conjunction with the Data Protection Policy, associated templates, procedures and Information Commissioner's Office guidance notes.

The Data Protection Act 2018, creates further safeguards when processing special personal data under Article 9 and 10.

The APD will cover all processing carried out by Gedling Borough Council for which all of the following **conditions** are met:

- The data controller is processing personal data falling within the General Data Protection Regulation Articles 9 and 10
- The Data Controller is doing so in reliance on one of the conditions set out in Parts 1, 2 or 3 of Schedule 1 of the Data Protection Act 2018; and
- The condition(s) in question include a requirement for there to be an APD.

## 2. Definitions

### Personal Data

Means any information relating to an identified or identifiable natural person (data subject) an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person;

### Special Categories of Personal Data

Is personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purposes of uniquely identifying a natural person, data concerning health or data concerning a natural person, data concerning health or data concerning a natural persons sex life or sexual orientation.

### Processing

Includes any operation or set of operations, whether or not by automated means such as collection, recording, organisation, structuring, storage, adaption or alteration,

### Data Subject

This will be the person that we collect the data from. This will include citizens, and members of staff.

### **3. APD Conditions that Gedling Borough Council will rely on when processing**

This Appropriate policy Document will cover all processing carried out by Gedling Borough Council in relation to:

- Schedule 1, Part 1, paragraph 1: Employment, social security, and social protection.
- Schedule 1, Part 2, paragraph 6: Statutory etc. and government purposes.
- Schedule 1, Part 2, paragraph 8: Equality of opportunity or treatment.
- Schedule 1, Part 2, paragraph 10: Preventing or detecting unlawful acts.
- Schedule 1, Part 2, paragraph 11: Protecting the public against dishonesty
- Schedule 1, Part 2, paragraph 12: Regulatory requirements relating to unlawful acts and dishonesty etc.
- Schedule 1, Part 2, paragraph 13: Journalism etc. in connection with unlawful acts and dishonesty etc.
- Schedule 1, Part 2, paragraph 14: Preventing fraud.
- Schedule 1, Part 2, paragraph 18: Safeguarding children and of individuals at risk.
- Schedule 1, Part 2, paragraph 19: Safeguarding of economic well-being of certain individuals
- Schedule 1, Part 2, paragraph 21: Occupational pensions
- Schedule 1, Part 2, paragraph 24: Disclosure to elected representatives.
- Schedule 1, Part 3, paragraph 36: extension of Part 2 conditions to cover criminal conviction/offence data.

### **4. The main types of personal data being processed in reliance of each of the APD conditions**

#### **a) Schedule 1, Part I, paragraph 1: Employment, social security, and social protection**

##### **Employment**

- This will include data about employees health, when processed for the purposes of the local Authorities rights or obligations under employment law
- Special category data or Article 10 data relating to criminal convictions and offences, when processed for the purposes of the Local Authorities rights or obligations under employment law in connection with employee discipline or dismissal
- Providing human resources and occupational health function for staff

#### **b) Schedule 1, Part 2 Paragraph 6: Statutory etc. and government purposes**



- The exercise of a function conferred on a person by an enactment. Examples of processing will be data about a citizen's potential prosecution, when processed for enforcement functions by the Local Authority under various statutes.
- Safeguarding and promoting the welfare of children
- Where otherwise permitted under the GDPR and the Data Protection Act 2018, e.g. disclosure to comply with legal obligations
- To process financial transactions including grants, payments and benefits involving Gedling Borough Council, or where Gedling Borough Council is acting on behalf of other government bodies, e.g. Department for Works and Pensions
- Where Gedling Borough Council is legally obliged to undertake such processing for the purpose for which the data subject provided the information, e.g. processing information given on a benefit claim form for the purpose of processing a benefit claim, and to monitor the Council's performance in responding to the citizen's request

For a detailed consideration of all the duties placed on Gedling Borough Council and the relevant legislation and guidance please follow this:

[www.gedling.gov.uk/council/aboutus/policies/privacypolicies/](http://www.gedling.gov.uk/council/aboutus/policies/privacypolicies/)

**c) Schedule 1, Part 2, paragraph 8: Equality of opportunity or treatment.**

- This will include data about citizens and employees gender, ethnicity, health, when processed for the purposes of the local Authorities obligations under the Equality Act 2010, the sex discrimination Act 1970 and other such legislation

**d) Schedule 1, Part 2, paragraph 10: Preventing or detecting unlawful acts**

- This will include data about citizens and employees criminal record, ethnicity, health data when processed for the purposes of the local Authorities obligations under the various criminal legislation for enforcement functions
- Where necessary for the Council's Law Enforcement functions, e.g. licensing, public protection, planning enforcement, food safety, etc.

**e) Schedule 1, Part 2, paragraph 11: Protecting the public against dishonesty.**

- This will include data about citizens and employees criminal record, ethnicity, health data when processed for the purposes of the local Authorities obligations under the various criminal legislation for enforcement functions
- Where necessary for the Council's Enforcement functions Licensing, food safety etc.

**f) Schedule 1, Part 2, paragraph 12: Regulatory requirements relating to unlawful acts and dishonesty etc.**

- This will include data about citizens and employees criminal record, ethnicity, health data when processed for the purposes of the local Authorities obligations under the various criminal legislation for enforcement functions

- Where necessary for the Council's Law Enforcement functions, e.g. licensing, public protection, planning enforcement, food safety, etc.

**g) Schedule 1, Part 2, paragraph 13: Journalism etc. in connection with unlawful acts and dishonesty.**

- This will include data about citizens and employees involved in unlawful acts, criminal record, ethnicity, health data when processed for the purposes of journalism by Gedling Borough Council.
- Press releases and articles published through communications.

**h) Schedule 1, Part 2, paragraph 14: Preventing fraud.**

- This will include data about citizens and employees criminal record, ethnicity, health data when processed for the purposes of the local Authorities obligations under the various criminal/ fraud legislation for enforcement functions

**i) Schedule 1, Part 2, paragraph 18: Safeguarding children and of individuals at risk.**

- This will include data about citizens and employees criminal record, ethnicity, health, religious beliefs, sex life data when processed for the purposes of the local Authorities obligations relating to safeguarding children and vulnerable adults and modern day slavery.

**j) Schedule 1, Part 2, paragraph 19: Safeguarding of economic well-being of certain individuals.**

- This will include data about citizens and employees criminal record, ethnicity, health, religious beliefs, sex life data when processed for the purposes of the local Authorities obligations relating to safeguarding children and vulnerable adults and modern day slavery with a view of safeguarding the individuals economic well-being.

**k) Schedule 1, Part 2, paragraph 21: Occupational pensions**

- This will include data about employees health, when processed for the purposes of the local Authorities obligations to provide a pension scheme

**l) Schedule 1, Part 2, paragraph 21: Disclosure to elected representatives**

- This will include data about citizens data which may include criminal record, ethnicity, health data, political opinions, philosophical or religious beliefs when processed for the purposes of the elected representative, including Councillors and members of Parliament, duties when acting on behalf of their constituents

**m)Schedule 1, Part 3, paragraph 36: Extension of Part 2 conditions to cover criminal conviction/offence data**

- This will include data about citizens criminal record when processed for the purposes of the local Authorities obligations under the various criminal legislation for enforcement functions

## **5. How does the Council secure compliance with Article 5 of the GDPR?**

The Council recognises that it must comply with the six Data Protection Principles as set out in Paragraph 3 of the Data Protection Policy. Gedling Borough Council applies the same Data Protection Policy principles to the processing of Special Categories of Person Data as it would apply to personal data processing generally set out in the Data Protection Policy. (Please see the Data Protection policy for more detail)

## **6. Processing of special categories of personal Information**

The Council, through appropriate management controls will, when processing Special Categories of Personal Data ensure that all processing is in accordance with the GDPR and the DPA 2018.

The Council shall observe fully the conditions regarding the processing of Special Categories of Personal Data as outlined in Article 9 and meet the Council's legal obligations under the GDPR and the Data protection Act 2018. In particular, Schedule 1 Part 4 of the DPA 2018 states that the Council must have this policy document in place which explains the procedures for securing compliance with the principles in Article 5 as outlined above.

## **7. Retention and Erasure of Special Data**

Information must be held only for so long as is necessary for the notified purposes, after which it should be deleted or destroyed in accordance with the Council's Records Retention and Disposal Policy. Retention periods where possible shall be found in the Records Retention and Disposal Policy, privacy notices and the Information Asset Register. The Council must ensure that these are kept up to date and that the retention periods are acted upon unless there is a reason not to do so.

Whenever information is processed, reasonable steps should be taken to ensure that it is up to date and accurate.

[Records Retention and Disposal Policy](#)

## **8. Records of processing activities to include special category Data**

In order to be able to properly and effectively comply with our obligations under the GDPR and the DPA 2018, the Council needs to fully understand what information it holds and where this information is kept. We also need to consider how we keep this information up-to-date and how we know when to dispose of it. The Council shall maintain an Information Asset Register which include the following information:

- The name of the Council and the details of the Data Protection Officer
- The purposes of processing as outlined above in this policy document

- Which condition is relied on and in particular, how the processing satisfies Article 5 and 6
- Set out the ownership, governance and maintenance of Information Assets
- Set out retention and disposal schedule for Information
- Sets out whether the personal data is retained and erased in accordance with the policy and if it is not the reason for not following the policy
- Sets out who the information is shared with

## **9. Data Security in relation to Special category data**

The Council is obliged to ensure that all appropriate technical and organisational measures are taken to safeguard against unauthorised or unlawful processing of personal information and against the accidental disclosure, loss, damage or destruction of personal information.

- 14.1. All personal information must be kept secure, in a manner appropriate to its sensitivity and the likely harm or distress that would be caused if it was disclosed unlawfully. To ensure that an appropriate level of security is afforded to all information the Councils' Information Security policy will be adhered to at all times.
- 14.2. Everyone managing and handling personal information will be appropriately trained to do so and this will include appropriate refresher training every two years with updates and reminders every year.
- 14.3. All members of staff have a duty to follow this Policy and associated procedures and to co-operate with the Council to ensure that the aim of this Policy is achieved.
- 14.4. Disciplinary action may be taken against any member of staff who fails to comply with or commits a breach of this Policy.
- 14.5. It is the duty of individual members of staff to ensure that personal information held by them is dealt with in accordance with the GDPR and the Act.
- 14.6. Suitable measures should be taken to ensure that any processing of personal data carried out by a third party on behalf of the Council complies with the principles of the GDPR and this Policy. Similarly, when the Council is processing personal information on behalf of a third party it will need to demonstrate that the information is subject to the same standard of care.

## **10. This APD to be read in conjunction with the Data Protection policy**

The Appropriate Policy Document should be read in conjunction with the following:

- Data Protection Policy
- Records Retention and Disposal Policy
- Records Management Policy
- Information Security Policy
- Information Asset Register
- Any Information Sharing or Data Processing Agreements
- IT Acceptable Use policy
- Data Breach Guidance
- Guidance on Access to Information
- Privacy Notices

- Use of Criminal Checks and Independent Safeguarding Policy
- Sickness Absence Management Policy
- Absence Management Policy

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## **Report to Cabinet**

**Subject:** Local Government Association Insurance Mutual

**Date:** 28 June 2018

**Author:** Deputy Chief Executive & Director of Finance

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### **Wards Affected**

Borough-wide.

### **Purpose**

To propose that the Council applies to the Local Government Association ("LGA") to become a founding member of a new "Local Government Mutual" company that is being set up to provide insurance services to local authorities.

### **Key Decision**

This is not a Key Decision.

### **Background**

- 1.1 Councils currently spend hundreds of millions of pounds on insurance nationally. The LGA has been exploring options to develop a cost effective alternative to the conventional insurance market products and services available to local authorities.
- 1.2 A phase of research was undertaken by the LGA with a broad range of local authorities which analysed the current insurance models in operation. This research identified a viable potential alternative to the traditional insurance model, where LGA members pool the risk to form a discretionary mutual, where all surpluses are retained in the Mutual or distributed to local authority members.
- 1.3 The LGA wants to work with a small number of leading authorities with a view to developing a new Mutual for local government which will aim to offer comparable cover to LGA members at a competitive rate. The Mutual would be owned and controlled by its members, and professionally managed by FCA authorised industry experts.
- 1.4 Over the last 12 months the LGA has been inviting local authorities, including Gedling Borough Council, to become Founding Members of "Local Government Mutual". The LGA will also be a founding member and will help develop the new Mutual. The role of a founding member is to help

establish the mutual and oversee the initial work to develop an offer which can be considered as a viable alternative option to a conventional insurance model for local authorities.

- 1.5 Phase one will be the initial work associated with setting up a new company, and will include agreeing a constitution, undertaking a procurement exercise for professional services, establishing an admission process and overseeing initial marketing (subject to regulatory requirements).
- 1.6 During this phase, the founding members will be invited to share their insurance data to inform further modelling work and enable fully priced quotes for cover to each local authority and the LGA. This report relates to phase one of the process seeking approvals for the Council to become a founder member of the Mutual.
- 1.7 Phase two will begin once the Mutual is ready to offer cover to members. At this point founding members can decide whether to apply for full membership and take out cover with the Mutual (having undertaken the relevant best value consultation and business case) or to cease their membership.
- 1.8 The Mutual will set member contributions transparently in order to raise sufficient funds to meet expected claims (based on each council's claims history), and to procure stop-loss and aggregate claims insurances from its panel of insurers. By adopting this methodology, it is expected that sustainable price reductions will be delivered, and any surpluses would belong to the local authority members, which can be either distributed or utilised to provide further reductions in premium. Naturally this would only occur in accordance with the scale and duration of contribution to the Mutual's funds.
- 1.9 Local authorities do have the power to participate in a company for a commercial purpose under sections 1 and 4 of the Localism Act 2011 or for trading under s.95 of the Local Government Act 2003 which would require the preparation of a business case, should the Council become full members of the Mutual once it is established.
- 1.10 The new Mutual company was incorporated by the LGA on 1 May 2018 as LGAM Limited. This is because government approval is required for the use of the word "government" and FCA consent is required to use "mutual" in the company name. Relevant approvals are being sought to enable a change of name to "Local Government Mutual".

## **Proposal**

- 2.1 The new Mutual aims to offer the prospect of affordable, high quality risk transfer and risk management through a mutual structure for the benefit of the local government sector. The advantages of becoming a founding member are that Gedling could help to shape the operation of the Mutual from its inception and would be involved in the selection of insurance providers and underwriters. Another factor is that the Mutual needs to get to a certain level of 'critical mass' in order to commence trading.



- 2.2 Participation in the manner described below allows the Council to contribute to the establishment of the new mutual without exposing itself to any financial or operational risk:
- It is proposed that the Council becomes a Founding Member (i.e. subscribes to the memorandum of association) of a new company limited by guarantee (“Local Government Mutual”). The intention being that the “Local Government Mutual” develops into the new Mutual whose establishment is being facilitated by the Local Government Association;
  - It is proposed that the Council’s Deputy Leader be appointed as a Founding Member committee member to oversee and make strategic decisions in respect of its initial phase of activity pending trading as a Mutual;
  - It is proposed that the Council’s Chief Financial Officer shares its relevant risk transfer and protection data (.e. details of its insurance cover, premiums paid, and its insurance claim history) with the LGA officers working on the project on a strictly confidential basis;
  - It is proposed that officers of the Council consider the business case for utilising the Mutual at the appropriate time, and report accordingly to Cabinet with a recommendation.
- 2.3 A company such as the “Local Government Mutual” acts through two bodies of people – its members and its Board of Directors. The LGA has now appointed two directors to the company in the first instance, and the current founding members approved those appointments.
- 2.4 The tasks of the Founding Members will in the ordinary course of events be limited to:
- Subscribing to the memorandum of association of the “Local Government Mutual” in order to incorporate the company;
  - Adopting the Mutual’s Rules and new Articles of Association which will convert the “Local Government Mutual” to formal mutual trading status and allow it to accept risks.
- 2.5 The tasks of the board of directors will be, inter alia, to:
- Procure the Mutual management services;
  - Procure supporting insurance arrangements;
  - Adopt a business plan, prospectus and member admissions process;
  - Have a general oversight of the activity required to build the business of the Mutual.

- 2.6 No contribution to the new Mutual's set-up costs is sought from this Council.
- 2.7 There is no obligation on this Council to utilise the Mutual subsequently, but our founding membership would cease at that point.
- 2.8 In order to become a founder member there is an application form. It is proposed that authority is given to the Deputy Chief Executive and Director of Finance to complete and submit the application form.

### **Alternative Options**

- 3.1 The Cabinet could consider not becoming a Founding Member of the "Local Government Mutual". However the options for membership at a later date have not been established, and deferring membership would mean the Council has no opportunity to become involved in the set-up of the company and the rules relating to its operation.

### **Financial Implications**

- 4.1 No contributions to the "Local Government Mutual" set-up costs are being sought from the Council, and there is no obligation on the Council to use the Mutual once established. Liability to the Council as a Founding Member is limited by guarantee to the sum of £100.
- 4.2 As there is no definitive structure for the Mutual at this stage, the potential cost savings and/or benefits are unknown.
- 4.3 In respect of current insurance arrangements, the Council currently has a contract with an external provider which is due to expire on 31 March 2019 and cannot be extended. The procurement process for this will need to commence in summer 2018 and therefore due consideration will take place in establishing the most appropriate route to follow that does not place additional risk on the Council. This may mean that any decision to move insurance cover to the Mutual could be delayed beyond April 2019.

### **Appendices**

- 5.1 Appendix 1 – A paper of Frequently Asked Questions

### **Background Papers**

- 6.1 None.

### **Recommendations**

#### **THAT CABINET:**

- a) Approves the Council's participation as a Founding Member of the "Local Government Mutual", which is a new company limited by guarantee, from which to develop an insurance Mutual.
- b) Nominates the Deputy Leader to be appointed as a Founding Member

committee member of the “Local Government Mutual” to oversee and make strategic decisions in respect of its initial phase of activity pending trading.

- c) Delegates authority to the Deputy Chief Executive and Director of Finance to submit the Application for Membership of the “Local Government Mutual” as a Founding Member.
- d) Authorises the Deputy Chief Executive and Director of Finance to share the Council’s relevant risk transfer and protection data with the LGA officers working on the project on a strictly confidential basis.
- e) Notes that once the new Mutual is established, a report on options and recommendations for the Council to utilise the Mutual will be presented to Cabinet at the appropriate time.

### **Reasons for Recommendations**

A Mutual does not make profits for shareholders and any financial gains would belong to each local authority member. It is envisaged that the existence of another competitor in the restricted insurance market can not only improve the quality of insurance offered, but also drive down the cost of premiums to a more acceptable level. In order to do this the Mutual has to reach its critical mass which will allow it to operate and compete in this market. By being a founding member, the Council can hold influence over the set up and operation of the initial phase of its activity.

A Mutual is an alternative option for the transfer of insurable risks, and being a member as part of phase two (if agreed in a future Cabinet report), gives the opportunity to share in any surpluses that may be generated as business and participation grows in the longer term.

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## **FAQs**

### **1. How does it work?**

The LGA has looked at various mutual structures. One model being reviewed is a 'hybrid discretionary mutual' whereby the mutual takes the first part of the risk up to a specified limit on a discretionary basis and above this limit it arranges insurance to the full limit of cover required. Members pay a 'contribution' into the mutual to benefit from the protection it provides. The contribution varies between members based on the risks they bring to the mutual.

### **2. How do mutuals work?**

A mutual is owned by its members. Mutuals must act in the interests of their members and it is the membership which, through the elected board, exercises ultimate control of a mutual.

Research indicates that mutual membership could produce immediate and long term benefits including cost savings. Mutuals can balance risks retained within the mutual with an optimum use of the insurance market, and can attract beneficial tax treatments, such as Insurance Premium Tax savings on the contributions from members.

A mutual is created to provide cost effective risk transfer, not to generate profit. Any surplus of mutual trading funds belongs to the members of the mutual and surpluses may, in time, be returned to members. Members of the mutual can also benefit from better risk management driven by the transparency of available data and the mutual ethos to pool information to share best practice.

### **3. How secure is a mutual?**

Mutuals operate successfully in many other sectors and in different countries. The LGA is exploring a mutual model which allows for attritional/expected losses to be met from mutual funds, with exceptionally large losses/accumulations of losses being met by insurers. This type of model is very secure.

The perceived risks of a mutual having to decline valid claims or make calls for additional contributions can be eliminated through the arrangement of excess of loss and aggregate insurance at the appropriate levels, so that the mutual's board knows at the start of every financial year what its worst-case scenario is – and this worst-case scenario is already funded.

The board of the mutual will retain the services of suitably qualified and experienced professional managers to ensure efficient management of the mutual fund and the insurance protection programme.

The long term strength of a Local Government mutual will, however, be determined by the pace of membership growth provided by authorities seeking better, more cost-effective protection and being willing to take control with other like-minded local authorities of their own risk transfer programmes.

**4. Is there any possibility of the proposed mutual going the same way as MMI in the early 1990's**

MMI was established in 1903 by local authorities in the UK, and it served as the sector's insurance supplier until the early 1990s. In 1991, having de-mutualised, the net assets of the Municipal Mutual Insurance Limited (MMI) and the Municipal General Insurance Limited (MGI) fell below the minimum solvency requirements calculated, and Managing Trustees concluded that the business should be sold.

A key factor affecting the company's losses was a lack of reinsurance at a time of significant increase in the number and cost of local government liability insurance claims. This issue will be explicitly addressed in arrangements for the new mutual.

**5. Are mutuals less expensive?**

The LGA commissioned modelling work in partnership with a number of local authorities which has identified significant savings opportunities. No authority will be asked to commit to the Mutual without knowing the level of contribution it would be required to make. Authorities will, therefore, be able to make fully informed decisions on the financial advantages of mutual membership. In fact, the only way for local authorities to seek admission to the mutual will be as a consequence of a properly conducted business case that has been submitted for Executive decision by the council's finance team.

**6. Do Founding members need to place their risks into the mutual?**

No, becoming a founding member will require an executive decision within an authority but does not commit the authority to placing risks into the mutual once it starts trading. The founding members will establish the mutual and oversee the procurement of its management service.

**7. If the insurance market responds with more competitive pricing why would we join the mutual?**

The mutual should provide councils with a choice in the way in which they transfer risk. Some councils may prefer to stick with traditional insurance placement but we believe the mutual could provide an attractive alternative. The mutual will set member contributions transparently in order to raise sufficient funds to meet expected claims (based on its

members' claims histories) and to procure stop-loss and aggregate claims insurances from its panel of insurers.

Insurance companies have the flexibility to reduce their prices in the short term, but it is worth noting that a mutual could potentially bring sustained price reductions and the surplus, which would ordinarily flow out of the sector as shareholder profits, would instead belong to the local authority members.

#### **8. How do mutuals deal with higher risk members?**

Members' contributions reflect the risk and claims history that they bring to the mutual fund. Good and continuously improving risk management will be a key principle of any mutual and an important benefit of mutual membership. The admissions process will involve disclosure of applicant local authorities' risk management systems and processes. There may be some authorities that require support in updating these systems and processes before they are accepted for risk cover. It would be the intention of the mutual to work with any such authority to help them bring about the changes that enable them to join as soon as possible.

#### **9. What happens if my local authority wants to leave the mutual?**

A member would be able to leave the mutual at the expiry of the period of cover. The Rules of the mutual will also set out circumstances in which membership may be terminated by the mutual.

#### **10. Can we 'wait and see' how successful the mutual is before making the decision to join?**

All mutuals require a certain level of critical mass in order to commence trading. We don't anticipate that the mutual would close to new membership, so a 'wait and see' approach is certainly possible, as long as enough councils want to participate at the start. Of course, members only share in a mutual's surplus in accordance with the scale and duration of their contribution to the mutual's funds.

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## Report to Cabinet

**Subject:** Papplewick Conservation Appraisal and Management Plan

**Date:** 28 June 2018

**Author:** Service Manager Planning Policy

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### Wards Affected

Newstead Abbey Ward

### Purpose

The purpose of this paper is to seek Cabinet approval to publish the Papplewick Conservation Area Character Appraisal and the associated Management Plan (attached as **Appendix B**), including proposed boundary changes to the Conservation (attached at **Appendix C**).

### Key Decision

This is not a key decision

### Background

- 1.1 Under Sections 69-71 of the Planning (Listed Buildings & Conservation Areas) Act 1990 (the 'ACT') there is a duty on local planning authorities to determine which parts of their areas are of special architectural or historic interest and to designate them accordingly, in order that their character or appearance may be preserved or enhanced.
- 1.2 The Papplewick Conservation Area was originally designated in 1973. It was not subject to a formal Character Appraisal at the time of its designation. Historic England advise that local planning authorities should review Conservation Areas every five years and undertake a Character Appraisal. 'Trigpoint Conservation and Planning' were commissioned to carry out an appraisal to examine the historical development of the Conservation Area and to describe its present appearance, identifying those qualities that contribute to its significance as a place of special architectural and historic interest as required by paragraph 127 of the National Planning Policy framework (NPPF). The consultant was also commissioned to prepare a Management Plan that sets out how the Conservation Area will be preserved and enhanced as there is a requirement under section 71 of the 'Act' to publish such proposals.
- 1.3 The Council's Conservation and Heritage Officer has been actively involved in the preparation of the Conservation Area Appraisal and Management Plan

through correspondence with the consultants and has advised Planning Policy on technical matters.

- 1.4 A Conservation Area Character Appraisal seeks to highlight the specific qualities of a place that contribute to its character and which are worthy of protection and enhancement. This provides a framework against which decisions about future development can be made. The purpose of a Conservation Area is not to prevent development but rather it is to manage change in an informed manner that preserves and enhances the Conservation Area without harming its special character and appearance.
- 1.5 The Appraisal also provides the opportunity to re-assess the Conservation Area boundary to ensure it continues to have special architectural or historic interest to warrant designation and to amend the boundary accordingly and include new areas where appropriate. It therefore considers a number of possible extensions and recommends two detailed boundary changes which are set out in this report. The adopted Appraisal will be used to inform the consideration of management and development proposals within the Area. The Management Plan sets out broad planning guidance by which the objectives of preserving and enhancing the unique character and appearance of the Conservation Area can be pursued through the planning process.
- 1.6 The Appraisal and Management Plan have also been subject to a six week public consultation between 19<sup>th</sup> February and 6<sup>th</sup> April 2018 in accordance with the requirements of S71 of the 'Act'. **Appendix A** of this report sets out the representations received and the Council's response to these. Some amendments to the document were necessary following careful consideration of the representations received.

## Proposal

- 2.1 It is proposed that Cabinet approves the Papplewick Conservation Area Appraisal and Management Plan attached at **Appendix B**. (It should be noted that the Conservation Area Appraisal incorporates the boundary amendments indicated at **Appendix C**). The document has been subject to public consultation and a summary of the consultation responses is provided at **Appendix A**.
- 2.2 The key findings of the Appraisal include:
  - The identification of key features of the Conservation Area including; construction materials; historic architectural details; a sense of enclosure provided by buildings and boundary treatment; Papplewick's rural setting and key views and vistas.
  - The importance of certain buildings within the Conservation area (with accompanying photographs) most notably St James's Church and Papplewick Hall but also other Listed Buildings and more generally the

meandering street and variable plot widths.

- The identification of two areas of extension to the Conservation Area, as shown at **Appendix C**, both of which are associated with Papplewick Hall Grade II\* Listed Park and Garden.
- The identification of two principal character areas of the Conservation Area – to the north of Altham Lodge along Blidworth Way, being characterised as open rural landscape; and to the south of this area, the principal historic settlement along Main Street.
- The identification of threats to the Conservation Area and a Management Plan is set out to help ameliorate these.

### Issues and opportunities

- 2.3 The appraisal notes more recent forms of development that have had a negative impact upon the Conservation Area including unsympathetic home improvements (i.e. use of UPVC windows and modern porches) and the development of rear garden boundaries towards the main road. The appraisal also makes reference to potential threats such as the cluttering of the area as a result of proliferation of road and business signage. The development of 20<sup>th</sup> century housing is found to have had a neutral impact on the Conservation Area. The development of Blacksmith's Court in the early 2000's is found to mostly address local context although the inclusion of rear gardens (and associated timber fencing) towards the main road is found to have been less successful and should be avoided in the future. The Character Appraisal and Management Plan sets out guidance to assist proprietors, applicants and planning officers in addressing potential future threats in order to preserve the character of the Conservation Area.
- 2.4 Overall, the Conservation Area is considered to be in good order with the historic core of the village surviving mostly intact.

### Proposed Boundary changes

- 2.5 The appraisal includes recommendations to extend the boundary of the Conservation Area (see **Appendix C** of this report), as follows:
- Land to the west of Hall Lane (Area B as outlined within the appraisal) – this area provides an open and rural setting to the Conservation Area and falls within the Papplewick Hall Grade II\* Registered Park and Garden.
  - Papplewick Hall Park and Garden (Area C as outlined within the appraisal) – this area is of considerable historic interest as a Grade II\* Registered Park and Garden and contributes to the overall setting of the Conservation Area
- 2.6 For the avoidance of doubt, the boundary of the proposed Conservation Area as shown at **Appendix C** corresponds with the outside edge of the boundary line.

## Consultation

2. 7 The Papplewick Conservation Area Appraisal & Management Plan has been made available for local residents to make comments both online, and at the Civic Centre, Arnold; Papplewick and Linby Village Hall; The Griffins Head Pub, Papplewick; and Hucknall Library. Posters were also placed at these locations. Letters were sent to all households in Papplewick Parish and leaflets were delivered as part of the Parish Council's newsletter.
2. 8 The consultation was undertaken alongside the consultation on the Papplewick Neighbourhood Plan.
2. 9 Four questions were included within the consultation. In total, the Council received six complete or partially complete responses. A brief summary of the responses for each question is outlined below. Please refer to **Appendix A** for the detailed summary of responses received.

### **Question 1a. Do you agree with the proposals to extend the Papplewick Conservation Area boundaries to include West of Hall Lane (Area B)?**

2. 10 No responses were received relating to Question 1a.

### **Question 1b. Do you agree with the proposals to extend the Papplewick Conservation Area boundaries to include Papplewick Hall Park and Garden (Area C)?**

2. 11 No responses were received relating to Question 1b.

### **Question 2. Do you have any comments on the wording of the Papplewick Conservation Area Appraisal (Part 1 of the document)?**

2. 12 Four responses were received relating to Question 2. Most comments were supportive and included additional local information. Several comments suggested amendments to the boundary of the Conservation Area and/or minor factual corrections to the wording of the Appraisal. Another comment sought to ensure that appropriate development for cricket facilities and Papplewick and Linby Cricket Club would not be prevented by the extension of the Conservation Area. Please refer to **Appendix A** for the detailed comments and the Council's response.

### **Question 3. Do you have any comments on the wording of the Papplewick Management Plan (Part 2 of the document)?**

2. 13 One response was received for Question 3 which was generally supportive of the management plan. This response referred to local concerns relating to appropriate replacement doors and windows, dormer windows, lack of control over alarm boxes, the importance of off-street parking provision when removing boundary walls and lack of information about legislation for new residents in Papplewick. Please refer to **Appendix A** for the detailed comments and the Council's response.

## Next Steps

2. 14 Subject to Cabinet approval, changes to the Conservation Area boundary must be notified to the Secretary of State (Communities) and advertised in the London Gazette and locally.

## **Alternative Options**

An alternative option is not to approve the Conservation Area Appraisal and Management Plan. This would result in the Borough Council having less control over development in the Conservation Area and not meeting the requirements of S71 of the 'Act' to publish proposals for the preservation and enhancement of designated conservation areas.

## **Financial Implications**

Costs associated with advertising changes to the Conservation Area boundary can be met from existing budgets.

## **Appendices**

**Appendix A:** Detailed Summary of Consultation Responses and GBC response

**Appendix B:** Papplewick Conservation Area Appraisal and Management Plan (Strikethrough Version)

**Appendix C:** Papplewick Conservation Area Proposed Boundary Amendments

## **Background Papers**

None

## **Recommendation**

It is recommended that Cabinet:

- a) Approve the appended Papplewick Conservation Area Character Appraisal and Management Plan at **Appendix B** and the recommended boundary changes therein (also attached at **Appendix C**); and
- b) Authorise the Service Manager - Planning Policy to notify the Secretary of State of the boundary changes, and advertise the boundary changes as required by statute.
- c) Delegates authority to the Service Manager - Planning Policy to make any minor typographical, formatting or factual amendments to the Papplewick Conservation Area Appraisal and Management Plan as appropriate.

## **Reasons for Recommendations**

The reasons for the recommendations are:

- a) For the purpose of planning guidance.
- b) In order to comply with statutory requirements.
- c) For the purpose of efficiently rectifying minor errors as appropriate.

## **APPENDIX A – Detailed Summary of Consultation Responses and GBC Response**

### **Overview**

Representations were received from the following six parties (questions responded to in brackets).

- Resident 1 (Question 2)
- Sport England (Question 2)
- Papplewick Parish Council (Question 2)
- Resident 2 (Question 2 and Question 3)
- Natural England (No comments)
- The Office of Rail and Road (No comments)

### **Question 1a**

Do you agree with the proposals to extend the Papplewick Conservation Area boundaries to include West of Hall Lane (Area B)?

**No comments received related to Question 1a.**

### **Question 1b**

Do you agree with the proposals to extend the Papplewick Conservation Area boundaries to include Papplewick Hall Park and Garden (Area C)?

**No comments received related to Question 1b.**

## Question 2

Do you have any comments on the wording of the Papplewick Conservation Area Appraisal (Part 1 of the document)?

Doc Ref.	Comment	GBC Response
Para 2.2	<p><b><u>Papplewick Parish Council</u></b> – Papplewick does not lie on a belt of magnesium limestone (Cadeby Formation). The ML outcrop only extends eastwards to the river Leen. Most of the parish is underlain by marls of the Edlington Formation and Bunter (Sherwood) Sandstone. Main Street lies on a ridge of quaternary sediment which falls away to the west, east and south.</p> <p>There are two different cottages that have been used as post offices, now converted to residential use, not one.</p>	<p>Agree – text amended accordingly.</p> <p>Agree – text amended accordingly.</p>
Para 3.1	<p><b><u>Papplewick Parish Council</u></b> – “.... The larger settlements of Linby and Hucknall” - Linby should not be included in the sentence as it is not a large settlement.</p> <p>Advise that GBC should define the location of Blidworth Way. The Blidworth Way sign is at Top Farm, and therefore Blidworth Way starts here. The sign for Main Street is on the south side of Hall Lane, and anything south of Top Farm should be referred to as Main Street.</p>	<p>Noted. Linby is described as larger in the context of being compared to Papplewick. No change required.</p> <p>Agree – text amended accordingly.</p>
Para 3.2	<p><b><u>Papplewick Parish Council</u></b> – The Nottingham to Mansfield Turnpike road (now A60) opened in 1787.</p>	<p>Agree – text amended accordingly.</p>



	Papplewick lay on the main Nottingham to Mansfield <i>post road</i>	Agree – text amended accordingly.
Photo 11	<b><u>Papplewick Parish Council</u></b> – Refers to unlisted Ward Cottage off <i>Blidworth Waye</i> . This is Main Street.	Agree – text amended accordingly.
Para 4.3	<b><u>Resident 2</u></b> – Support the importance of rural landscape.	Noted.
Para 5.3	<b><u>Papplewick Parish Council</u></b> – Linby quarries are not northeast of the village, they are northwest  Evidence suggests that most of the houses were rebuilt after the mills closed (in 1850s) with stone recovered from the mills (and not from stone taken from the quarries).	Agree – text amended accordingly.  Agree – text amended accordingly.
Para 5.4	<b><u>Papplewick Parish Council</u></b> – “... not until 1760”... This should read 1787  Not “Oakham – Richmond turnpike”, it should read “Nottingham – Mansfield turnpike”.	Agree – text amended accordingly.  Agree – text amended accordingly.
Para. 6.3	<b><u>Resident 2</u></b> – Support archaeological assessment/investigation undertaken prior to development.	Noted.
Para 12.3	<b><u>Resident 2</u></b> – Do not agree that the developer of this site preserved the character by virtue of the unsuccessful elements and lack of planning conditional control ‘during’ development. We would point out that the garage block (which was formerly	Noted. Planning permission was granted for this development in 2003. Gedling Borough Council is required to consult adjoining neighbours and the Parish Council on applications within the parish and will continue to do so. Paragraph 12.3 notes that

	<p>the village Smithy) was always rendered. The development could have been better designed if there had been more consultation between the developer, Parish and Borough Councils and residents, particularly as this was one of the most prominent sites within the village.</p> <p>The fencing used as a garden boundary now restricts pedestrian view of oncoming traffic approaching the crossroad. Vehicles approach a left hand turn faster than prior to the development. From day one of this development it was obvious that in the future this boundary would be a problem, which is the case and such boundary treatment should be avoided especially in the centre of a conservation village.</p>	<p>rendering is not a common finishing material within the Conservation Area. No change required.</p> <p>Noted. Paragraph 12.3 identifies the timber garden fencing as an untypical boundary treatment and states development layouts with rear gardens to the main road should be avoided in the future. No change required.</p>
Para 12.3	<p><b><u>Papplewick Parish Council</u></b> – The garage block on the Linby Lane frontage of Blacksmiths Court has been finished in render, because it is the original forge, and the developers were obliged to renovate it in this way - see the Heritage Appraisal on the Papplewick website for photograph and further details</p>	<p>Noted. Paragraph 12.3 notes that rendering is not a common finishing material within the Conservation Area. No change required.</p>
Para 13.15 & 13.16	<p><b><u>Resident 2</u></b> – Support</p>	<p>Noted.</p>
Appendix 2	<p><b><u>Papplewick Parish Council</u></b> – Heritage buildings – have omitted the barn and farm buildings at West View Court which are buildings of local interest. West View Court Barn has rare example of a reducing</p>	<p>Appendix 2 identifies buildings listed in the emerging Local Planning Document (LPD) or in the Nottinghamshire Historic Environment Register (HER) and is not intended to be a complete list. Appendix 2</p>

	slate roof in Swithland slate.	notes that (i) any buildings not included on this list, but which meet the criteria set out in Historic England guidance on Local Heritage Listing Advice Note 7 may also be considered to be of local significance; and (ii) the emerging Papplewick Neighbourhood Plan also intends to include a policy that identifies buildings of local interest. Policy 31 of the emerging LPD relates to Locally Important Heritage Assets and refers to the preparation of a list of assets to be undertaken following adoption of the LPD. No change required.
Map	<b><u>Resident 1</u></b> – The southern boundary of St James' churchyard shown on the maps of the proposed conservation area is incorrect. The churchyard was extended southwards, with planning permission and the extension was consecrated in 2015. Alterations to the conservation area should probably reflect this boundary change.	Planning permission was granted to extend the St James' churchyard in 2011. The southern extension is not included within the amended Conservation Area boundary. It is not considered to be necessary to amend the Conservation Area boundary to reflect the extended churchyard as the purpose of the boundary is to preserve and enhance areas identified as being of heritage value rather than demarcate land use. No change required.
Map	<b><u>Sport England</u></b> – It is noted that the proposal is to extend the conservation area boundary to include the cricket pitch of Papplewick and Linby Cricket club. It is noted that a key view is from the cricket ground to St. James' Church is already recognised.  Sport England would not wish to raise an objection to the extension of the conservation area, but the inclusion of the cricket ground within the proposed conservation area should not prevent appropriate	Given that the cricket ground is an established land use it is unlikely that appropriate proposals to enable the use as a cricket ground would be viewed unfavourably. The cricket ground currently falls within a Registered Park and Garden as such heritage credentials are already a planning consideration. Conservation Area designation means there would be a duty to 'preserve and enhance' (which is not a requirement for a Registered Park and Garden); that all trees would be protected (even those without a Tree Preservation Order); and any demolition may need

	development within the cricket ground (recognising the important views) which supports the sustainability of cricket at the site and which benefits the development and growth of cricket at the site.	planning permission. In addition, national Green Belt policy specifically considers appropriate provisions for outdoor sport to be appropriate for the Green Belt, which would be another consideration against which future proposals would be determined. No change required.
Map	<b><u>Papplewick Parish Council</u></b> – Some areas surrounding the village have been excluded from the Conservation Area because they are within the Green Belt, but other areas around the Hall for example which are also in the Green Belt have been included. The Hall grounds are listed Park and Garden, even though this extends into Linby Parish.	Conservation areas are defined by their special architectural and or historic interest. It is not the purpose of conservation areas to include land solely for protection and where other policies come in to play they should be sufficient to control development. A park and garden is a specific designed landscape that relates to the hall and has special interest because of this. Open Fields do not have this special interest in this case. No change required.
Map	<b><u>Papplewick Parish Council</u></b> – Castle Mill has been excluded owing to the distance from the village centre. Although Castle Mill is within Linby Parish, it is not within Linby's conservation area and we feel that it should be brought into Papplewick's Conservation Area by association. Logically, the built heritage of Moor Pond Woods should also be included in the conservation area. These are not afforded any other protection and they provide context and the setting to the village centre.	Castle Mill is a Grade II Listed building and has sufficient protection under existing planning policies from harmful development. The building is located at distance from the conservation area and the areas in between do not warrant inclusion. Also existing Green Belt policies will provide sufficient protection for this area. No change required .
Map	<b><u>Papplewick Parish Council</u></b> – Linby Lane has views of St James' Church. We feel that the area bordered	The land does not have special architectural or historic interest in its own right and therefore should not be included. Views of St James Church are across open

	by Moor Pond Woods, Linby Lane and Main street should also be included in the Conservation Area in order to preserve the view of St James' Church	fields where other policies exist to prevent development. No change required.
Map	<b><u>Papplewick Parish Council</u></b> – St James' Church – The boundary for the churchyard used in the Proposed Conservation Area is incorrect: It does not include the extension to the churchyard which was granted planning permission in 2011.	Planning permission was granted to extend the St James' churchyard in 2011. The southern extension is not included within the amended Conservation Area boundary. It is not considered to be necessary to amend the Conservation Area boundary to reflect the extended churchyard as the purpose of the boundary is to preserve and enhance areas identified as being of heritage value rather than demarcate land use. No change required.
Map	<b><u>Papplewick Parish Council</u></b> – Papplewick Hall Grounds have been included but there is no mention of the 'Model Dairy' which is also a site of interest dating from the 1920s.	Noted.
Map	<b><u>Papplewick Parish Council</u></b> – There are a number of unreferenced historical and environmental observations in the report (several of which are inaccurate). We feel that there should be a bibliography to support the text.	It is not considered that a bibliography is necessary. This appraisal refreshes a previously drafted version prepared by another party, so references are not available in each instance. Much of the information included in the appraisal is a statement of fact arising from visual observations made within the Conservation Area. The approach taken reflects that for other Conservation Area Appraisals adopted in Gedling Borough. No change required.

### Question 3

Do you have any comments on the wording of the Papplewick Management Plan (Part 2 of the document)?

Doc Ref.	Comment	GBC Response
Paras. 2.4, 2.5, 2.6, 2.9, 3.4, 3.5, 3.6, 3.9, 6.1, 6.2, 6.3, 7.1, 7.2, 7.3, 9.1, 13.1 & 13.2.	<b><u>Resident 2</u></b> – Support	Noted.
Para 3.3	<b><u>Resident 2</u></b> – Support the protection of the linear frontage development.	Noted.
Para 3.7	<b><u>Resident 2</u></b> – Support the use of appropriate doors and windows within the conservation area. However, as residents of a Listed Cottage we feel that in today's society when homes are expected to be more energy efficient consideration should be given to residents being allowed to replace inefficient Yorkshire sliding windows. With today's modern techniques it is possible to have these windows made in wood with double glazing (including thin glazing bars) which would not detract from the cottages as much as having secondary plastic double glazing which is noticeable.	In such cases replacement windows would need Listed Building Consent where they are different to the existing or original windows are being replaced. Double glazing is not supported in Listed Buildings as other methods of thermal insulation including secondary glazing are more appropriate as they do not impact upon the original window. Double glazing is a modern invention which if utilised would undermine the historic integrity of a Listed Building and would cause harm to architectural and historic character. All proposals will be considered on their merits. Proprietors are advised to contact the Council's Development Management team prior to carrying out works. No change required.

Para 3.8	<b><u>Resident 2</u></b> – Support the avoidance of dormer windows within the conservation area but a precedent has already been set with installation of a large dormer window on the side roof at 60 Main Street within the last 12 months.	Generally, the purpose of avoiding dormer windows would be to preserve the traditional character and appearance of the Conservation Area where such additions are rarely seen. Proposals to install dormer windows will be considered on their merits. Proprietors are advised to contact the Council's Development Management team prior to carrying out works. No change required.
Para 5.1	<b><u>Resident 2</u></b> – Lack of planning control and consistency already experienced with regard to alarm boxes.	Where the installation of solar panels, satellite dishes and alarm boxes (on a Listed Building or within a Conservation Area) requires planning permission, proposals will be considered on their merits. Proprietors are advised to contact the Council's Development Management team prior to carrying out works. No change required.
Para 8.1	<b><u>Resident 2</u></b> – Stone walling has been removed to allow off road parking to some of the properties on Main Street. It is essential for off road parking to be available due to the narrowness of Main Street in certain sections.	In cases where it is proposed to remove boundary walls to provide for off-road parking, a balanced judgement will be required that takes in to consideration the preservation and enhancement of the Conservation Area, the level of harm that may be caused to character and appearance of the Conservation Area and the possible wider public benefits of proposals. Proposals will be considered on their merits. Proprietors are advised to contact the Council's Development Management team prior to carrying out works. No change required.
Para 8.2	<b><u>Resident 2</u></b> – If there is insufficient space for gate piers a return on the wall should be allowed, which is something that has already been incorporated in	Relevant planning applications will be considered on their merits. No change required.

	creating vehicular access.	
Para 10.1	<b><u>Resident 2</u></b> – Support. However, when new residents move into the village they are very often unaware of such regulations and they should be made aware of planning regulations affecting a property within the conservation area. In the past a booklet was produced detailing listed buildings and planning regulations. This would be useful to residents of all property owners within the conservation area.	The location of a property within a Conservation Area will be identified through the land search carried out as part of the purchase of that property and new owners should therefore be aware. The Council includes information on heritage assets on its webpage. Proprietors are advised to contact the Council's Development Management team prior to carrying out works. No change required.
Para 12.1	<b><u>Resident 2</u></b> – Support the importance of key unlisted buildings and any impact on them should be assessed with any development.	Noted.



**APPENDIX B**  
**PAPPLEWICK CONSERVATION AREA**  
**CHARACTER APPRAISAL**  
**& MANAGEMENT PLAN**

**STRIKETHROUGH VERSION**

**(STRIKETHROUGH REFLECTING CONSULTATION RESPONSES)**



**April 2018**

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## **PART 1: CONSERVATION AREA APPRAISAL**

## 1.0 EXECUTIVE SUMMARY

### Part 1: Conservation Area Character Appraisal

- 1.1 Conservation areas are defined by section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance. Section 71 of the same Act requires local planning authorities to formulate and publish proposals for the preservation and enhancement of conservation areas
- 1.2 The purpose of this Character Appraisal and Management Plan is therefore to examine the historical development of the Papplewick Conservation Area and to describe those qualities that contribute to its significance as a place of special architectural and historic interest, and to outline the Council's approach to new development proposals in the Conservation Area having regard to the relevant local and national planning policies. It is intended that changes within the Conservation Area will be monitored and the Appraisal and Management Plan will be reviewed every 5 years to ensure they continue to reflect up to date policies and that the Conservation Area continues to include only those areas of the village that are of special architectural and historic interest.
- 1.3 A number of features are key to the special architectural and historic interest of Papplewick and these are best summarised as follows:
- the prevalence of vernacular buildings, largely associated with farming – whether as farmhouses, cottages, or subsidiary buildings such as barns;
  - construction materials – the predominant use of honey-coloured, local stone, used for buildings, boundary walls and embankments, which provides a visual coherence to the Area;
  - the retention of historic architectural details – particularly with regard to door and window openings, and the use of horizontal sliding timber sash windows;
  - the sense of enclosure provided by frontage buildings, boundary walls and hedgerows along Main Street and Blidworth Waye that contrasts with the more open landscape provided by the surrounding farmland;
  - Papplewick's rural character provided by the setting of the village within a rolling agricultural landscape;
  - the meandering road pattern of Main Street and Blidworth Waye, which both channels and restricts views along the main route through the village;

- the glimpsed views of St James's Church and Papplewick Hall across the wider farmland and parkland on the western side of the village that help to give a picture of Papplewick's development over time;
  - the contrast between the formal architecture of Papplewick Hall, and the vernacular architecture of other historic buildings within the village.
- 1.4 All of these features contribute to the special architectural and historic interest of Papplewick, and help to provide its 'sense of place', defining its special character and appearance. Other contributory factors include the generally high standards of maintenance of buildings, front gardens and open spaces within the Conservation Area.
- 1.5 This summary provides what is effectively a character 'snapshot' of Papplewick Conservation Area. The following sections provide a more in-depth appraisal. This Appraisal amends the boundary of the Papplewick Conservation Area as adopted in 1973 (**Map 1**). The extension to the boundary of the Conservation Area set out in **Map 4 & Map 5** and will be confirmed through the adoption of this document by Gedling Borough Council in 2018.

Part 2: Management Plan

- 1.6 Future development proposals in the Conservation Area will be determined having regard to the relevant local and national planning policies and this Character Appraisal is also accompanied by a Management Plan. This sets out broad planning guidance by which the objectives of preserving and enhancing the unique character and appearance of the Conservation Area can be pursued through the planning process.

## 2.0 INTRODUCTION

- 2.1 Papplewick is a small Nottinghamshire village situated 7.5 miles due north of Nottingham city centre. The Papplewick Conservation Area was first designated in 1973 and its boundaries encompass the village's historic core, covering an area of some 17.4 hectares (42.8 acres). The original Conservation Area boundary generally incorporates the historic settlement core along Main Street and Blidworth Way as shown on **Map 1**. These historic boundaries have been reviewed as part of this appraisal and an assessment of potential boundary changes is set out in section 13 below and shown on **Map 4 & Map 5**.
- 2.2 Despite 20<sup>th</sup> century development within the village, the historic core of this agricultural settlement remains relatively intact and retains its rural character. ~~Lying on a belt of magnesian limestone, in~~ Most of the parish is underlain by marls of the Edlington Formation and Bunter (Sherwood) Sandstone. Main Street lies on a ridge of quaternary sediment which falls away to the west, east and south. Papplewick has a gently undulating landscape, the village centre straddles the old main road between Nottingham and Mansfield that runs on a generally north-south alignment through the village (Photos 1 & 2). Predominantly residential, especially since former farm buildings and ~~the two former~~ post offices have been converted to residential use, the village retains its public house (The Griffin's Head) and the farmland around the village remains in agricultural use.



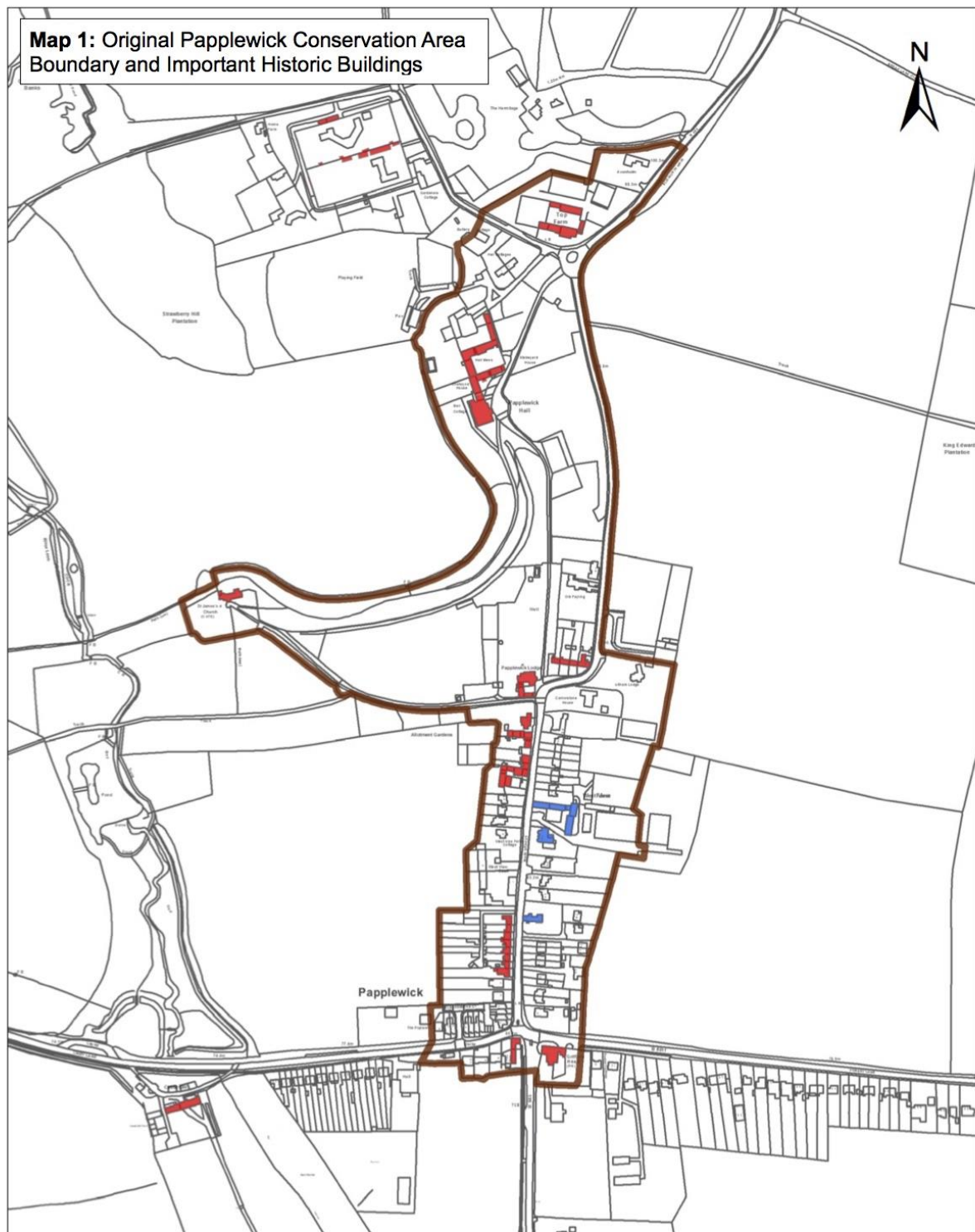
**Photo 1:** Typical linear street scene looking south along Main Street with distinctive boundary walls along the back edge of the footpath



**Photo 2:** Typical linear street scene looking north along Main Street with traditional cottages built close to the back edge of the footpath



- 2.3 The purpose of this Character Appraisal is to examine the historical development of the Conservation Area and to describe its present appearance, identifying the specific qualities that contribute to its significance as a place of special architectural and historic interest as required by paragraph 127 of the National Planning Policy Framework (NPPF). In particular this Appraisal includes a description of the various architectural styles, forms and features that underline the major phases in the development of the village as well as the important open spaces within the village, which together make a substantial contribution to the character and appearance of the Conservation Area.
- 2.4 The adopted Appraisal will then be used to inform the consideration and management of development proposals to ensure that they are sympathetic to the Conservation Area and this accompanied by a Management Plan that sets out broad planning guidance by which the objectives of preserving and enhancing the unique character and appearance of this Conservation Area can be pursued through the planning process.
- 2.5 The scope and arrangement of this Character Appraisal is based on Historic England's Advice Note 1: *Conservation Area Designation, Appraisal and Management*, published in February 2016.



### 3.0 LOCATION AND GENERAL PLAN FORM

- 3.1 Papplewick is a small Nottinghamshire village, situated 7.5 miles due north of Nottingham city centre. The larger settlements of Linby and Hucknall lie to the south-west and Ravenshead to the north-east. The boundary of the Conservation Area has been drawn around the historic core of the village, primarily following the historic field boundaries to the west and east of Main Street and extending along Blidworth Way to include Papplewick Hall and parts of its former estate, which is included on the Register of Historic Parks and Gardens (Photo 3) (to the north of Top Farm is Blidworth Way and to the south is Main Street). The resulting overall form and layout of the historic core of the village strongly defines the linear plan form of the Conservation Area and as a result of its historical development, the Conservation Area consists of two distinct character areas that illustrate Papplewick's distinctive rural village character (**Map 2**).



**Photo 3:** Principal elevation of Papplewick Hall from Blidworth Way with its parkland to the front and rear of the house

- 3.2 Papplewick's early development is largely derived from its origins as a small rural settlement. Its origins as an agricultural community is evident in the buildings along Main Street where during the 18<sup>th</sup> century, earlier buildings were gradually replaced

by cottages, farmhouses and associated outbuildings, which appear to follow the pattern of the earlier structures, with development concentrated along Main Street. Local magnesian limestone was used to construct the 'new' buildings, which now form the historic core of the village (Photos 4 & 5). Before the [Nottingham to Mansfield](#) turnpike road [\(now the A60\)](#) was opened in [1787](#)~~the second half of the 18<sup>th</sup> century~~, Papplewick lay on the main Nottingham to Mansfield [post](#) road and the importance of this road has clearly influenced the linear form of the village.



**Photo 4:** The Grade II Listed no. 1, Linby Lane, built in the local magnesian limestone with a pantile roof, closes the view south along Main Street

- 3.3 However the two most significant buildings in the village, Papplewick Hall and St James's Church (Photo 6) and are somewhat detached from the historic settlement core, standing to the north and west of the village in more rural and spacious surroundings provided by the parkland around the Hall (Photo 3), and the parkland and farmland to the north and south of the church (Photos 7 & 8).
- 3.4 The chronological, social and economic development of the village is now evident from the range of buildings within the Conservation Area, with buildings that illustrate the agricultural origins of the village, with an extensive use of traditional materials, predominantly a red/orange brick with clay pantiles and timber fenestration. The





**Photo 5:** The Grade II Listed cottages at nos. 67-73, Main Street, built in the local magnesian limestone with a pantile roofs, close the view north along Main Street



**Photo 6:** St James's Church to the west of the village



**Photo 7:** View of St James's Church over the parkland to the west of Papplewick Hall





**Photo 8:** View of St James's Church over farmland from Linby Lane

Grade I listed St James's Church and Papplewick Hall, in addition to the Grade II listed buildings and other important historic buildings that can be considered to be non-designated heritage assets as defined by the NPPF (see Appendices 1 & 2) (Photos 9, 10 & 11), define the essential character and appearance of the Conservation Area and its overall significance.

- 3.5 The historic character and plan form of the Conservation Area has also survived the substantial expansion of the village throughout the 20<sup>th</sup> century, where new development extended the village in a linear fashion eastwards and westwards along Linby Lane and Forest Lane (B6011) from the Main Street/Moor Road crossroads. These two groups of distinctive ribbon development occupy the southern side of Linby Lane and Forest Lane, extending the settlement away from its principal axis of Main Street whilst leaving the open farmland to the east and west of the Conservation Area, and retaining its rural setting.



**Photo 9:** The unlisted Wheelwright's Cottage, at no. 30, Main Street, built in the local magnesian limestone with a pantile roof, is prominent in views northwards along Main Street



**Photo 10:** The unlisted West View Farmhouse off Main Street, built in the local magnesian limestone, but with a replacement slate roof and UPVC windows



**Photo 11:** The unlisted Ward Cottage off ~~Blidworth Way~~ Main Street, built in the local magnesian limestone with a pantile roof



## **4.0 LANDSCAPE SETTING**

- 4.1 Papplewick is a distinctly linear settlement on a roughly north-south alignment, running parallel to the River Leen, with a gradual fall in height from about 100m above ordnance datum (AOD) on Blidworth Way at Papplewick Hall at the northern entrance of the Conservation Area, to about 80m AOD at the Griffin's Head public house at the cross roads of Main Street with Lindy Lane/Forest Lane close to the southern entrance of the Conservation Area.
- 4.2 The setting of the village in the landscape remains closely linked to its agricultural origins being surrounded by a gently undulating agricultural landscape, which gradually descends to the west, towards the River Leen. This includes the Registered Park and Garden attached to Papplewick Hall to the west, which is an essential part of its character and provides an important setting for the Grade I listed Papplewick Hall (Photo 3), and St James's Church, particularly in the views towards the church from the north across the historic parkland and from the south across farmland from Linby Lane (Photos 7 & 8). To the east there is a more open agricultural landscape, divided up by traditional field hedgerows with groups of mature trees.
- 4.3 The importance of this rural landscape to the setting of the Conservation Area, which gives a constant sense of green space around the village, is particularly apparent when approaching the village along Blidworth Way (Photos 12 & 13), or in the views towards the Conservation Area across its surrounding rural landscape from Linby Lane and Forest Lane.



**Photo 12:** Rural views on the approach into Papplewick village along Blidworth Way to the east of Papplewick Hall



**Photo 13:** Rural views on the approach into Papplewick village along Blidworth Way across the open paddock to the north of Altham Lodge

## 5.0 HISTORIC DEVELOPMENT OF THE AREA

- 5.1 The village of Papplewick has a varied and interesting history. It is clear from the entry for *Papleuuic* in the Domesday Book (1086) that a settlement was established before the Norman Conquest (1066). The name is Old English (that is, Anglo Saxon) in origin, meaning dwelling or (dairy) farm in the pebbly place. The village name, and the lack of archaeological evidence of earlier occupation, would suggest that the village was not established before the 5<sup>th</sup> century.
- 5.2 The earliest settlement of Papplewick may have been on the site of the existing church, moving to its present location before or during the Medieval period<sup>1</sup>. The church was certainly established by the late 12<sup>th</sup> century when the village, including the church and a mill, was granted to Newstead Priory by Henry II. Papplewick lay within the bounds of Sherwood Forest, but references to the village in the Forest documents are scant. It is clear that there was some expansion during the Medieval period. In 1540 when Sir John Byron purchased Newstead Priory from Henry VIII, Papplewick had two water mills and the mill dam had been constructed.
- 5.3 By the late 17<sup>th</sup> century, Papplewick was established as a linear settlement, lying to either side of Main Street. Although the layout of the village appears to have remained largely unaltered since then, the 18<sup>th</sup> century was a time of great change for Papplewick. The majority of the farmhouses, cottages and associated agricultural buildings which now form the historic core of the village were constructed during this period, using local magnesian limestone ~~taken~~ from quarries just to the ~~northeast~~ northwest of the village. Evidence suggests that most of the houses were rebuilt after the mills closed (in 1850s) with stone recovered from the mills. Papplewick Hall was demolished and rebuilt in fashionable classical style in 1787, and St James' church, with the exception of the 14<sup>th</sup> century tower, was rebuilt during the 1790s.
- 5.4 Until ~~the 1760s~~ 1787, Papplewick lay on the main Nottingham ~~to~~ Mansfield post ~~R~~road, which ran along Main Street, through what now forms part of the grounds to Papplewick Hall, and northwards along Hall Lane. The opening of the ~~Oakham~~ Richmond Nottingham to Mansfield turnpike road (now the A60) diverted traffic away

<sup>1</sup> This theory is supported by the remnants of earthworks within and around the churchyard, and evidence of Medieval-pattern field boundaries to the west of Main Street (shown on a 19th century map).

from the village. Shortly afterwards, probably during works to Papplewick Hall, Main Street was re-routed (turning east, then north) to provide more extensive grounds to the east of the new Hall. A number of buildings which had lain along this stretch of Main Street were demolished during this period. It is possible that the stone cellars of one of these, possibly an ale house or pub, remain buried within the grounds of the Hall.

- 5.5 The population of the parish of Papplewick rose dramatically (from 200-300 people to 709) during the second half of the 18<sup>th</sup> century, largely due to the opening of cotton mills on the River Leen. In 1821, 81 families were chiefly employed in ‘trade, manufacture, or handicraft’, compared to only 22 in agriculture. Following the closure of the mills in 1828, agriculture once again became the main source of employment<sup>2</sup>. Frame knitters left (or were ‘discharged’) from the parish, and the population declined. Although the mills were largely demolished during the 1840s, archaeological remains (particularly in Mill Pond Wood), help to give a picture of the impact that the cotton mills had on the village and its surroundings<sup>3</sup>.
- 5.6 Despite the changes during the late 18<sup>th</sup> century, it is likely that the existing layout of the village (at least along Main Street) closely reflects the Medieval form of the settlement, and that earlier buildings were simply demolished and replaced. Like many other villages within the Borough of Gedling, the development was shaped by agriculture, with small farms and crofts fronting Main Street, and farmland beyond. Although much of the land was used for arable farming, livestock, particularly sheep, played an important role. Architectural evidence of the extent of sheep farming in the 18<sup>th</sup> and 19<sup>th</sup> centuries remains in the form of the extensive ha-has around Papplewick Hall<sup>4</sup>.
- 5.7 During the 19<sup>th</sup> and early 20<sup>th</sup> centuries, there was very little change in the village. West View Farmhouse was built in the mid to late 19<sup>th</sup> century. Some additional agricultural buildings were constructed, for example at Top Farm. Small outbuildings (possibly containing soil or water closets) and a few small extensions were added to

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<sup>2</sup> Families employed chiefly in agriculture: 22 in 1821, 34 in 1831; families employed chiefly in trade, manufacturing or handicraft: 81 in 1821, 21 in 1831; other families: 2 in 1821, 19 in 1831.

<sup>3</sup> The mills may also have left an architectural legacy as salvaged materials may well have been used for alterations to existing buildings within the Conservation Area.

<sup>4</sup> A ha-ha is an embanked ditch. Widely used around country houses during the 18th century, it prevented sheep from entering the formal garden, whilst allowing views across the parkland, uninterrupted by walls or fencing.



existing domestic buildings, for example at nos. 9 - 25, Main Street. Papplewick Moor was brought into service as an emergency landing field during World War I (and again during World War II), but other than the construction of a hut on site, this had virtually no lasting effect on the village<sup>5</sup> It was not until the late 1920s or early 1930s that residential development within the village began. By 1960, Hall Cottages and most of the existing 20<sup>th</sup> century houses fronting Main Street had been built and new residential development has continued into the 21<sup>st</sup> century with a new housing development on the site of the former smithy/garage on the corner of Main Street and Linby Lane in 2004.

- 5.8 The cumulative impact of modern 20<sup>th</sup> and 21<sup>st</sup> century development has had a neutral effect on the character and appearance of the Conservation Area (Photos 14 & 15), with much of the more recent housing development being concentrated along Linby Lane and Forest Road, the historic core of the village has survived largely intact.



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<sup>5</sup> The moor was used by an aircraft on one notable occasion in 1937. Attempting an emergency landing during a storm, and able to see the ground only when it was illuminated by lightning flashes, the pilot crash-landed on Papplewick Moor. All of the crew survived, and were borne off to the Griffin's Head by locals

**Photo 14:** Mid 20<sup>th</sup> century semi-detached houses at nos. 4 & 6, Main Street  
with distinctive timber and plaster gables



**Photo 15:** Mid 20<sup>th</sup> century terrace at nos. 60 - 66, Main Street framed by strong brick gables

## 6.0 ARCHAEOLOGY

- 6.1 Although it is known that a settlement existed at Papplewick before the Medieval period, there is little in the way of archaeological evidence relating to this early occupation. The field boundaries and earthworks provide vital clues to the development of the village prior to, and throughout the Medieval period. Perhaps of particular interest is the remnant of a 'hollow way' (or sunken lane) close to St James' church<sup>6</sup>. The hollow way ran west from the village towards the church (and the River Leen and to Linby beyond). Earthwork remnants of a ditch and bank have been found within the churchyard and it is possible that, until 1874, a second hollow way ran from the church to the iron gate to the south. To the west of Moor Road, a remnant of 'ridge and furrow' provides evidence of early farming of the land.
- 6.2 Therefore given the historic development of the Conservation Area and the age of many of the properties there is good potential for below ground archaeology within the Conservation Area.
- 6.3 Policy LPD 30: *Archaeology* of the emerging Local Planning Document (May 2016) recognises that in areas of high archaeological potential or likely to contain archaeological remains, new development proposals should take appropriate measures to either protect remains by preservation in-situ, or where this is not justifiable or practical, applicants should provide for excavation, recording and archiving of the remains. Consequently, development proposals within or adjacent to the Conservation Area requiring excavation works should be preceded by a considered archaeological assessment and investigation undertaken by an accredited archaeologist in accordance with Chartered Institute for Archaeologists' standards in order to identify the potential of the site and prepare a suitable archaeological strategy.

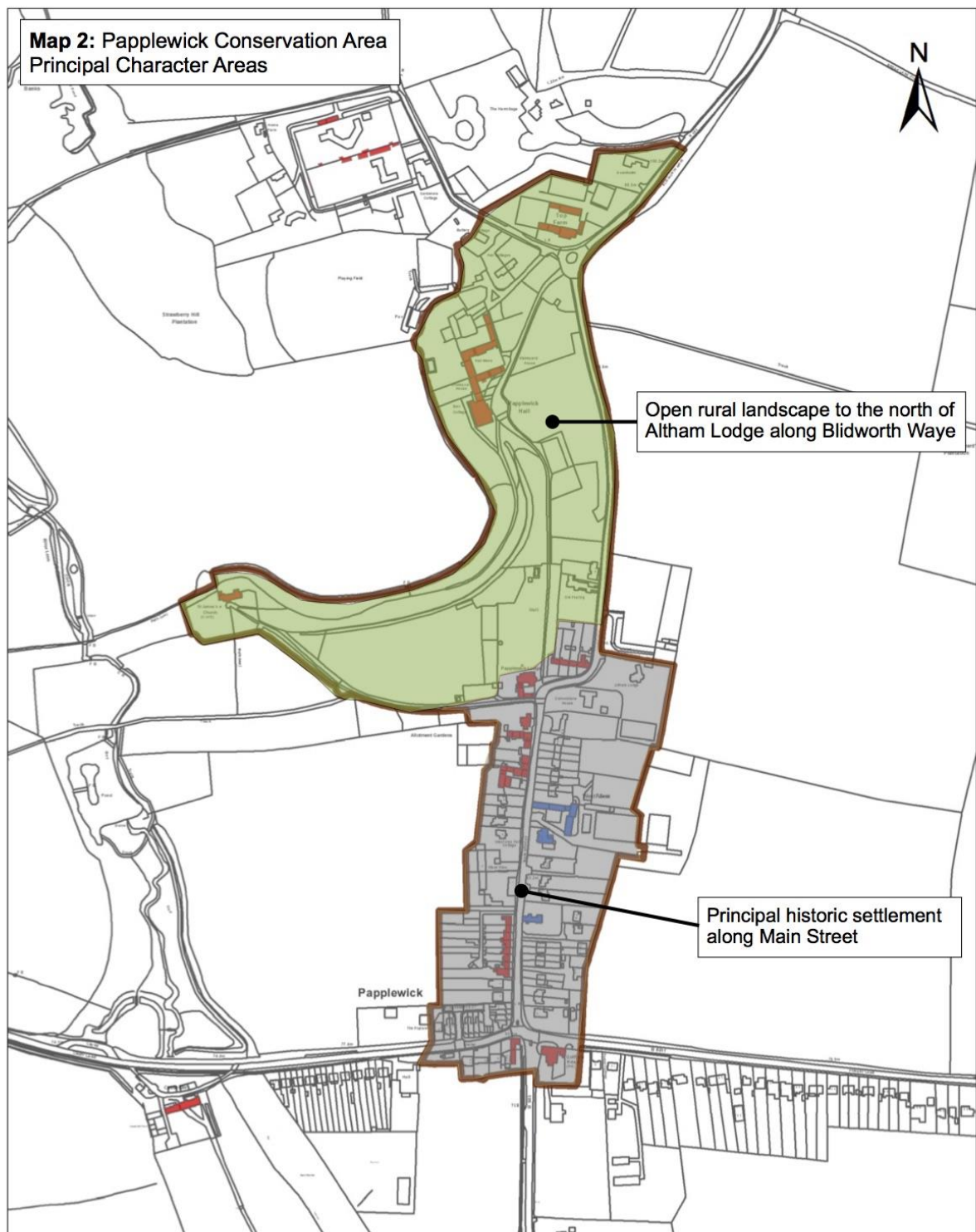
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<sup>6</sup> A hollow way is generally an ancient route, formed by regular use of a particular path, often over centuries.

## 7.0 CHARACTER AND INTERRELATIONSHIP OF SPACES WITHIN THE CONSERVATION AREA

- 7.1 The importance of open rural landscape around the Conservation Area has already been noted in Section 4.0. Spaces within the Conservation Area, the way that they are enclosed (for example by buildings, or boundary walls), and the way in which public and private space interact, are of equal importance in defining the character and appearance of the Conservation Area. This is particularly apparent along Main Street and Blidworth Way, where a number of features combine to create two distinctive spaces that are a central part of Papplewick's character (**Map 2**). Altham Lodge (Main Street) marks the divide between these two spaces.
- 7.2 To the south of Altham Lodge the character of Main Street is largely defined by the sense of enclosure provided by the stone buildings, boundary walls, and greenery (Photos 1 & 2), although gaps between buildings fronting Main Street provide a visual link to the surrounding open countryside (Photos 16 & 17). The meandering street and variable plot widths and building line add to a sense of informality. Trees and shrubs in the front gardens of the 20<sup>th</sup> century houses partially screen them from view, helping to give more prominence to the historic buildings and stone boundary walls that are located closer to the street frontage.
- 7.3 North of Altham Lodge, the Conservation Area takes on a more open character, and the long views of Papplewick Hall across the park land to the west of the house (Photo 3) and open vistas out of the Conservation Area across the farmland to the east connect Blidworth Way to its rural surroundings (Photos 12 & 13). A low boundary wall and an embankment (on the east and west side respectively) run almost the entire length of Blidworth Way as far as Top Farm. Built of local stone, these boundary treatments serve to visually connect Blidworth Way, Hall Lane and Top Farm, with the stone buildings and boundary walls of the village centre to the south.







**Photo 16:** View looking west towards open countryside in a break in the development fronting Main Street



**Photo 17:** View looking east towards open countryside in a break in the development fronting Main Street

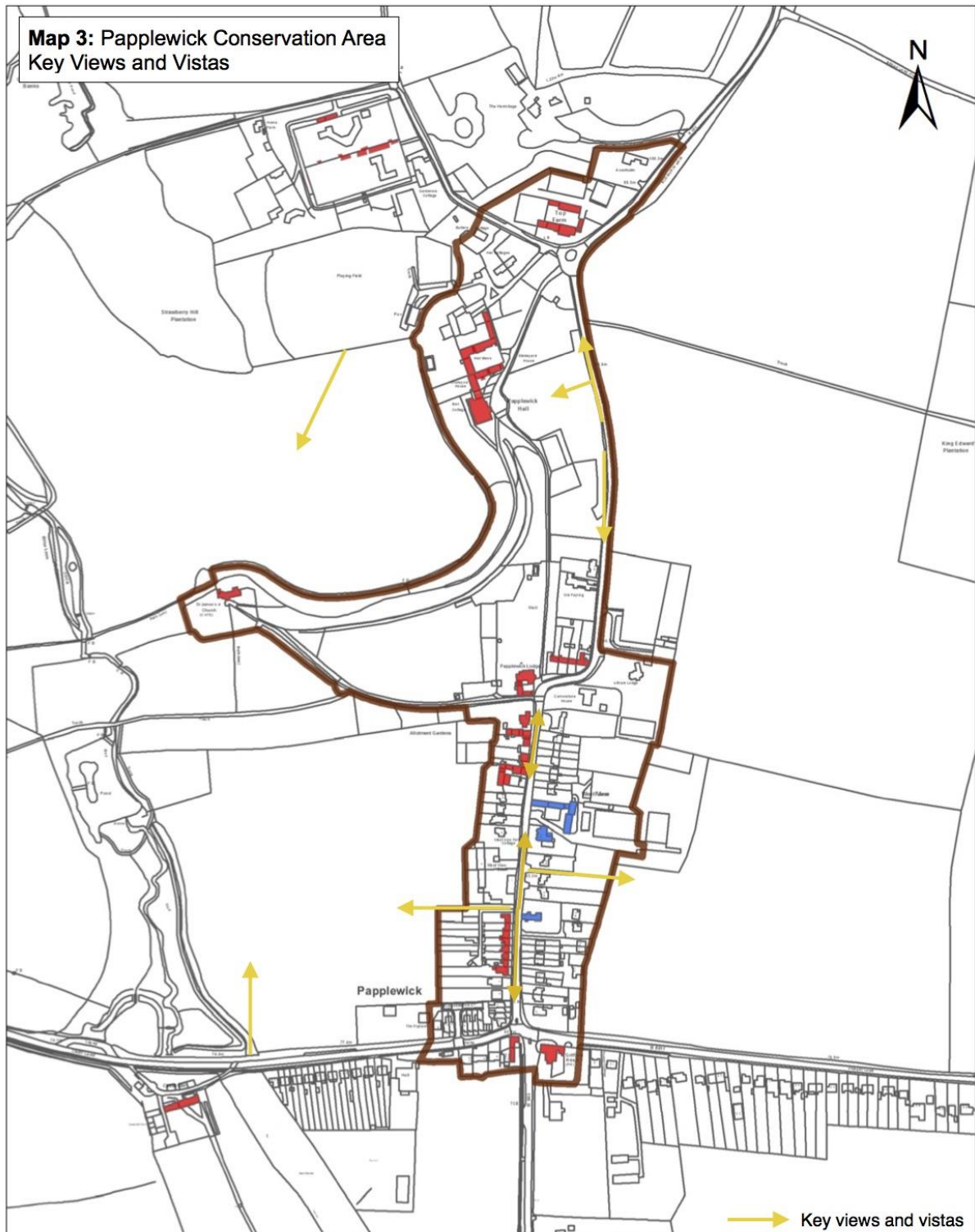
## **8.0 CONTRIBUTION MADE BY GREEN SPACES AND TREES**

- 8.1 Green spaces, hedges and trees make a vital contribution to Papplewick's rural character throughout the Conservation Area. An abundance of mature trees, shrubs and hedges line boundaries between houses, access lanes and the approaches to the Conservation Area.
- 8.2 Close to the village, along Church Lane and Hall Lane, traditional hedges form the principal boundary markers, again giving a sense of enclosure while providing occasional glimpses of the houses, farmland, parkland, gardens or woodland plantations beyond. The green front gardens and hedgerows that line the boundaries and access lanes to the 20<sup>th</sup> century houses along the eastern side of Main Street soften the impact of these suburban-style dwellings on the Conservation Area. While at the settlement edges, the rural landscape asserts itself as the space opens-up, providing open views of green fields, arable land and parkland. A similar transition happens along Blidworth Way, as views open-up, hedgerows and stone walls mark boundaries, and the trees of the distant woodland plantations appear along the horizon.
- 8.3 The former estate of Papplewick Hall to the west of Blidworth Waye is included on the Register of Parks and Gardens of Special Historic Interest. Papplewick Hall park is a characteristic example of the landscape design that was popular in the 18<sup>th</sup> and early 19<sup>th</sup> centuries. Taking advantage of natural features, and using devices such as the embankment along Blidworth Waye to the east of the Hall and the ha-ha to the west, the aim was to provide picturesque views of the rolling countryside and pleasant walks or drives around the estate. Trees (and other greenery) were planted so as to enhance views and provide features of interest within the landscape and the existing established landscape now makes an important contribution to the character and appearance of the park as well as the overall Conservation Area. Of equal importance are the mature trees within and around St James' churchyard, which make a valuable contribution to the setting of the church and the overall Conservation Area.

## 9.0 KEY VIEWS AND VISTAS

- 9.1 Although the Conservation Area is predominantly linear in plan form, the meandering road patterns, together with the rolling landscape and abundance of greenery, provide a number of long views often terminated, and framed, by traditional structures, trees, hedges, or a combination of these (Photos 1, 2, 4 & 5) (**Map 3**). The typically linear, closed views of Main Street contrast with the more open rural views along Blidworth Way to the north of Altham Lodge and are a key aspect of Papplewick's special character (Photos 12 & 13).
- 9.2 In addition to the views within the Conservation Area, there are views across, and into, the Conservation Area from a number of vantage points around the village. Its rural landscape setting is evident from views from Forest Lane and Linby Lane and the cricket ground offers views of St. James' Church and Papplewick Hall across the historic parkland (Photo 7). These views across and into the Conservation Area make an important contribution to the setting of the Conservation Area.





## 10.0 PREVAILING ACTIVITY AND USES

- 10.1 Papplewick is now a predominantly residential settlement lacking any commercial centre, although it developed as a primarily agricultural settlement, reflected in the irregular plot widths and building line.
- 10.2 Until the early 20<sup>th</sup> century, buildings within the village were largely farmhouses, cottages, and associated buildings, built for rural labourers and tradesmen. These included, for example, barns, a wheelwright's workshop, and a smithy. Generally, subsidiary buildings stand gable-end to the street, while dwellings face it – their size determined by plot width (Photo 18). One notable exception (there are several) is Wheelwright's Cottage, which stands gable-end to Main Street (Photo 9). There are two examples of double-pile (that is two rooms deep) farmhouses on Main Street, at West View Farm, and the former Morton's Farm (57 Main Street) (Photos 10 & 19 respectively). Although many subsidiary farm buildings have been converted to



**Photo 18:** The Grade II listed former post office and former outbuildings at Morton's Farm – an example of subsidiary buildings standing gable-end to the street, while principal buildings face onto it



**Photo 19:** View of the Grade II listed Morton's Farmhouse on Main Street, an example of a double-pile farmhouse

residential use, they generally remain 'legible', and it is clear how agriculture and farming shaped the form and grain of the early village buildings within the Conservation Area.

- 10.3 The architecture of Papplewick Hall, built by Frederick Montague between 1781 and 1786 in a formal Classical style, provides a notable contrast with the vernacular architecture of the village buildings, which display local detailing and materials. Built in the Palladian style which was popular throughout the country in the 18<sup>th</sup> century, it has no direct association with the working land. Nevertheless, the honey-coloured ashlar stonework of the Hall complements the local stone of the service wing and former stable block, and helps to connect the Hall with the buildings in the village centre. Despite its agricultural function, Top Farmhouse is also an 18<sup>th</sup> century 'fashion statement', characteristic of the popular style of the time. Again, the use of local stone serves to link the farmhouse to other buildings in the village.





**Photo 20:** View of the Grade II listed Top Farm on Blidworth Way which is situated at the northern entrance to the Conservation Area



## 11.0 ARCHITECTURAL AND HISTORIC QUALITIES OF THE BUILDINGS

### Essential Characteristics

11.1 Papplewick's built environment presents a diversity of architectural styles, forms and features that underline the major phases in its historic development. The typical architectural forms and characteristics are:

- Large number of vernacular buildings mostly related to farmsteads and labourers' cottages;
- Domestic scale of the village, mostly 2-storey, lower in height than modern residential development, with steeply pitched roofs and narrow plan forms;
- A mix of detached, paired and terraced housing;
- A variety of chimney-stacks;
- Historic properties which face onto Main Street and are located close to the road frontage; and
- Historic streets, lanes and byways that remain legible today.

### Local Constructional Details

11.2 There is a range of building materials in the Conservation Area. The Area is principally defined by vernacular buildings along Main Street that are constructed of local materials, such as magnesian limestone with pantile roofs and simple architectural detailing, that provide a uniformity of appearance along Main Street (Photo 21). More recent 20<sup>th</sup> century properties along Main Street are typically constructed in brick with slate roofs and these are now quite common materials in the Conservation Area.

11.3 Characteristic buildings within the Conservation Area include rows of cottages, detached houses and (often converted) farm buildings. The agricultural buildings vary greatly in height, dependent on their original function, while dwellings are typically two-storey and relatively small-scale. This mix of building types, combined with the irregular plot widths and heights provide a high level of diversity although the use of local materials and similar constructional details provide some coherence throughout the Conservation Area.

11.4 Traditional buildings are typically constructed of coursed and squared rubblestone, generally with segmental heads or stone lintels to doors and windows. Timber

horizontal sliding sash windows are typical (Photo 21), although mullioned windows with side-hung casements do occur (and in a number of cases, side-hung casements have replaced the earlier sliding sashes). Vertical sliding sashes, redolent of a more formal architectural style, are also evident, notably at Papplewick Hall and on additions to earlier dwellings, such as no. 1 Linby Lane and Wheelwright's Cottage (Photos 4 & 9 respectively). Roof pitches tend to be steep, generally varying from around 30 to 45 degrees.



**Photo 21:** Details of local construction methods and materials, at nos. 67-73, Main Street, illustrate the use of local magnesian limestone with a pantile roofs and Yorkshire (horizontal) sliding sash windows

- 11.5 Buildings are most frequently simple in design and unadorned with decorative detail. There are a number of exceptions where decorative features such as coped gables, kneelers, keystones, or ashlar dressings do appear. For example, nos. 67–73 Main Street have ashlar window surrounds (Photo 21). Curiously, no. 49 Main Street has one raised gable, with a small kneeler.

- 11.6 The extensive use of local stone walls make an important contribution to the character of the Conservation Area, and form the principal boundary marker along Main Street and Blidworth Way (Photos 1 & 10 for example). They are often seen in conjunction with shrubs, hedges and trees, which not only contribute to Papplewick's distinctive character and appearance, but also increase privacy to properties. Wheelwright's Cottage, Main Street, is a good example of one instance where a hedge is seen in conjunction with a local stone wall, screening its rear garden and providing a greater degree of privacy to occupants whilst enhancing the public realm. Black metal post and rail fencing is used to good effect at a number of properties at nos. 9-25 Main Street. With its traditional appearance and rural associations, this simple fencing is entirely in-keeping.
- 11.7 Street clutter does however intrude into the Conservation Area with the inevitable proliferation of road signage at the junction of Main Street with the B6011 (Linby Lane/Forest Lane), which has a necessary purpose but also an adverse visual impact on the Conservation Area.

## 12.0 ISSUES, PRESSURES, THREATS AND OPPORTUNITIES

- 12.1 The Papplewick Conservation Area is well maintained and there are few elements which detract from its overall character and appearance. The potential impact of future new development, such as well-intentioned, but unsympathetic home improvements and unsightly gap sites and semi-derelict buildings could have an adverse impact on the Conservation Area.
- 12.2 Whilst paragraph 137 of the NPPF encourages local planning authorities to look for opportunities for new development within conservation areas, the conservation area designation provides an opportunity to exercise greater control over issues such as design, appearance and siting. The Conservation Area ensures that any new development can be accommodated in a sympathetic manner with a considered approach to issues such as design, siting and the use of more traditional materials and the size and arrangement of window openings.
- 12.3 On the whole the Conservation Area has avoided excessive new development, and perhaps the most prominent example of new development is Blacksmith's Court which is in a highly prominent location on the corner of Linby Lane and Main Street (Photos 22 & 23). This development has incorporated a number of design features (such as the stepped-forward, two-storey bays, modest casement windows and traditional materials of brick stone and pantiles) to address its local context and to break-up the building line and add interest. This development has preserved the character and appearance of the Conservation Area, although some elements of the scheme have been less successful. The properties have their rear gardens to the main road and as a result these are largely defined by timber garden fencing, which is not a typical boundary treatment. This type of layout, with rear gardens to the main road, should be avoided in any future developments and traditional boundary treatments such as stone walls to main road frontages will be expected. In addition, the prominent garage block on the Linby Lane frontage which has been finished in render, a material not commonly found in the Conservation Area, harms the character and appearance of the Conservation Area.
- 12.4 More modest and damaging changes have resulted from well-intentioned, but unsympathetic home improvements that do not normally require planning permission, such as the introduction of modern porches on the front elevations of some properties and the insertion of UPVC double-glazed windows and doors replacing the original



**Photo 22:** Rear elevations of Blacksmith's Court fronting onto Linby Lane



**Photo 23:** Rear elevations of Blacksmith's Court fronting onto Main Street



windows, the most notable example being at West View Farmhouse where the heavier framed UPVC units on the front elevation are in marked contrast from the slimmer timber sash windows on the side elevation of the property (Photo 10). Whilst householders normally install UPVC windows to improve thermal efficiency, plastic windows are rarely appropriate in conservation areas, particularly in a rural village and are wholly inappropriate in a listed building and listed building consent will be required for such an alteration.

- 12.5 There are also a small number of commercial establishments in the village including the Grade II listed Griffin's Head (Photo 24), Morton's Farm Tearooms (Photo 19), and Top Farm (Photo 20), that advertise their presence by commercial signage. At present these commercial establishments have quite modest degrees of signage, which are generally traditional in their form and materials and largely non-illuminated. To maintain the overall character and appearance of the Conservation Area any future pressures to introduce unnecessary or illuminated signage should be resisted.



**Photo 24:** View of the Grade II listed Griffin's Head  
at the junction of Moor Road and Forest Lane

- 12.6 Papplewick is washed over by Green Belt. As a result, opportunities for new development are more restricted, typically confined to alterations, infill development and the conversion of existing buildings. The redundant farm buildings at West View Farm are a notable group of vacant and underused buildings that make a positive contribution to the Conservation Area because of their architectural and historic interest (Photo 25). These buildings which are of significant local interest are in a poor condition and are at risk from further deterioration and their loss would substantially erode and harm the significance, character and appearance of the Conservation Area. The potential restoration and re-use of these buildings in a sympathetic manner is an opportunity for development that would enhance the conservation area.
- 12.7 Any new development behind the main linear frontage could detract from the distinctive linear pattern of development along Main Street and Blidworth Way that contributes to the overall character and appearance of the Conservation Area.



**Photo 25:** Redundant farm buildings at West View Farm offer potential for restoration and re-use

- 12.8 The issues highlighted above and in previous sections illustrate the importance of careful management, particularly with regard to any future development. The use of local materials, combined with sensitive design is likely to be most successful. Modern designs which utilise traditional materials and respect the scale and proportions of the surrounding historic buildings can work very well. Conversely, traditional designs can fail when modern requirements are imposed, resulting in features such as overly wide roof spans, or the use of inappropriate materials, such as render, concrete roof tiles and UPVC windows and doors, or unnecessary decorative detail. Any new design, whether traditional or modern, should be informed by the issues highlighted in this appraisal and should respect the special character of the Conservation Area. A management strategy is set out further in **Part 2**.



## 13.0 REVIEW OF THE CONSERVATION AREA BOUNDARY

- 13.1 As noted above section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 expects local planning authorities to designate areas of special architectural or historic interest as conservation areas. In preparing this review of the Papplewick Conservation Area consideration has been given to possible revisions to the existing Conservation Area boundary, which is currently tightly drawn around the core of the historic settlement<sup>7</sup>.
- 13.2 Further guidance on the designation of conservation areas is provided by NPPF paragraph 127 which states that:  
*When considering the designation of conservation areas, local planning authorities should ensure that an area justifies such status because of its special architectural or historic interest, and that the concept of conservation is not devalued through the designation of areas that lack special interest.*
- 13.3 In assessing the possible alterations to the Conservation Area boundary full regard has been given to the planning policy guidance.
- 13.4 Areas that have been considered as part of the Conservation Area boundary review include (**Map 4 & Map 5**):

### AREA A: EAST OF HALL LANE

- 13.5 The land to the north of the Grade II listed Top Farm and barn and stables, between Blidworth Waye and Hall Lane, runs along the northern edge of the present Conservation Area. This land is largely residential in use and provides a mature landscape setting at the northern entrance to the Conservation Area, but it has no special architectural or historic interest.
- 13.6 Given its strategic location at the northern entrance of the Conservation Area, new development within this area could impact on the setting and character of the Conservation Area at its northern limits. This area of land also falls outside of the settlement framework and within the Green Belt and it is considered that the relevant

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<sup>7</sup> For the avoidance of doubt, the Conservation Area boundary shown on the plans within this Appraisal falls within the Conservation Area, the designated boundary of the Conservation Area corresponds with the outside edge of the boundary line.

planning policies relating to development within the Green Belt and the open countryside are robust enough to control any further inappropriate development in this area.

- 13.7 **Recommendation:** The area of land between Blidworth Waye and Hall Lane does not have sufficient special architectural or historic interest to warrant inclusion within the Conservation Area.

#### **AREA B: WEST OF HALL LANE**

- 13.8 The land to the west of Hall Lane along the northern edge of the present Conservation Area also provides an open and rural setting to the Conservation Area, although there is some relatively new housing along Hall Lane and the Papplewick and Linby Cricket Club occupies land to the west of Hall Lane.
- 13.9 This area of land has architectural and historic interest and also forms an integral part of the historic landscape associated with Papplewick Hall and is included within the Grade II\* Registered Park and Garden. It also includes the Grade II listed walled kitchen garden formerly associated with Papplewick Hall and the Gardener's Cottage which is included on Nottinghamshire County Council's Historic Environment Record.
- 13.10 **Recommendation:** The area of land to the west of Hall Lane that falls within the registered of Park and Garden associated with Papplewick Hall has sufficient special architectural or historic interest to warrant inclusion within the Conservation Area.

#### **AREA C: PAPPLEWICK HALL PARK AND GARDEN**

- 13.11 The present Conservation Area boundary skirts around Papplewick Hall to include it and its ancillary outbuildings within the Conservation Area, however the wider parkland that extends to the west of Papplewick Hall, and into the adjoining parish of Linby, has been left outside of the Conservation Area boundary.
- 13.12 This area of historic parkland has been included on the register of Parks and Gardens of special historic interest, Grade II\*. It is therefore of considerable historic importance and significance in its own right, although it does also contribute to the character and appearance of the Conservation Area and its overall setting. This historic parkland also makes a significant contribution to the setting of the Grade I listed St James' Church, which lies immediately to the south of this parkland.

- 13.13 There are already constraints placed on any new development within this historic landscape, and these would be reinforced by the relevant planning policies relating to development within the Green Belt and the open countryside, as this area of land is washed over by the Green Belt and falls outside of the settlement framework.
- 13.14 **Recommendation:** The registered Park and Garden associated with Papplewick Hall to the west of Hall has sufficient special architectural or historic interest to warrant inclusion within the Conservation Area.

#### **AREA D: LAND NORTH OF LINBY LANE**

- 13.15 There is a substantial area of open farmland lying between the present Conservation Area boundary at the back of Main Street and the Parish Council boundary that extends to the north of Linby Lane towards Church Lane and the Grade I listed St James' Church. This area of land does not have sufficient special architectural or historic interest in its own right. However, it does provide an open and rural setting to both the Conservation Area and the registered parkland of Papplewick Hall. It also makes a significant contribution to the setting of the church, with views across this land, both to and from the church, that reinforce its rural and detached location in the landscape which contributes to the significance of the church.
- 13.16 This area of land also falls outside of the settlement framework and within the Green Belt and it is considered that the relevant planning policies relating to development within the Green Belt and the open countryside are robust enough to control any further inappropriate development in this area and protect the setting of the Grade I listed St James Church and Grade II\* registered parkland associated with Papplewick Hall.
- 13.17 **Recommendation:** The area of farmland to the north of Linby Lane and south of Church Lane does not have sufficient special architectural or historic interest to warrant inclusion within the Conservation Area.

#### **AREA E: PARCELS OF LAND OFF MAIN STREET**

- 13.18 To the east of Main Street are two parcels of land abutting the Conservation Area boundary. These areas of land have no special historic or architectural interest and whilst new development in either of these areas could have a detrimental impact on the setting and character of the Conservation Area the sites lie within the Green Belt, outside of the settlement framework. Therefore it is considered that the relevant

planning policies relating to development within the Green Belt and the open countryside are robust enough to control any further inappropriate development in this area.

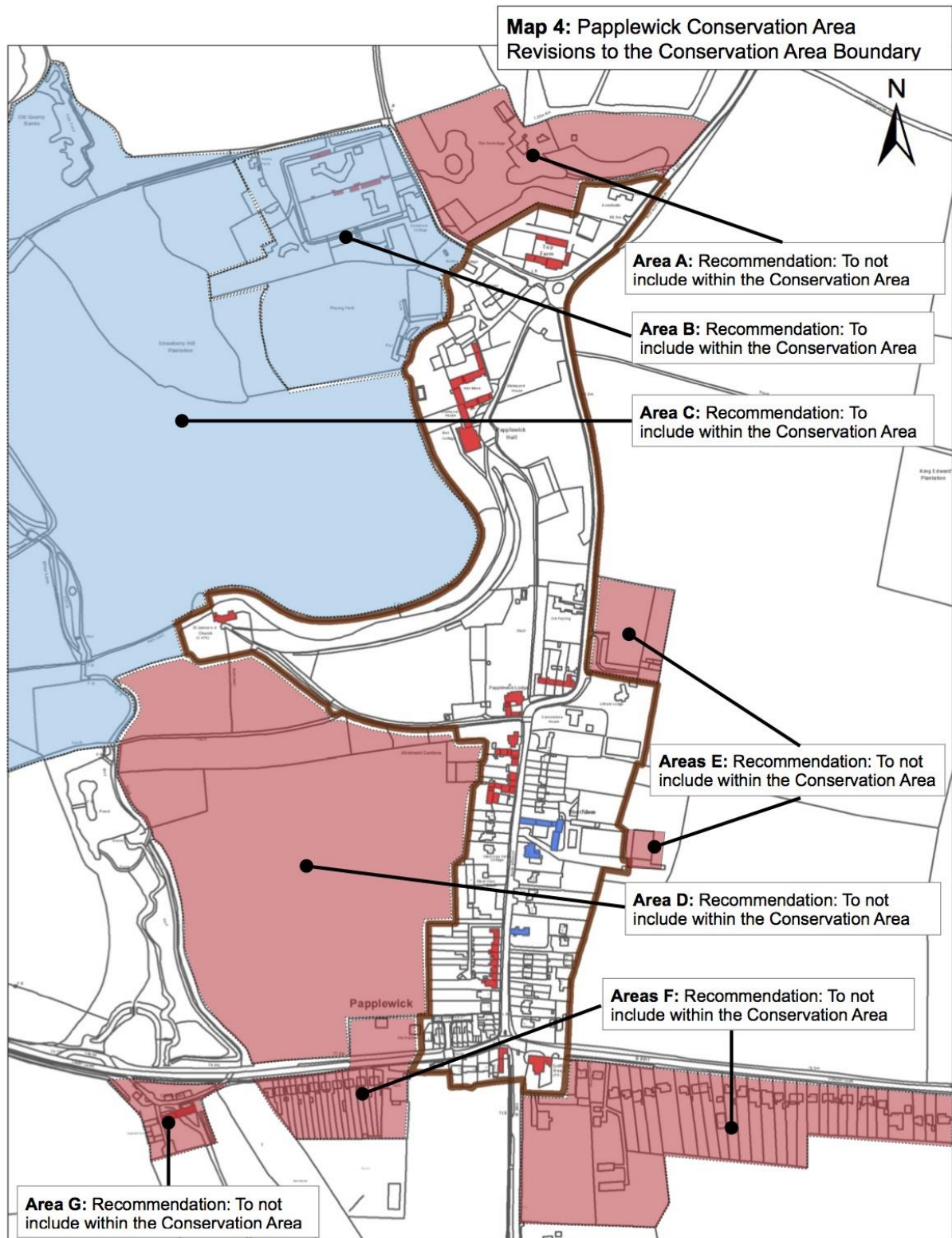
- 13.19 **Recommendation:** The parcels of land to the east of Main Street do not have sufficient special architectural or historic interest to warrant inclusion within the Conservation Area.

#### **AREA F: FOREST LANE - LINBY LANE**

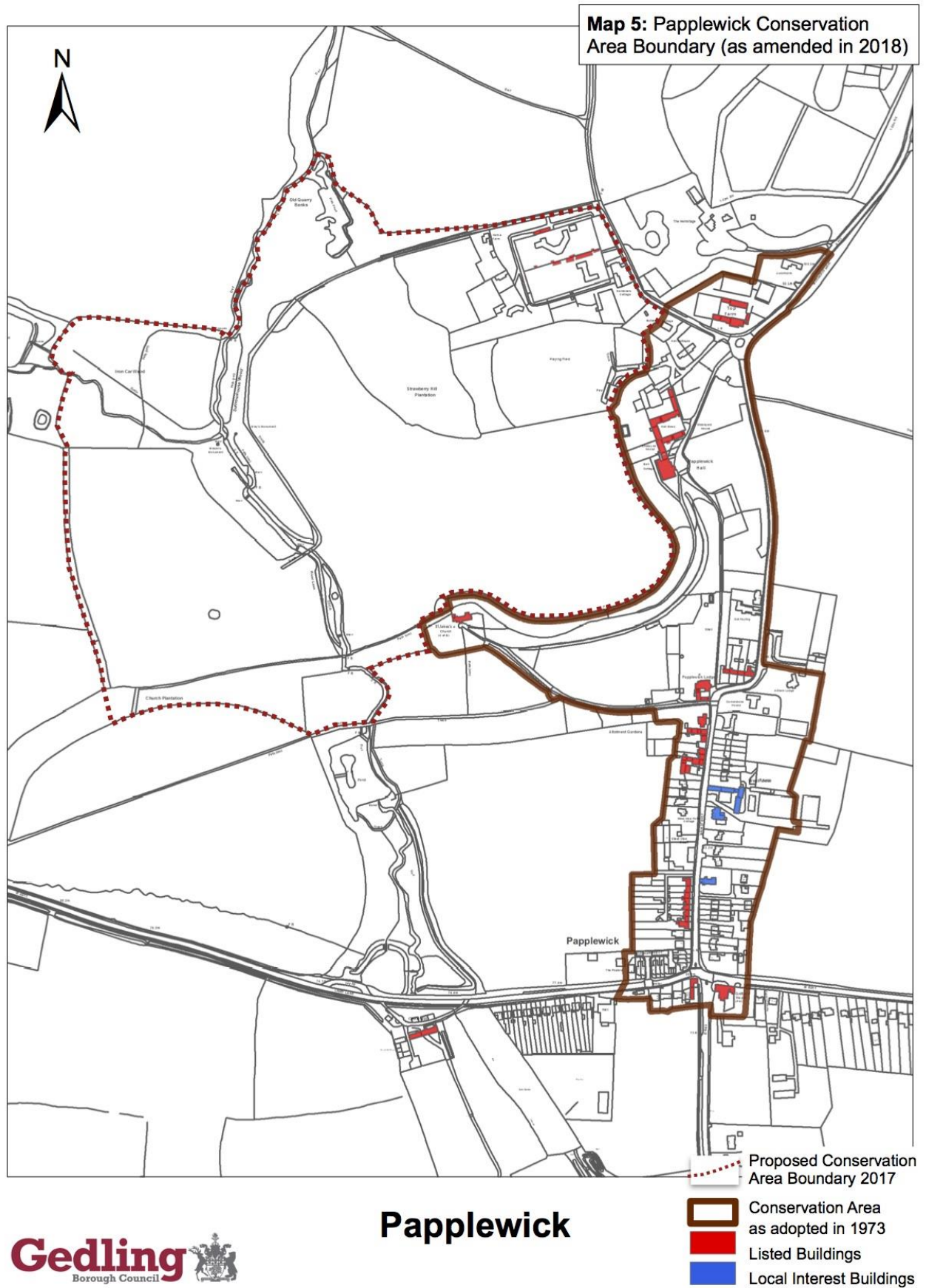
- 13.20 The 20<sup>th</sup> century ribbon housing development fronting onto Forest Lane and Linby Lane illustrates the historic evolution of the village outside of the historic settlement core and its linear form reflects the traditional character of the historic development along Main Street. These two roads also provide an approach into the Conservation Area at the crossroads between Main Street/Moor Road and the B6011.
- 13.21 This area is washed over by the Green Belt. Although further infill development within the existing built-up frontages would be permissible, the emerging Policy LPD 34 seeks to control new development within existing residential garden land and this policy could therefore restrict inappropriate development behind the existing linear frontage, or the demolition of existing houses to make way for intensive development in depth along these two roads. Therefore the relevant planning policies relating to development in the Green Belt and on residential garden land are robust enough to control any further inappropriate development in this area that would detract from its overall character.
- 13.22 However this area of mid to late 20<sup>th</sup> century housing along Forest Lane and Linby Lane has no special architectural or historic interest and the overall character and appearance of the properties have been affected by various domestic alterations including the installation of a wide range of UPVC doors and windows.
- 13.23 To include these areas of housing in the Conservation Area would be contrary to the advice in the NPPF that advises against the designation of areas that lack special interest.
- 13.24 **Recommendation:** The area of land fronting onto Forest Lane and Linby Lane does not have sufficient special architectural or historic interest to warrant inclusion within the Conservation Area.

**AREA G: CASTLE MILL FARM, LINBY LANE**

- 13.25 Castle Mill Farm is a collection of buildings that, whilst located close to the entrance of Papplewick village, are within Linby parish and are somewhat detached from the Papplewick Conservation Area by land that has no special character or interest.
- 13.26 Castle Mill Farm is also a Grade II listed building and is suitably protected from new development by its listed designation as well as its location within the Green Belt and outside of the settlement framework.
- 13.27 Whilst Castle Mill Farm has historic and architectural interest as recognised by its Grade II listing, the remoteness of the site from the Conservation Area illustrates that it does not make a contribution to the character or appearance of the Conservation Area and it does not warrant its inclusion within the Conservation Area boundary.
- 13.28 **Recommendation:** there is no strong case to include Castle Mill Farm within the Conservation Area. The site is remote from the Conservation Area and given its historical and functional associations with Castle Mill Farm this parcel of land contributes more to the setting of the listed building rather than to the character and appearance of the Conservation Area.







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## APPENDIX 1: DESIGNATED HERITAGE ASSETS WITHIN THE CONSERVATION AREA

### Listed Buildings

A number of buildings (see list below) within the Conservation Area have statutory Listed Building status (see also **Map 1**), which is afforded to those buildings recognised as being of special architectural or historic interest. The Part 2: Management Plan refers to the relevant local and national planning policies that relate to their protection. It should be noted that listed status also applies to structures within the curtilage of the listed building (including for example, outbuildings, boundary walls and garden features) which are not highlighted on the map.

### Listed Buildings within the Papplewick Conservation Area

#### *Grade I*

- Papplewick Hall, off Blidworth Way (Formerly Main Street) (Photo 3)
- Church of St. James, Church Lane (Photo 6)

#### *Grade II*

- Chetwynd House and Boundary Wall, off Blidworth Way (Formerly Main Street)
- Stable range at Papplewick Hall off Blidworth Way, (Formerly Main Street)
- Top Farmhouse and adjoining stables, Blidworth Way (Photo 20)
- Barn and stable at Top Farmhouse, Blidworth Way
- Papplewick Lodge and adjoining stables, Main Street
- Sundial 16 metres north of Papplewick Lodge, Main Street
- Nos. 67, 69, 71, 73, Main Street (Formerly listed as Nos. 68-71) (Photo 5)
- Gate piers and boundary wall, St. James' Church, Church Lane
- Headstones, south of St. James' Church, Church Lane
- Chest tomb south of St. James' Church, Church Lane
- Morton's Farmhouse, 57, Main Street (Photo 19)
- Stable and garage to south of Morton's Farm, 57, Main Street
- Nos. 49, (Pembroke Cottage), 51 and 53 Main Street
- The Old Post Office, 55, Main Street (Photo 18)



- Nos. 9a, 9b, 11, 15, 17, 19, 21, 23, 25 Main Street
- The Griffin's Head, Forest Lane (Photo 24)
- No. 1 and The Barn, Linby Lane (Photo 4)

**Development Plan Policies Relating to Listed Buildings**

- Greater Nottingham Aligned Core Strategy (adopted September 2014)  
*Policy 11: The Historic Environment*
- Gedling Borough Local Planning Document (*Publication Draft May 2016*)  
*Policy LPD 26 - Heritage Assets*  
*Policy LPD 27 - Listed Buildings*

## APPENDIX 2: KEY UNLISTED BUILDINGS WITHIN THE CONSERVATION AREA

### Contribution of Unlisted Buildings

In addition to the statutory listed buildings in the Conservation Area, many of the unlisted buildings within the Conservation Area make an important contribution to its character or appearance, and these can include, for example: buildings that provide evidence of the chronological development of the Conservation Area; buildings that reflect important architectural elements or materials, or other characteristics, buildings that reflect former uses; or buildings that hold significance to the local community.

The Gedling Borough Local Planning Document has identified three buildings of Local Interest within the Conservation Area (see also **Map 1**) and a further two properties are included on the Nottinghamshire Historic Environment Register as being of historic importance. The emerging Papplewick Neighbourhood Plan also intends to include a policy that identifies buildings of local interest. Whilst not afforded the full protection of statutory listing, Policy LPD 31 seeks to safeguard these Locally Important Heritage Assets.

In addition, any buildings not included on this list, but which meet the criteria set out in Historic England guidance on Local Heritage Listing Advice Note 7 may also be considered to be of local significance.

#### *Local Interest Buildings*

- Gateway to Papplewick Hall, Blidworth Waye
- Wheelwright's Cottage, 30 Main Street (Photo 9)
- West View Farmhouse and adjoining outbuildings, 46 Main Street (Photos 10 & 25)

#### *Properties on the Nottinghamshire Historic Environment Register:*

- Ward Cottage, Blidworth Waye (Photo 11)
- 11 Linby Lane

### Development Plan Policies Relating to Key Unlisted Listed Buildings

- Greater Nottingham Aligned Core Strategy (adopted September 2014)

*Policy 11: The Historic Environment*

- Gedling Borough Local Planning Document (*Publication Draft May 2016*)  
*Policy LPD 26 - Heritage Assets*  
*Policy LPD 31 - Locally Important Heritage Assets*
- Emerging Papplewick Neighbourhood Plan  
*Policy 7 - Local Distinctiveness of Papplewick*

## **PART 2: MANAGEMENT PLAN**

## 1.0 INTRODUCTION

- 1.1 The designation of a conservation area is not intended to prevent further development from taking place within the area. However, it is the purpose of the Papplewick Conservation Area Appraisal together with the Management Plan to inform and manage planning decisions so that new development can take place within the Conservation Area to preserve and preferably enhance its special character and appearance in accordance with the national and local planning policies.
- 1.2 The Character Appraisal, covered in the first part of this document, describes its special architectural and historic interest and the aim of the Management Plan is to set out broad planning guidance by which the objectives of preserving and enhancing the unique character and appearance of the Conservation Area can be pursued through the planning process. In particular, reconciling the key planning issues arising from the pressures for new development with the objectives of the Policy LPD 28: *Conservation Areas* of the Local Planning Document (*Publication Draft, May 2016*).

## 2.0 PLANNING POLICY CONTEXT

### Historic Environment

- 2.1 Conservation areas are defined by section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance. Section 72 then requires Councils to pay special attention '*to the desirability of preserving or enhancing the character or appearance of the area*' when making decisions on development proposals within a conservation area. In addition, Schedule 17 of the Enterprise and Regulatory Reform Act, 2013 makes it clear that it is an offence to demolish an unlisted building in a conservation area without the benefit of planning permission.
- 2.2 Conservation areas are now classified as designated heritage assets and paragraph 17 of the NPPF makes it clear that to promote sustainable development the conservation of heritage assets in a manner appropriate to their significance is a core land-use planning principle that underpins both plan-making and decision-taking. Paragraph 131 expects local planning authorities to take account of the desirability of sustaining and enhancing the significance of heritage assets when determining planning applications.

- 2.3 These national planning policy objectives are supported by Gedling Borough Council's Replacement Local Plan (adopted 2005) and the Aligned Core Strategy (adopted 2014). Policy ENV15 of the Replacement Local Plan recognises that new development in conservation areas should take account of their character and appearance and make use of traditional materials and building techniques. Policy ENV14 seeks to ensure that a change of use of a building within a conservation area also preserves and enhances its contribution towards the character or appearance of the area. In addition, Policy ENV22 safeguards the appearance or character of the local interest buildings and their settings and Policy ENV25 protects the historic character or setting of any part of a Registered Historic Park or Garden, such as at Papplewick Hall.
- 2.4 Policy 11 of the Greater Nottingham Aligned Core Strategy states: *'Proposals and initiatives will be supported where the historic environment and heritage assets and their settings are conserved and/or enhanced in line with their interest and significance. Planning decisions will have regard to the contribution heritage assets can have to the delivery of wider social, cultural, economic and environmental objectives'*. Policy 11 also makes clear that conservation area appraisals and management plans will be used to assist in the protection and enjoyment of the historic environment. Furthermore Policy 10 of the Aligned Core Strategy expects any new development to have regard to the setting of heritage assets.
- 2.5 The emerging Local Planning Document (*Publication Draft May 2016*) will work in conjunction with the Aligned Core Strategy, and its policy objectives seek to protect and enhance the Borough's historic environment. In particular Policy LPD26: *Heritage Assets* seeks to ensure that new development proposals preserve and/or enhance the significance of a heritage asset and more specifically Policy LPD28: *Conservation Areas* requires new development proposals to accord with a series of design criteria to ensure that they conserve and/or enhance the character or appearance of the conservation area and its setting, and avoid the unwarranted demolition of buildings and structures that contribute to its character or appearance.
- 2.6 Other policies relating to the protection of the historic environment within the Papplewick Conservation Area include Policy LPD 27: *Listed Buildings* and Policy LPD 31: *Locally Important Heritage Assets* which seek to protect designated and non-designated heritage assets respectively, and Policy LPD 29: *Historic Landscapes, Parks and Gardens*, which expects development proposals to conserve and/or

enhance the historic landscape character of the Borough and to conserve and/or enhance features that contribute to the significance or setting of a Registered Historic Park or Garden, such as at Papplewick Hall. Policy LPD 30: *Archaeology* also seeks to ensure that new development proposals take appropriate measures to preserve potential archaeological remains in-situ.

*Other Policy Considerations (including Green Belt)*

- 2.7 Papplewick is also washed over by the Green Belt and Policy ENV30 of the Replacement Local Plan makes some provision for new infill development within small gaps in the built-up frontage and for extensions to existing buildings by provided that the proposals do not adversely affect the appearance of the village. The management of new development within the Green Belt is also controlled by Policy 3 of the Aligned Core Strategy, and by policies in the emerging Local Planning Document.
- 2.8 In particular Policy LPD 12 makes clear that the reuse of buildings within the Green Belt should secure the optimal viable use of a heritage asset or be enabling development necessary to secure the future of a heritage asset, and Policies LPD 13 & 14 expect any extensions to buildings or replacement of buildings, respectively, to conserve any historic significance that the building may have. Policy LPD 15 also supports some limited infill development within Papplewick providing, amongst other things, that it is of limited scale and is in keeping with the surrounding character. Although the extent of any new development in Papplewick is also controlled by Policy LPD 34: *Residential Gardens* that opposes the development of residential garden land where it would harm the character and appearance of the area.
- 2.9 A Neighbourhood Plan is also being prepared for Papplewick and this document is likely to include policies that seek to protect important local green spaces such as St James' churchyard and driveway and the Papplewick and Linby cricket ground, as well as protecting the setting of Papplewick by protecting key vistas such as the views between St James' Church and Linby Lane and also across the parkland to the west of Papplewick Hall.
- 2.10 Therefore the combination of local and national planning policies gives the local planning authority additional controls over new development, alterations to existing buildings, demolition of existing buildings, work to trees and advertisements on commercial premises within the Conservation Area. In particular, the Council will

expect the design and use of materials in all new development to be of a high quality and to respond positively to its historic setting. The demolition of buildings and boundary structures within the Conservation Area may also require planning permission, and in assessing any proposals for demolition consideration will be given to the contribution that the building or structure makes to the Conservation Area.

- 2.11 For householders in the Conservation Area, there are stricter controls over domestic extensions and garden buildings, although more minor changes can still be undertaken without the need for planning permission.
- 2.12 Whilst the Management Plan sets out the local planning authority's approach to the consideration of development proposals in the Conservation Area, the Conservation Area Character Appraisal and Management Plan have been prepared in the light of planning policy guidance and legislation relevant at the time of writing (December 2017). You should be aware that legislation may change over time and therefore it is advisable to check with the Planning Department prior to undertaking development work.
- 2.13 The designation of a conservation area is not intended to prevent all new development, but rather it is intended to guide the controlled management of change in a way that preserves and enhances the special architectural and historic interest of the Conservation Area. Paragraph 137 of the NPPF encourages local planning authorities to look for opportunities for new development within conservation areas and within their setting that would enhance or better reveal their significance. This Appraisal and Management Plan are therefore intended to inform the consideration of development proposals within the Papplewick Conservation Area to ensure that future changes can be accommodated in an informed and sympathetic way, without adversely affecting the Area's special qualities, having regard to the objectives of the national and local planning policies.

### **3.0 GUIDE FOR PLANNING APPLICATIONS FOR NEW DEVELOPMENT**

- 3.1 Within the Conservation Area all proposals for new development are expected to either preserve or enhance its character and appearance. Therefore in order to properly assess the impact of new proposals, planning applications for development in the Conservation Area should be made in full and be accompanied by all of the necessary supporting information, such as a design and access statement, heritage impact assessment, tree survey report and landscaping proposals.



- 3.2 Outline planning applications for new development in the Conservation Area are not usually appropriate as they do not offer sufficient information to judge the potential impact of a proposal on the character and appearance of the Conservation Area. Where outline applications are submitted, the Council may request the submission of some or all of the reserved matters details as specified by Section 5 of the Town and Country Planning (Development Management Procedure) (England) Order 2015.
- 3.3 Within the Conservation Area development proposals should be of an appropriate design and scale. Paragraph 3.1 of the Conservation Area Appraisal has identified that as a result of its historical development the Area has a distinct grain or pattern of development that is the predominant linear frontage development along both Main Street and, to a lesser degree, continuing along Blidworth Way with houses typically built with their main elevation facing onto the road and built close to the road frontage. This linear form of development makes an important contribution to the character and significance of the Conservation Area. However it can be easily degraded by development away from the road frontage, such as in backland plots for example, and therefore future development proposals will be expected to protect and reflect this historic pattern of development.
- 3.4 The emphasis for new proposals will be on high quality design and this can be influenced by the overall scale and form of the development, the materials of construction and architectural detailing, such as doors and windows (see section 11 of the Appraisal).
- 3.5 New developments should therefore be of a similar scale and plan form to the neighbouring properties, and in Papplewick most properties are a maximum of two storeys and built of high quality materials. In Papplewick the more traditional buildings are built in a coursed stone with pantile roofs, although in the later 20<sup>th</sup> century housing red brick with a tile or slate is most common.
- 3.6 New development should therefore look to specify materials that reflect the prevailing colour and texture of these typical building materials in order to protect the character and appearance of the Conservation Area. The use of render and concrete roof tiles should be avoided as these materials will look out of place in the Conservation Area to the detriment of its character and appearance.

- 3.7 Windows and doors also make a very important contribution to the character and appearance of the Conservation Area, and there is a broad range of window and door types throughout the Conservation Area. Original windows and doors should be retained and repaired wherever possible in order to keep the historic appearance and integrity of the original design and to preserve the character and proportions of the host property. Overall, the survival rate of original windows and doors in the unlisted properties is good. However, a number of properties have fitted replacement UPVC windows and doors which detract from the special architectural and historic character and appearance of the Conservation Area.
- 3.8 Dormer windows within roofs that are visible within the street scene should usually be avoided as they are rarely used in the Conservation Area. Roof lights should be 'conservation style' in design, materials and size and should be fitted flush with the plane of the roof.
- 3.9 To maintain the traditional character of the Conservation Area new developments should seek to use traditional window styles such as timber vertical or horizontal sliding sashes or timber casements with flush fitting opening lights that reflect the proportions of more historic buildings. These have a regular arrangement of windows on the principle elevation. Timber panelled doors and cast metal gutters will also help to maintain historic character. UPVC for windows and doors should be avoided as they result in unsuitable detailing and harm the character and appearance of the Conservation Area.

#### **4.0 HOUSEHOLDER EXTENSIONS**

- 4.1 Householder extensions and alterations, whether built under permitted development allowances or built with planning permission, also have the capacity to damage the character and appearance of the Area. However permitted development allowances for properties in the Conservation Area are more restrictive and in many cases works to extend existing houses, such as side and rear extensions and roof alterations, will need planning permission. Cladding any part of the exterior of a dwelling will also need consent.
- 4.2 Therefore where such work needs consent, domestic extensions should remain subservient to the main building and not alter the form and composition of its main elevations, such as by changing or enlarging window openings or by moving doors.

New extensions should always be built from materials that complement the host building in terms of quality, texture and colour as well as the method of construction.

## **5.0 SOLAR PANELS, SATELLITE DISHES AND ALARM BOXES**

- 5.1 The installation of solar panels, satellite dishes and alarm boxes can have a detrimental impact on the appearance of a building and the wider area. Where possible they should be carefully located on side or rear elevations to minimise their impact on the appearance of the building, although planning permission is required to install solar panels and satellite dishes that face towards a highway.

## **6.0 PRESERVATION OF BUILDINGS IN THE CONSERVATION AREA**

- 6.1 Where any buildings of architectural or historic interest within the Conservation Area are left unoccupied, resulting in their deterioration due to neglect and a lack of maintenance, the local planning authority will work with owners to secure the appropriate repair and, if appropriate, the re-use of the buildings to promote their long-term viability.

- 6.2 However, if the local planning authority considers that any listed or unlisted buildings within the Conservation Area are not being properly maintained then it will look to serve urgent works notices to secure their proper preservation, as provided for by sections 54 & 76 of the Planning (Listed Building and Conservation Areas) Act 1990.

- 6.3 In more extreme circumstances the local planning authority may also consider the use of Repairs Notices under section 48 of the Planning (Listed Building and Conservation Areas) Act 1990 to secure works considered reasonably necessary for the proper preservation of listed buildings within the Area. Such a notice could lead to the compulsory acquisition of the listed building by the Council.

## **7.0 DEMOLITION OF BUILDINGS IN THE CONSERVATION AREA**

- 7.1 There is an overall presumption in favour of retaining buildings and structures that make a positive contribution to the character and appearance of the Conservation Area. In addition planning permission is required to demolish most buildings and boundary walls within the Conservation Area and Schedule 17 of the Enterprise and Regulatory Reform Act, 2013 makes it clear that it is an offence to demolish an unlisted building in a conservation area without the benefit of planning permission.

7.2 Paragraph 3.4 of the Conservation Area Appraisal has identified the importance of the more historic buildings to the character and appearance of the Conservation Area, these are buildings that generally originate from the 18<sup>th</sup> and 19<sup>th</sup> centuries, most of which are Grade II listed. It is considered that given the survival rate and overall good condition of this building stock, very few of the historic buildings in the village can be described as being vacant or in a derelict or deteriorating condition. The most notable exception are the farm buildings at West View Farm. This range of traditional farm buildings appear to be in reasonably good condition and these offer opportunities for conversion and re-use for alternative uses. Therefore given the overall quality of the building stock within this Conservation Area, any proposals to demolish any of the Area's historic buildings will need to be fully justified and demonstrate that the potential harm to the significance of the Conservation Area is offset by the public benefits of the proposals as required by paragraph 138 of the National Planning Policy Framework.

7.3 Where demolition is permissible, any replacement buildings will be required to enhance the character or appearance of the Area, and to avoid unsightly gaps in the Conservation Area, the Council will also seek assurances that all reasonable steps have been taken by the applicant to ensure that the new development proceeds following the demolition works, as advised by paragraph 136 of the National Planning Policy Framework.

## **8.0 HISTORICALLY SIGNIFICANT BOUNDARY WALLS**

8.1 A prominent feature throughout the Conservation Area are the boundary walls that are built along the back edge of the pavement (see para. 11.6 of the Appraisal), which are predominantly constructed of local stone, but also of brick. In most cases planning permission is required for the demolition of any boundary walls within the Conservation Area that front onto the highway and the Council will resist proposals to remove any walls that make a significant contribution to the character and appearance of the Conservation Area.

8.2 In any new development proposals, where alterations to any existing boundary walls are shown to be necessary, such as to form a new vehicular access, the Council will expect that the works will be limited to the minimum necessary and that any new openings are defined by gate piers.

**9.0 PROTECTION OF IMPORTANT VIEWS**

- 9.1 Development proposals should also consider the topography of the Conservation Area and the key views through the Area, as described in Sections 4 & 9 of the Appraisal (**Map 3**). New development proposals will be expected to identify and retain key views through or out of the Conservation Area.

**10.0 PROTECTION OF TREES**

- 10.1 Section 8 of the Conservation Area Appraisal has shown that the tree stock in the Conservation Area makes an important contribution to its character and appearance, but these trees also require proper management over time. Trees within the Conservation Area are automatically protected and notice must be given to the local planning authority before any works are carried out to any trees in the Conservation Area.
- 10.2 The potential impact of a development proposal on any trees in the Conservation Area is a material consideration in the planning decision-taking process. To maintain the present degree of tree coverage within the village, unnecessary works to trees within the Conservation Area will generally be resisted. In addition, 6 weeks notice of any works to trees within the Area must be given to the local planning authority so that these works can be properly assessed and allow the authority the opportunity to consider whether the trees should be specifically protected.
- 10.3 New buildings will not be permitted in close proximity to important trees, and to understand and minimise the impact of any new buildings on established trees the Council will require developers to follow the guidelines set out in the latest British Standards (BS5837:2012 *Trees in relation to design, demolition and construction*), particularly in respect of such matters as the proximity of new structures to trees, the implementation of tree protection plans and the submission of arboricultural impact assessments by suitably qualified arboricultural consultants.
- 10.4 In addition any demolition proposals will also need to provide for the protection of any important trees in accordance with the British Standards guidelines.

**11.0 SETTING OF LISTED BUILDINGS**

- 11.1 Appendix 1 of the Conservation Area Appraisal identifies the listed buildings within the Conservation Area. These buildings make a significant contribution to its character and appearance and listed building consent is required for any works of

demolition, extension or alteration to a listed building that would affect its character as a building of special architectural or historic interest. Further advice on setting of Heritage assets may be obtained from Historic England 'The setting of Heritage assets' – Good Practice advice in Planning note 3.

- 11.2 However the National Planning Policy Framework also recognises that the significance of a listed building can also be harmed by development within its setting (paragraph 132). Consequently any development proposals within the vicinity of any of the Area's listed buildings will need to demonstrate that their setting is not compromised by the proposed development, as required by Policy 11: The Historic Environment of the Greater Nottingham Aligned Core Strategy and Policy LPD26: *Heritage Assets* of the emerging Local Planning Document (May 2016).

## **12.0 KEY UNLISTED BUILDINGS WITHIN THE CONSERVATION AREA**

- 12.1 The Adopted Local Plan (2005) identifies a number of key unlisted buildings within the Conservation Area (see Appendix 2 of the Conservation Area Appraisal). These buildings also make an important contribution to the character and appearance of the Area and the retention of these buildings and their setting will be encouraged. Consequently the impact of any new development on these key unlisted buildings will be taken into account in the assessment of the planning application as required by Policy 11: The Historic Environment of the Greater Nottingham Aligned Core Strategy and Policies LPD 26: *Heritage Assets* & LPD 31: *Locally Important Heritage Assets* of the emerging Local Planning Document (May 2016).

## **13.0 ARCHAEOLOGY**

- 13.1 Policy LPD 30: *Archaeology* of the emerging Local Planning Document (May 2016) recognises that in areas of high archaeological potential or an area which is likely to contain archaeological remains, new development proposals should take appropriate measures to either protect remains by preservation in situ, or where this is not justifiable or practical, applicants should provide for excavation, recording and archiving of the remains.
- 13.2 Section 6 of the Conservation Area Appraisal has indicated that there is likely to be a good potential for below ground archaeology within the Conservation Area. Consequently development proposals within the Conservation Area requiring excavation works should be preceded by a considered archaeological assessment

undertaken by an appropriately accredited archaeologist in order to identify the potential of the site and prepare a suitable archaeological strategy.

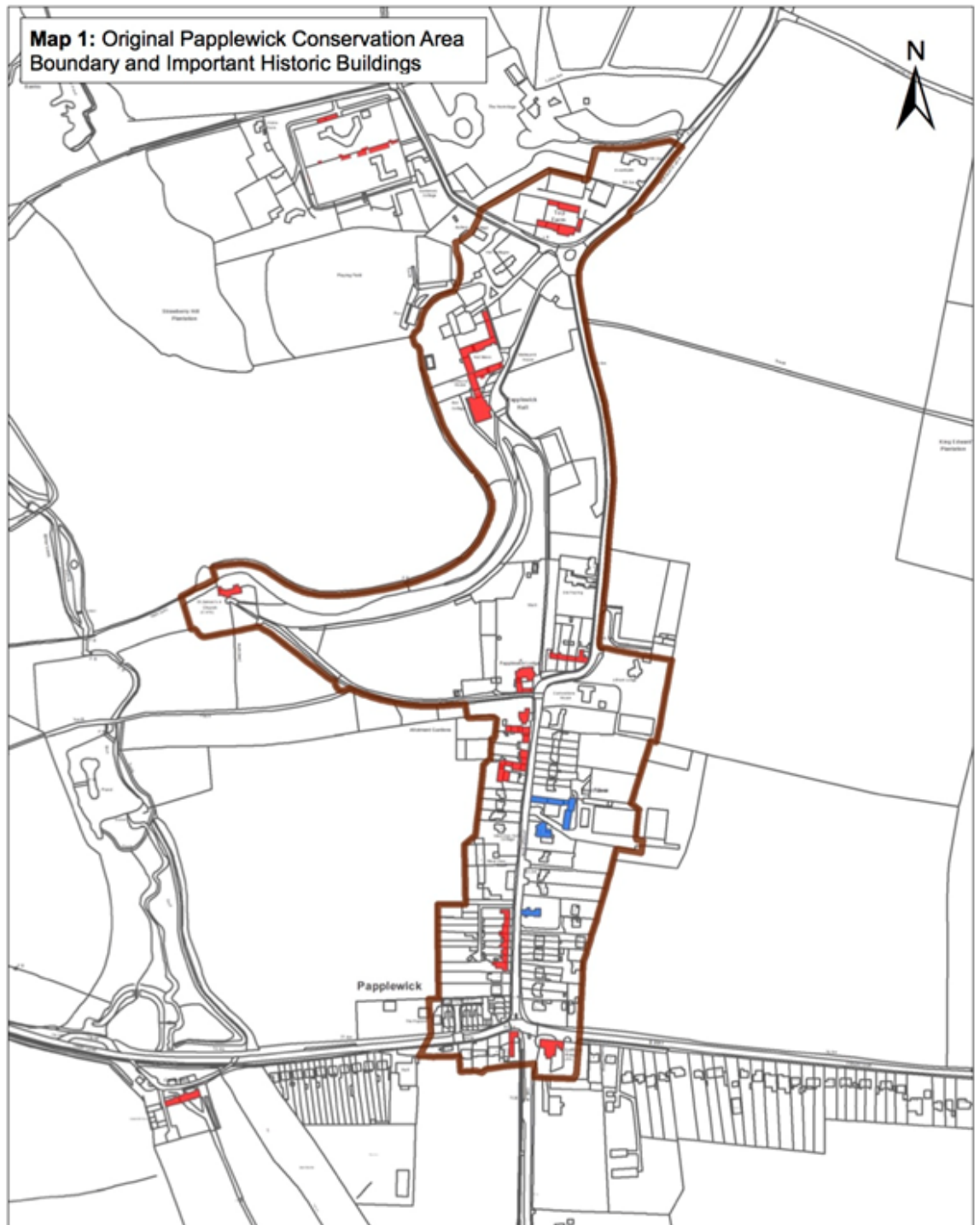
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## Appendix C – Papplewick Conservation Area Proposed Boundary Amendments

Existing Conservation Area Boundary, as originally designated in 1973:



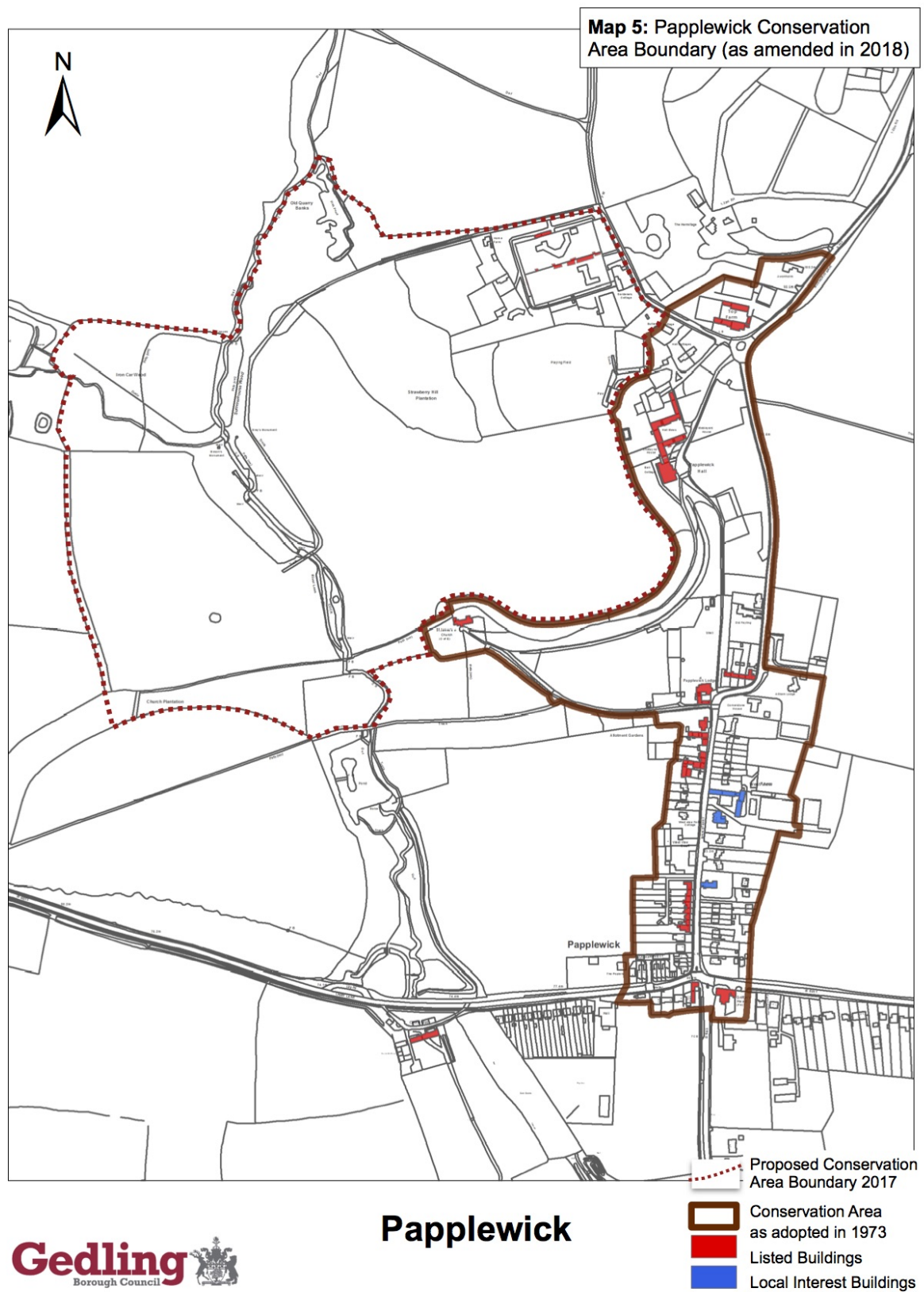
**Gedling**  
Borough Council

**Papplewick**

-  Conservation Area as adopted in 1973
-  Listed Buildings
-  Local Interest Buildings

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Proposed Conservation Area Boundary, 2018





## Report to Cabinet

**Subject:** Health and Wellbeing Strategy and Planning and Health Protocol

**Date:** 28<sup>th</sup> June 2018

**Author:** Service Manager – Planning Policy

**Wards Affected** All

### Purpose

1. This report updates Cabinet on progress made on implementing the Health and Wellbeing Strategy and in the light of emerging local planning policy seeks agreement as to how the Health and Wellbeing Checklist should be applied to development proposals in future. The report also considers the Planning and Health Protocol produced by Nottinghamshire County Council in order to improve the engagement of health partners in the planning process. The report seeks Cabinet's endorsement on applying the Planning and Health Protocol to policy preparation and certain types of planning applications as prescribed in this report.

### Key Decision

2. This is not a key decision.

### Background

3. Nottinghamshire County Council has prepared a Planning and Health engagement protocol setting out arrangements for how health partners including Nottinghamshire County Council should be consulted on local plans and planning applications. This initiative to improve engagement between the health partners and local planning authorities builds on the Health and Wellbeing Strategy previously produced by Nottinghamshire County Council which recommended the use of the Planning and Health checklist to assess development proposals.
4. At its meeting on 29<sup>th</sup> September 2016, Cabinet considered a report

on the Health and Wellbeing Strategy and agreed the use of the Health and Well-being Checklist in relation to both local plan policy preparation and planning applications for major development over 10 dwellings and over 500 sq. m of floorspace.

#### The Health and Wellbeing Checklist

5. The checklist has been used to assess the health impact of both the adopted Aligned Core Strategy (part 1 Local Plan) and the emerging policies in the Local Planning Document which forms part 2 of the Local Plan. The assessment found that all twenty five criteria were addressed, with twenty one of these considered to be fully addressed and four partially addressed by the relevant planning policies. Of the four which were partially addressed, no amendments were recommended to planning policies generally because the level of detail required was considered inappropriate (two cases) or could be more appropriately addressed through a supplementary planning document (one case). In the remaining case the health outcome was considered to be more appropriately dealt with through a mechanism other than the planning system. In summary, the Local Plan Part 1 and emerging LPD Part 2 are considered to conform to the Health and Wellbeing checklist. The checklist and assessment are attached as **Appendix 1** and demonstrates that the health criteria in the checklist are addressed by adopted and emerging planning policy.
6. The Local Planning Document (LPD) is now reaching its final stages of preparation with the weight to be given to policies increasing as the Plan reaches its advanced stages. The National Planning Policy Framework confirms that significant weight can be given to local planning policies following the publication of a satisfactory Inspector's report and then full weight can be given on adoption (for the LPD this is anticipated in the summer 2018). It is therefore opportune to review the use of the checklist in relation to planning applications as the health criteria contained in the checklist are now adequately addressed by local planning policies against which planning applications for development must be determined. Full weight is already given to the ACS policies and, post the Inspector's report on the LPD, significant weight will be attached to these LPD policies. Under these circumstances, it is now unnecessary to apply the checklist to planning applications within Gedling Borough given progress on the Local Planning Document. However, the application of the checklist to inform policy preparation would remain relevant in future.

### The Protocol - background

7. Nottinghamshire County Council has prepared an engagement protocol between local planning authorities and health partners in Nottinghamshire. This Protocol commits the partners to engage with one another at an early opportunity in relation to both plan making (including neighbourhood plans) and in planning applications. The Protocol is attached as **Appendix 2**.
8. The County Council consulted partners including the Borough Council on the content of the document in 2017. During this consultation Gedling Borough Council made a number of comments. In essence these welcomed the initiative although raised some concerns about the need to refer some development proposals and the thresholds and criteria set for referrals of planning applications (considered further below). It is worth noting that the Protocol as part of the Health and Wellbeing initiative also incorporates the Health and Wellbeing checklist and the Protocol states that this would be the basis on which health partners consider development proposals. As stated earlier it is considered that the health considerations contained in the checklist are already adequately reflected in local planning policy which will be used to determine planning applications.

### The Protocol – plan making

9. The document sets out the protocol for both plan making and for the consideration of planning applications. In terms of plan making, the Protocol is welcomed and reflects the Borough Council's existing approach towards engaging with health partners early on in the process. It is also very useful in emphasising the need for those same partners to respond within the deadlines set. It is also positive in committing health partners to providing supporting evidence including for the examination. Whilst, the checklist has already informed local policy preparation to date it remains a useful yardstick for health partners to consider their comments against when commenting on future planning policy.

### The Protocol - planning applications

10. The thresholds for referral to the health partners are set out in appendix 6 of the Protocol. However, in Gedling Borough Council's case, local planning policy now adequately addresses the health criteria in the checklist and it is not felt necessary to refer planning applications which are considered to be in accordance with local planning policy. The relatively low thresholds for referral are also of

concern as they could potentially lead to a large number of applications needing to be referred. On the other hand, for certain development proposals (for example, those not in accordance with local planning policy or for certain types of large development proposals) the early engagement of health partners would be welcome and could add extra value.

## Proposal

11. Given the progress on the emerging Local Planning Document it is no longer felt necessary to apply the Health and Wellbeing checklist to planning applications. Cabinet is asked to agree that the checklist is applied to planning policy preparation only.

12. Turning to the Protocol, it is recognised that this can be a positive tool towards achieving better quality and earlier engagement between the Borough Council and the various health partners on certain development proposals. The thresholds used in the Protocol are reproduced below. It is proposed to consult on an amended version as set out in the table below. If a threshold is not felt appropriate it is shown with ~~strike through~~ text with any amendments shown in **bold**. It is therefore proposed to consult on development proposals which meet the criteria in the following table:

Category	Threshold Consideration	for comments
Renewable energy	<ul style="list-style-type: none"> <li><del>Single or multiple wind turbines above 15 m high (including blade length)</del></li> <li><del>All solar farms</del></li> <li><del>All biomass plants</del></li> </ul>	Most planning applications of this nature are likely to be dealt with under delegated authority
Retail development	<ul style="list-style-type: none"> <li>Applications over 2,500 sq. m floor space</li> <li><del>Other retail proposals where the proposal is outside a defined town centre</del></li> <li>Other retail applications <b>over 500 sq. m</b> outside a defined town centre</li> <li>A5 applications</li> </ul>	<p>Such applications are likely to be refused anyway.</p> <p>It would be too onerous to refer all A5 applications and over 500 sq. m. outside town centres is more practical.</p>

Category	Threshold Consideration	for comments
Residential development	<ul style="list-style-type: none"> <li>• 0-50 dwellings: if strategic planning issues are apparent;</li> <li>• 51-200 dwellings: Applications which are contrary to local or national planning policy;</li> <li>• 201+ dwellings: All applications</li> </ul> <p><b>Major housing development of 50 dwellings or more on unallocated sites.</b></p>	<p>Housing up to 50 dwellings is unlikely to raise strategic planning issues.</p> <p>Allocated sites have been through the examination process which has established principle of development.</p> <p>Change threshold to 50+ homes on unallocated sites.</p>
Commercial development	<ul style="list-style-type: none"> <li>• Applications over 2,500 sq. m</li> <li>• All applications outside a defined urban boundary</li> </ul>	
Other development	To be decided on a case by case basis at the discretion of the GBC Service Manager, Development Services	
Local and National Strategies/Guidance		
Local Plans/Core Strategies	All plans within the County Neighbouring Borough/District Plans/Strategies	
Other Plans /Strategies/ Publications	To be decided on a case by case basis.	

### Alternative Options

13. To continue applying the checklist to all planning applications over the previously agreed thresholds (10 dwellings or 500 sq. m) which is unnecessary as the health impact considerations are covered by existing and emerging local planning policy;

14. Not to endorse the Protocol which would mean less effective engagement with health partners on the development proposals defined in the table below paragraph 12.

15. To endorse the Protocol without changing the thresholds for referral. This would mean additional, and in the Borough Council's view unnecessary, consultation on planning applications.

### **Financial Implications**

None

### **Appendices**

Appendix 1: Health and Wellbeing Checklist and assessment against local planning policy

Appendix 2: Health and Wellbeing Protocol

### **Background Papers**

None

### **Recommendations**

That Cabinet agree to:

- A. Apply the Health and Wellbeing checklist to local planning policy preparation only;
- B. Endorse the health and well-being Protocol subject to referring only those planning applications as defined in the table below paragraph 12 to the relevant health partner; and
- C. Request that the Service Manager Planning Policy communicates this decision to Nottinghamshire County Council.

### **Reasons for Recommendations**

To endorse the Protocol subject to the thresholds for referring planning applications set out in the table below paragraph 12.



## Nottinghamshire Rapid Health Impact Assessment Matrix

Assessment criteria	Relevant?	Details/evidence	Potential health impact?	comments
<b>1. Housing quality and design</b>				
1. Does the proposal seek to address the housing needs of the wider community by requiring provision of variation of house type that will meet the needs of older or disabled people? [For example does it meet an Lifetime Homes Standards, Building for Life etc?]	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Partial <input type="checkbox"/> No	ACS Policy 8 (Housing Size, Mix and Choice) and LPD Policy 37 (Housing Size, Type and Tenure) encourage an appropriate mix of housing reflecting needs and demographics in the local area. They do not set specific requirements.	<input checked="" type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	<p>Policy - Including specific requirements is not considered appropriate. It would be difficult to establish these and changes over time will affect the mix required in different areas. Consideration is being given to the preparation of a Supplementary Planning Document on Space Standards.</p> <p>Planning application – the proposal would be assessed against up to date local information on housing needs.</p>
2. Does the proposal promote development that will reduce energy requirements and living costs and ensure that homes are warm and dry	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No	This is set out in ACS Policy 1 (Climate Change). LPD 35 (Safe Accessible and Inclusive Development) also includes policy on adaptability and energy efficiency to promote	<input checked="" type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	<p>Policy - No amendments required.</p> <p>DM - Implement ACS1 and LPD 35 through detailed planning process</p>

Assessment criteria	Relevant?	Details/evidence	Potential health impact?	comments
in winter and cool in summer		health and wellbeing.		
<b>2. Access to healthcare services and other social infrastructure</b>				
3. Does the proposal seek to retain, replace or provide health and social care related infrastructure?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No	ACS Policy 12 (Local Services and Healthy Lifestyles) and LPD Policy 56 (Protection of Community Facilities) address this issue.	<input checked="" type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	<p>Policy - No amendments required.</p> <p>DM – implement ACS 12 and LPD 56 through detailed planning process.</p>
4. Does the proposal address the proposed growth/ assess the impact on healthcare services?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No	ACS Policy 18 (Infrastructure) and 19 (Developer Contributions) address this issue. Preparation of the Infrastructure Delivery Plan included consultation with relevant bodies. Contributions will be sought, where required, towards health facilities.	<input checked="" type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	<p>Policy - No amendments required.</p> <p>DM – implement ACS Policy 18 and 19 through detailed discussions with applicants and seek contributions to health services needed to support the development and secure via S106 agreement.</p>

Assessment criteria	Relevant?	Details/evidence	Potential health impact?	comments
5. Does the proposal explore/allow for opportunities for shared community use and co-location of services?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No	Addressed in ACS Policy 12 (Local Services and Healthy Lifestyles).	<input checked="" type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	<p>Policy - No amendments required.</p> <p>DM – implement ACS Policy 12 through detailed planning process including discussion with developer around shared community use and co-location of services.</p>
<b>3. Access to open space and nature</b>				
6. Does the proposal seek to retain and enhance existing and provide new open and natural spaces to support healthy living and physical activity?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No	ACS Policy 16 (Green Infrastructure, Parks and Open Space) and LPD Policies 20 (Protection of Open Space) and 21 (Provision of new open space) address the retention and provision of open space.	<input checked="" type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	<p>Policy - No amendments required.</p> <p>DM - – implement ACS Policy 16 LPD Policies 20 and 21 through detailed planning process including discussion with developer.</p>
7. Does the proposal promote links between open and natural spaces and areas of residence,	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No <input type="checkbox"/>	ACS Policy 16 (Green Infrastructure, Parks and Open Space) adopts a 'green infrastructure' approach and	<input checked="" type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	<p>Policy - No amendments required.</p> <p>DM - implement ACS Policy 16</p>

Assessment criteria	Relevant?	Details/evidence	Potential health impact?	comments
employment and commerce?		promotes the establishment of a network of corridors and assets to link people with open space of different types and sizes.		through detailed planning process
8. Does the proposal seek to ensure that open and natural spaces are welcoming, safe and accessible to all? Page 148	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No	ACS Policy 16 (Green Infrastructure, Parks and Open Space) includes a requirement for green infrastructure to be as inclusive as possible.	<input checked="" type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	Policy - No amendments required.  DM - implement ACS Policy 16 through detailed planning process
9. Does the proposal seek to provide a range of play spaces for children and young people (e.g. play pitches, play areas etc.) including provision for those that are disabled?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Partial <input type="checkbox"/> No	LPD Policy 21 (Provision of new open space) makes provision for the form of open space to set on a case by case basis. This will likely include the provision of spaces for children and young people.	<input checked="" type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	Policy - It is not considered appropriate to set a blanket requirement as different places will have different existing open space provision.  DM - implement LPD Policy 21 through detailed planning process and informed by discussion with Parks and Street Care on current provision and play space needs.

Assessment criteria	Relevant?	Details/evidence	Potential health impact?	comments
<b>4. Air quality, noise and neighbourhood amenity</b>				
10. Does the proposal seek to minimise construction impacts such as dust, noise, vibration and odours?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Partial <input type="checkbox"/> No	There is no specific policy on this although paragraph 10.2.4 of the LPD does provide guidance on the use of conditions and establishment of working groups to consider these matters.	<input checked="" type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	<p>Policy - It is not considered necessary to include a specific policy on this issue.</p> <p>DM - a Construction and Environmental Management Plan will be secured by planning condition.</p>
11. Does the proposal seek to minimise air pollution caused by traffic and employment/commercial facilities?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No	LPD Policy 10 (Pollution) relates to pollution (including air pollution) while LPD Policy 11 (Air Quality) refers specifically to air quality and to the guidance that is in place for the Borough.	<input checked="" type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	<p>Policy - No amendments required.</p> <p>DM – LPD Policies 10 and 11 to be implemented through detailed planning process and informed by discussion with Environmental Health Officer.</p>
12. Does the proposal seek to minimise noise pollution caused by traffic and employment/commercial facilities?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No	LPD Policy 11(Air Quality) relates to pollution while LPD Policy 32 (Amenity) relates to the impacts of development on amenity.	<input checked="" type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	<p>Policy - No amendments required.</p> <p>DM - LPD Policies 10 and 11 to be implemented through detailed planning process and informed by</p>

Assessment criteria	Relevant?	Details/evidence	Potential health impact?	comments
				discussion with Scientific Officer .
<b>5. Accessibility and active transport</b>				
<p>13. Does the proposal prioritise and encourage walking (such as through shared spaces) connecting to local walking networks?</p> <p>Page 14</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No	<p>LPD Policy 35 (Safe, Accessible and Inclusive Development) includes requirements on these issues.</p>	<input checked="" type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	<p>Policy - No amendments required.</p> <p>DM – LPD Policy 35 to be implemented through detailed planning process informed by discussions with County Highways.</p>
<p>14. Does the proposal prioritise and encourage cycling (for example by providing secure cycle parking, showers and cycle lanes) connecting to local and strategic cycle networks?</p> <p>Page 15</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> Partial <input type="checkbox"/> No	<p>There is no specific prioritisation for cycling but it is covered by entries on the list of infrastructure identified in the supporting text to ACS Policy 19 (Developer Contributions).</p>	<input checked="" type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	<p>Policy - It is not considered appropriate to identify specific blanket requirements.</p> <p>DM – ACS Policy 19 to be implemented through detailed planning process informed by discussions with County Highways.</p>
<p>15. Does the proposal support traffic management and calming</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No	<p>This is addressed by ACS Policy 14 (Managing Travel Demand) and LPD Policy 61 (Highway</p>	<input checked="" type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral	<p>Policy - No amendments required.</p> <p>DM - ACS Policy 14 and LPD</p>

Assessment criteria	Relevant?	Details/evidence	Potential health impact?	comments
measures to help reduce and minimise road injuries?		Safety).	<input type="checkbox"/> Uncertain	Policy 61 to be implemented through detailed planning process informed by discussions with County Highways.
16. Does the proposal promote accessible buildings and places to enable access to people with mobility problems or a disability?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No	LPD Policy 35 (Safe Accessible and Inclusive Development) requires development to take account of the needs of all users.	<input checked="" type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	Policy - No amendments required.  LPD Policy 35 to be implemented through detailed planning process informed by discussions with County Highways.
<div> <div>Page 154</div> <div>6. Crime reduction and community safety</div> </div>				
17. Does the proposal create environments & buildings that make people feel safe, secure and free from crime?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No	LPD Policy 35 (Safe Accessible and Inclusive Development) requires development to create natural surveillance and a secure private realm.	<input checked="" type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	Policy - No amendments required.  DM - LPD Policy 35 to be implemented through detailed planning process informed by discussions with Police Liaison Officer.

Assessment criteria	Relevant?	Details/evidence	Potential health impact?	comments
<b>7. Access to healthy food</b>				
18. Does the proposal support the retention and creation of food growing areas, allotments and community gardens in order to support a healthy diet and physical activity?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No	Allotments are included in the definition of open space and are required to be retained/provided as necessary by LPD Policies 20 (Protection of Open Space) and 21 (Provision of Open Space).	<input checked="" type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	<p>Policy - No amendments required.</p> <p>DM - implement LPD Policy 20 and 21 through detailed planning process and informed by discussion with Parks and Street Care on current provision and need for allotments.</p>
19. Does the proposal seek to restrict the development of hot food takeaways (A5) in specific areas?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No	LPD Policy 49 directs hot food takeaways to locations within shopping centres and imposes limits on the amount of A5 frontage allowable within the centre ranging from a maximum of 10% to 5% within centres in areas with high levels of obesity.	<input checked="" type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	<p>Policy - Consideration to be given to areas for further restriction – leisure centres, parks/open spaces etc.</p> <p>DM – to be implemented through the detailed planning process and assessed against biannual town centre surveys of retail frontages.</p>



Assessment criteria	Relevant?	Details/evidence	Potential health impact?	comments
<b>8. Access to work and training</b>				
<p>20. Does the proposal seek to provide new employment opportunities and encourage local employment and training?</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No	<p>ACS Policy 4 (Employment Provision and Economic Development) and LPD Policy 43 (Retention of Employment and Employment Uses), LPD Policy 44 (Employment Development on Unallocated Sites), LPD Policy 45 (Expansion of Existing Employment Uses not in the Green Belt) and LPD Policy 46 (Agricultural and Rural Diversification) address the retention of existing employment designations and allow for appropriate expansion of business including those in rural areas. LPD Policy 47 (Local Labour Agreements) identifies that local labour agreements will be negotiated for developments of 10 or more dwellings, on 0.5 hectares of land or development that will create more than 15</p>	<input checked="" type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	<p>Policy - No amendments required.</p> <p>DM – to be implemented through detailed planning process. Number of jobs created is stated on the planning application form and is a key consideration in the planning decision.</p> <p>Local Labour agreements to be secured by a S106 planning obligation or by a planning condition.</p>

Assessment criteria	Relevant?	Details/evidence	Potential health impact?	comments
		jobs. LPD Policy (New Employment Allocations) allocates new employment sites for 19 ha on four sites.		
<b>9. Social cohesion and lifetime neighbourhoods</b>				
<p>21. Does the proposal connect with existing communities where the layout and movement avoids physical barriers and severance and encourages social interaction?</p> <p>[For example does it address the components of Lifetime Neighbourhoods?]</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No	<p>LPD Policy 35 (Safe, Accessible and Inclusive Developments) requires that new development contributes to simple, well-defined and inter-connected network of streets and spaces and should be appropriate to the immediate context.</p>	<input checked="" type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	<p>Policy - No amendments required.</p> <p>DM – to be implemented through detailed planning process.</p>
<b>10. Minimising the use of resources</b>				
<p>22. Does the proposal seek to incorporate sustainable design and</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No	<p>This is set out in ACS Policy 1 (Climate Change). LPD 35 (Safe, Accessible and Inclusive</p>	<input checked="" type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral	<p>Policy - No amendments required.</p> <p>DM- sustainable design and</p>

Assessment criteria	Relevant?	Details/evidence	Potential health impact?	comments
construction techniques?		Developments) also includes policy on adaptability and energy efficiency to promote health and wellbeing.	<input type="checkbox"/> Uncertain	construction techniques to be secured through the detailed planning process. For the construction phase a Construction and Environmental Management Plan will be required by condition which may cover some aspects of sustainable construction techniques.
<b>11. Climate change</b>				
Does the proposal incorporate renewable energy and ensure that buildings and public spaces are designed to respond to winter and summer temperatures, i.e. ventilation, shading and landscaping?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No	Renewable Energy is covered by ACS Policy 1 (Climate Change) and LPD Policies 1 (Wind Turbines) and 2 (Other Renewable Energy Schemes). LPD 35 (Safe, Accessible and Inclusive Developments) also includes policy on adaptability and energy efficiency to promote health and wellbeing.	<input checked="" type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	Policy - No amendments required.  DM – to be implemented through the detailed planning process.

Assessment criteria	Relevant?	Details/evidence	Potential health impact?	comments
24. Does the proposal maintain or enhance biodiversity	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No	This is addressed by ACS Policy 17 (Biodiversity) and LPD Policy 18 (Protecting and Enhancing Biodiversity).	<input checked="" type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	<p>Policy - No amendments required.</p> <p>DM - to be implemented through the detailed planning process and secured by condition or planning obligation.</p>
<b>12. Health inequalities</b>				
25. Does the proposal consider health inequalities and encourage engagement by underserved communities?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No	ACS Policy 12 (Local Services and Healthy Lifestyles) supports the provision of new facilities where there is evidence of need. Contributions will be sought, where required, towards health facilities.	<input checked="" type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	<p>Policy - No amendments required. The Consultation strategy targets particular groups to encourage engagement.</p> <p>DM - to be implemented through the detailed planning process and contributions towards services required by the development will be sought and secured by planning obligation.</p>
<b>Any other comments</b>				

Assessment criteria	Relevant?	Details/evidence	Potential health impact?	comments
Name of assessor and organisation				
Date of assessment				

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# **Planning and Health**

**An engagement protocol between local  
planning authorities and health partners in  
Nottinghamshire**

**August 2017**

## Version control

Version number	Person responsible	Notes	Date
v.1	Nina Wilson		07.10.16
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v.3	Nina Wilson	Amends	23.11.16
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## Contact

Nina Wilson  
Principal Planning Officer  
Nottinghamshire County Council  
Tel: 0115 977 3793  
[Nina.wilson@nottscc.gov.uk](mailto:Nina.wilson@nottscc.gov.uk)



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## **Acronyms**

AMR - Annual Monitoring Report

CCG – Clinical Commissioning Group

CHP – Community Health Partnership

CIL – Community Infrastructure Levy

DM – Development Management

HIA – Health Impact Assessment

JSNA – Joint Strategic Needs Assessment

LEF – Local Estates Forum

LES – Local Estates Strategy

LGA – Local Government Association

LPA – Local Planning Authority

LTP – Local Transport Plan

NCC – Nottinghamshire County Council

NHS – National Health Service

NPPF – National Planning Policy Framework

PCT – Primary Care Trust

SEP – Strategic Estates Plan

SPD – Supplementary Planning Document

STP – Sustainability and Transformation Plan

## Executive summary

The purpose of this document is to provide a robust *Planning and Health Engagement Protocol* so that health is fully embedded into planning processes, maximising health and wellbeing and ensuring that health/social care infrastructure requirements are considered to serve the growth requirements of the population of Nottinghamshire.

Local planning authorities should agree and ensure that health and wellbeing, and health infrastructure, are considered in local and neighbourhood plans and in planning decision making. Health partners<sup>1</sup> and developers should work effectively with local planning authorities in order to promote healthy communities and support appropriate health infrastructure.

For both the Local Plan Making Stages and the Planning Application Process, the document outlines what needs to happen and by whom to ensure that health partners are fully engaged with the planning process and that local planning authorities uphold their commitment to ensuring that health and wellbeing is considered in plans and decision making.

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<sup>1</sup> Health partners refers to health service commissioners and providers, Public Health England, upper tier Local Authority Public Health team and local authority environmental health teams.

# 1. Introduction

## Background

- 1.1. It is acknowledged that the environment in which we are born, grow, live, work and play (Marmot 2010<sup>2</sup>) is a major determinant of our health and wellbeing. Housing quality, air pollution, road infrastructure, access to green space and walk-ability of our neighbourhoods, along with many other social and environmental factors, contribute directly to protecting and promoting good health and wellbeing and can impact on our ability to live healthy lifestyles. The ability to access appropriate healthcare facilities and services when ill is also a key requirement for health and wellbeing.
- 1.2. The role that planning has on health and wellbeing has been identified in the Nottinghamshire Health and Wellbeing Strategy (2014-2017). One of the priorities for 2016/17 of the Nottinghamshire Health and Wellbeing Board is to develop healthier environments in which to live and work in Nottinghamshire.
- 1.3. Local planning authorities (LPA) should ensure that health and wellbeing, and healthcare infrastructure, are considered in local and neighbourhood plans and in planning decision making. Health partners<sup>3</sup> should work effectively with local planning authorities in order to promote healthy communities and support appropriate healthcare infrastructure.

## Aim & Purpose

- 1.4. The aim of this protocol is that health is fully embedded into planning processes to maximise health and wellbeing and ensure that health/social care infrastructure requirements are considered to serve the growth requirements of the population of Nottinghamshire.
- 1.5. The purpose of this document is to bring together LPA Planners (Policy and Development Management) and health service commissioners and providers as well as Public Health England (PHE) and upper tier Local Authority Public Health teams to ensure comments on planning policy documents and planning applications are received and taken into account during the planning process.
- 1.6. The aim and purpose of this document are further supported by the 'Spatial Planning for the Health and Wellbeing of Nottinghamshire (2016)' document that was endorsed by the Health and Wellbeing Board in May 2016.

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<sup>2</sup> Marmot (2010) Fair Society, Healthy Lives. <https://www.instituteofhealthequity.org/projects/fair-society-healthy-lives-the-marmot-review>

<sup>3</sup> Health partners refers to Public Health and healthcare service commissioners and providers.

## Objectives

1.7. The objectives of this protocol are to:

- Ensure that local planning authorities and health partners work effectively together
- Ensure that the principles of health and wellbeing, as set out in the National Planning Policy Framework<sup>4</sup> (NPPF) and contained in the Nottinghamshire County Council (NCC) Spatial Planning and Health (2016)<sup>5</sup> document are adequately considered in plan making and in the evaluation and determination of planning applications.
- Share expertise and promote collaborative working between planners and health partners
- Ensure effective coordination of strategic planning issues between planners and health partners.
- Ensure that health partners are fully engaged in the planning process in Nottinghamshire inputting into planning applications, Local Plans and other relevant planning documents
- Support delivery of elements of the Nottingham and Nottinghamshire Sustainability and Transformation Plan to improve the quality of care, the health and wellbeing of local people, and the finances of local services.

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<sup>4</sup> <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

<sup>5</sup> <http://www.nottinghamshireinsight.org.uk/insight/news/item.aspx?itemId=44>.

## 2. Structures and processes

### Health

- 2.1. The National Health Service (NHS) underwent a major transformation in 2013 with the implementation of the Health and Social Care Act 2012 (Figure 1, page 4 outlines the main NHS and Public Health structures from the national to local level), (**Appendix 1**).
- 2.2. The 'Spatial Planning for Health and Wellbeing of Nottinghamshire' document approved by the Nottinghamshire Health and Wellbeing Board in May identifies that local planning policies play a vital role in protecting and promoting good health and wellbeing and healthy communities.
- 2.3. To deliver plans that are based on the needs of local populations, local health and care systems have each developed a Sustainability and Transformation Plan (STP)<sup>6</sup>. In Nottinghamshire, all Clinical Commissioning Groups (CCGs) (excluding Bassetlaw) are in the Nottingham City and Nottinghamshire STP<sup>7</sup> with Bassetlaw being an associate. Bassetlaw belongs to the South Yorkshire and Bassetlaw STP.
- 2.4. The planning and purchasing of healthcare services for local populations is done by CCGs. CCGs control the majority of the NHS budget, although some specialised services are commissioned by NHS England. In Nottinghamshire there are six local CCGs:
  - Bassetlaw
  - Mansfield and Ashfield
  - Newark and Sherwood
  - Nottingham North and East
  - Nottingham West
  - Rushcliffe.
- 2.5. Healthcare providers are the organisations that are commissioned by NHS England, CCG's and Public Health to deliver health promotion and healthcare to the population. They include NHS and private healthcare providers as well as independent contractors such as GPs, optometrists and pharmacist. The main healthcare providers in Nottinghamshire are:

### NHS Hospitals

- Nottingham University Hospitals NHS Trust
- Sherwood Forest Foundation NHS Foundation Trust
- Doncaster and Bassetlaw NHS Foundation Trust

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<sup>6</sup> <https://www.england.nhs.uk/2016/03/footprint-areas/>

<sup>7</sup> <http://www.stpnotts.org.uk/>

**Mental Health Trust**

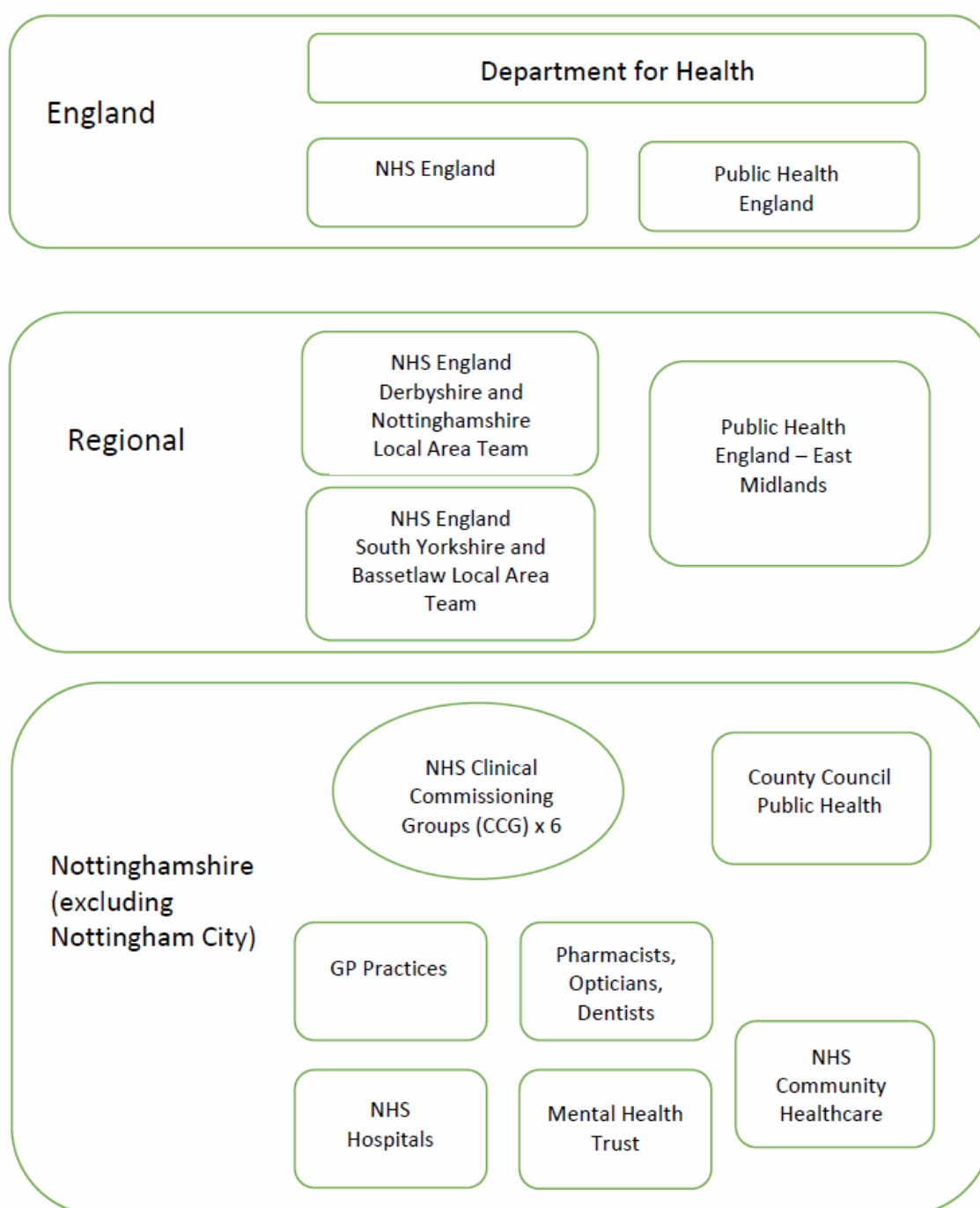
- Nottinghamshire Healthcare NHS Foundation Trust

**NHS Community Healthcare**

- Nottinghamshire Healthcare NHS Foundation Trust (Local Partnerships Division)

- 2.6. High quality local estates planning is crucial and requires all parts of the NHS to work together to enable system wide transformation required. Good quality estates planning is vital to allow the NHS to:
- Fully rationalise its estate
  - Maximise use of facilities
  - Deliver value for money, and
  - Enhance patients' experiences.
- 2.7. CCG's and NHS England in consultation with local healthcare providers can assist a Local Planning Authority (LPA) regarding strategic policy to refurbish, expand, reduce or build new facilities to meet the healthcare needs of the existing population as well as those arising as a result of new and future development.
- 2.8. The formation of Local Estates Forums (LEF) will enable development of a sufficiently robust understanding of the available estate and alignment to commissioning intentions to ensure maximum value from NHS resources and reduce wastage.
- 2.9. In Nottinghamshire there are four LEFs: Southern, Mid Nottinghamshire, Bassetlaw and City. Each CCG has a working draft Estates Strategy which is linked to the STP Estates Strategy. The STP is committed to strengthening primary, community, social care and carer services to support secondary care/acute hospital trusts.
- 2.10. The One Public Estate programme run by Cabinet Office and the Local Government Association (LGA) encourages local councils to work with central government and other public sector organisations on a geographical basis to share buildings and re-use or release surplus property and land.

**Figure 1: NHS and Public Health Structures from the national to local level in Nottinghamshire**





## **Planning**

- 2.11. The planning system operates at a strategic and local level. At the strategic level, planning shapes the places where people live, work and play through the use of Local Plans which set out priorities and policies for development in relation to issues such as housing, employment, public open space, minerals and waste, community facilities and the environment. At the local level, planning controls development on a site by site basis.

## **National Planning Policy Framework (NPPF)**

- 2.12. The National Planning Policy Framework (NPPF) sets out national planning guidance for local authorities and recognises that the planning system plays an important role in facilitating social interaction and creating healthy, inclusive communities. Chapter 8 of the NPPF focusses on promoting healthy communities, ensuring that local communities are engaged in the planning process at all levels and that mechanisms are embedded to encourage people to choose healthy lifestyles. The NPPF places great emphasis on the importance of accessibility to: high quality open space, safe communities, recreational facilities/services, rights of way and cultural facilities for all, which can all make an important contribution to the health and wellbeing of communities.
- 2.13. The Planning System is designed to be used by local government and communities with a typically three tier local government system operating in England:
- County Councils – who produce Minerals and Waste Local Plans and Local Transport Plans
  - District or Borough Councils – who produce Local Plans in relation to housing, employment, retail and the environment
  - Parish or Town Councils – who generally produce Neighbourhood Plans.

## **Duty to Cooperate**

- 2.14. Many planning issues cross local authority boundaries. The Localism Act 2011 introduced the 'Duty to Cooperate' to ensure Local Planning Authorities and other public bodies work together. This includes CCGs and NHS England in relation to the planning of sustainable development and the provision of services that extend beyond their own administrative boundaries. Local planning authorities must also demonstrate their compliance with the Duty to Co-operate when their Local Plan is examined.

## The role of the Local Plan

- 2.15. The NPPF places Local Plans at the heart of the planning system and they are the starting point for considering whether planning applications can be approved, therefore it is important that they are kept up-to-date. Local Plans must be prepared with the objective of contributing to the achievement of sustainable development.
- 2.16. The Local Plan should make clear what is intended to happen in the area over the life of the Plan (usually 15 years) and where and when this will occur and how it will be delivered. The NPPF sets out what a Local Plan should cover and includes:
- Home and jobs required in the area;
  - The provision of retail, leisure and other commercial development;
  - The provision of infrastructure for transport, telecommunications, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy
  - The provision of health, security, community and cultural infrastructure and other local facilities; and
  - Climate change mitigation and adaptation, conservation and enhancement of the natural and historic environment, including landscape.
- 2.17. Each Local Plan and Supplementary Planning Document (SPD) is subject to extensive public consultation and examination by an independent inspector and is assessed against the four elements of soundness, as set out in the NPPF which states that Local Plans must be positively prepared, justified, effective and consistent with national planning policy. The stages in a Local Plan (**Appendix 2**).
- 2.18. The Local Plan forms part of the Development Plan which incorporates any 'saved policies'. The Development Plan is a document(s) that detail the overall strategy of the Council in order to bring about sustainable development for an area.

Neighbourhood plans are prepared by local communities for their area and are also subject to independent examination and a vote by the local community in a referendum. All neighbourhood plans must be in conformity with national and local planning policies. After the plan has passed the examination and is supported via a positive referendum outcome, the plan is 'adopted by the Local Planning Authority and becomes part of the statutory Development Plan. The Development Plan is then used by the local planning authority when determining planning applications, from householder extensions to large scale mixed use development. The stages in the making of a Neighbourhood Plan or Order (**Appendix 3**).

## Planning Applications

- 2.19. If a planning application is submitted to a Local Authority, the application will generally be granted planning permission if it is in accordance with the Local Plan, unless there are material considerations that indicate otherwise. If a planning application is refused permission, the applicant has the right to appeal. There are three possible steps on the path to obtaining planning permission:
- *Pre-application advice* – although not a formal requirement, pre-application discussions involve early consultation and liaison with the local planning authority and is useful in addressing any policy implications, issues or conflicts prior to the submission of a formal planning application. It should be noted that many planning authorities charge the applicant a fee for pre-application advice.
  - *Outline Planning Applications* – An outline planning application allows a decision to be made on the general principles of how a site can be developed. Outline planning permission is granted subject to conditions requiring the subsequent approval of one or more detailed ‘reserved matters’.
  - *Full Planning Applications* – An application for full planning permission results in a decision on the detail of how a site or part of a site can be developed. This is where the local authority’s planning policies are applied in detail to planning applications. The officer dealing with an application will often negotiate, and suggest ways to improve the scheme; but the main part of the job is to make a recommendation to approve or refuse planning consent. An officer may have delegated responsibility to issue consent, but on large schemes that decision is usually taken by a council’s Planning Committee. If planning permission is granted (which lasts for three years), subject to compliance with planning conditions, development can take place.
- 2.20. The stages of the planning application process (**Appendix 4**).
- 2.21. Nottinghamshire County Council as a Minerals and Waste Planning Authority deals with full planning applications for minerals and waste development. In addition they are also responsible for determining planning applications for education and their own proposals.
- 2.22. Local Borough and District Councils determine the vast majority of other planning applications in Nottinghamshire, such as for housing, retail, and employment.

## Section 106 Contributions

### ***Collection and spending of S106***

- 2.23. NHS England / Clinical Commissioning Groups (CCG's) may seek contributions towards new / improved healthcare facilities which are required to mitigate the impact of the development on their service provision. These may be provided on site as part of the wider community infrastructure or off-site as part of existing health facilities in the area.
- 2.24. Some recent examples of planning applications which include either provision or contributions towards the provision of healthcare facilities in Nottinghamshire are:
- Gedling Colliery (phased development of 1,050 dwellings, local centre with retail units and health centre, and new primary school)  
<https://pawam.gedling.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=NYIO KOHLGXE00>
  - Land at Bestwood Business Park (Outline planning application for residential development of up to 220 dwellings)  
<https://pawam.gedling.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=N114 OXHL03700> (see S106 agreement)
- 2.25. ***Nottinghamshire County Council (NCC) Planning Obligations Strategy***  
NCC has a Planning Obligations Strategy which sets out the standard requirements that the County Council may seek in association with new developments, to mitigate against the impact of these upon the services it provides.
- 2.26. The document has no statutory status, however it is a material consideration in the determination of planning applications and if development proposals do not comply, the strategy may be used as a reason or reasons for the refusal of planning permission by a Local Planning Authority.
- 2.27. Health service commissioners and providers appreciate that the economic downturn has significantly increased developer caution and the assessment of increased financial risks in bringing sites forward for development. At the same time there has been a significant reduction in the level of public funding available to deliver infrastructure necessary for local communities. It is acknowledged that the ability of development to meet the shortfall in public funding and provide improvements to the amenities of an area is therefore very stretched. The result of these pressures has been that two key issues are fundamental to any planning promotion: sustainability and viability.

2.28. Paragraph 17 of the National Planning Policy Framework (NPPF) makes it clear that Local Planning Authorities should “take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs. It goes on to state that Local Planning Authorities should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area. It is therefore clear that a balance needs to be struck between economic growth and ensuring that new developments do not have an adverse impact on existing and future communities.

2.29. It is acknowledged that paragraph 173 of the NPPF states that ‘the sites and the scale of development identified in the Local Plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened’. Therefore health service commissioners and providers will work with developers and Local Planning Authorities by considering the use of flexible trigger points for payment of contributions which in some circumstances could help ensure developments remain viable. However it is considered that the costs incurred in delivering a sustainable, high quality development which does not negatively impact on infrastructure and services for existing and future communities are reasonable and should be met for the development, otherwise the development will be unacceptable.

#### ***Districts and Boroughs in Nottinghamshire***

2.30. In addition Districts and Boroughs may have information within their Local Plans or Supplementary Planning Documents (SPD’s) and which contain their approach to seeking developer contributions. For example Newark & Sherwood have a Developer Contributions and Planning Obligations SPD and which contains a section on health. For information about viewing this document see section 5 ‘Useful Links’.

#### ***Spending S106 Monies***

2.31. The timescales (or triggers) for making payments of the agreed contributions, including health will be set out in the ‘schedules’ contained within the Section 106 agreement. These triggers will be negotiated as part of the process for producing the agreement. Factors that may influence the payment triggers include things such as:

- The size of the contribution;
- When the infrastructure which is being paid for by the contribution is required in relation to the schemes delivery;

#### ***Viability***

2.32. Paragraph 173 of the NPPF states that ‘the sites and the scale of development identified in the Local Plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened’. It is considered that the costs incurred in delivering a sustainable, high quality development which does not negatively impact on

infrastructure and services for existing and future communities are reasonable and should be met for the development. However it is acknowledged that there are areas within the County where the viability of a scheme may be an issue e.g. due to low values. Therefore health service commissioners and providers will work with developers and Local Planning Authorities to identify the amount of health contribution which can be secured without affecting viability. In some cases this may mean that the full health contribution cannot be achieved. They will also consider the use of flexible trigger points for payment of contributions which in some circumstances could help ensure developments remain viable.

### ***Pooling S106 Contributions***

- 2.33. When a Community Infrastructure Levy was brought into effect by a Local Authority or nationally after April 2015, the CIL regulations 2010 (as amended) restrict the use of pooled contributions towards items that may be funded CIL. At that point, no more may be collected in respect of a specific infrastructure project or a type of infrastructure through a section 106 agreement, if five or more obligations for that project or type of infrastructure have already been entered into since 6 April 2010, and it is a type of infrastructure that is capable of being funded by the levy. More information about this can be found in paragraphs 99-102 of the CIL element of the Planning Practice Guidance (**Appendix 5**).
- 2.34. For the purposes of above Infrastructure is defined as including: roads and other transport facilities; flood defences; schools and other educational facilities; medical facilities; sporting and recreational facilities; and open spaces; (CIL Regulations 2010 as amended).

## **Community Infrastructure Levy (CIL)**

- 2.35. The legislative framework for planning obligations is set out in Section 106 of the Town & Country Planning Act 1990, as amended by Section 12 of the 1991 Planning and Compensation Act, and the Localism Act 2011. Further legislation and guidance is set out in paragraphs 203-206 of the National Planning Policy Framework (NPPF), Regulations 122 and 123 of the Community Infrastructure Levy Regulations 2010 (as amended) and the Planning Practice Guidance (PPG).
- 2.36. Contributions / obligations can be in monetary form, as one-off payments or phased to a set schedule, or as contributions in kind such as the provision of land. Contributions can be used to cover for on-going maintenance and management; they can also be pooled to a limited extent (see section 3 on pooling below) or commuted for use off site.
- 2.37. In 2010 three legal tests were introduced and which all section 106 agreements must comply with in order to be lawful. These are:
- Necessary to make the development acceptable in planning terms;
  - Directly related to the development; and

- Fairly and reasonably related in scale and kind to the development.
- 2.38. Paragraph 003 of the Planning Obligations section of the Planning Practice Guidance<sup>8</sup> sets out the approach that Local Authorities should follow in terms of policies for seeking planning obligations. It confirms that:
- ‘Policies for seeking planning obligations should be set out in a Local Plan; neighbourhood plan and where applicable in the London Plan to enable fair and open testing of the policy at examination. Supplementary planning documents should not be used to add unnecessarily to the financial burdens on development and should not be used to set rates or charges which have not been established through development plan policy.’*
- 2.39. *There are 3 LPAs within Nottinghamshire that have adopted CIL documents in place (**Appendix 8**):*
- Bassetlaw District Council -
  - Newark and Sherwood District Council
  - Gedling Borough Council
- 2.40. *Planning obligations assist in mitigating the impact of development which benefits local communities and supports the provision of local infrastructure. Local communities should be involved in the setting of planning obligations policies in a Local Plan; neighbourhood plan and where applicable in the London Plan.’*

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<sup>8</sup> <http://planningguidance.communities.gov.uk/blog/guidance/planning-obligations/planning-obligations-guidance/>

### 3. The Protocol

#### Plan Making

- 3.1. The Local Plan process offers extensive opportunities for health partners to get involved to ensure that strategic level planning policies reflect their own strategic priorities. Table 1 outlines the responsibilities of planners and health partners during the Local Plan Making stages.

**Table 1: Responsibilities of planners and health partners during the Local Plan making stages.**

Local Plan Making Stages	How and when to engage	Who
<b>Issues &amp; Options, Preferred Options and evidence gathering</b>	Establish key health partners' contact details for consultation list to ensure that Local Plans reflect national and local health strategies and priorities and address healthcare infrastructure needs	County, District and Borough Policy and Development Management Planners
	Utilise the Joint Strategic Needs Assessment (JSNA) to provide evidence on health and wellbeing to support the development of the Local Plan	
	Supply any additional evidence on health that is not within the JSNA. The CCGs and NHS England are covered by the Duty to Cooperate, under the Town and Country (Local Plan) (England) Regulations 2012 Reg 4, and so are obliged to provide information on health infrastructure.	Local Authority Public Health
	Utilise the Local Estates Forum* to discuss healthcare infrastructure considerations.	County, District and Borough Policy Planners Health Commissioners (NHS England, CCG's) Local Authority Public Health Health Providers
	Carry out a rapid HIA of the emerging policy document and advise on appropriate policies to be included in the Local Plan.	Local Authority Public Health team
<b>Publication and Submission of the Local Plan</b>	Ensure that the evidence provided is up-to-date.	County, District and Borough Policy and Development Management Planners
	Check that the emerging planning policies conform to the NPPF Health Partners should formally respond to this stage of the process within the statutory deadline of 6 weeks, including representations of support where appropriate.	
	Provide supporting evidence, where appropriate.	
<b>Examination &amp; Adoption</b>	Provide robust evidence to support the examination. Attendance at Examination where appropriate	County, District and Borough Policy and Development



		Management Planners, CCGs, Public Health and NHS England
<b>Monitoring and Review</b>	Develop clear and measurable outcomes on health and wellbeing	District and Borough Policy Planners and Local Authority Public Health teams,
	Review health and health inequalities data within the Annual Monitoring Report (AMR)	District and Borough Policy Planners and Local Authority Public Health
	Check CIL/Section 106 planning obligations spend against health improvements and healthcare provision	District and Borough Policy Planners and CCG's /NHS England.

\*Further information on the Local Estates Forum can be obtained from [nina.wilson@nottscc.gov.uk](mailto:nina.wilson@nottscc.gov.uk)

- 3.2. Projections for health and social care need are given in Appendix 5 'Planning, population growth and needs for health and social care'. This considers four areas of health and social care need, each using three scenarios of housing growth. Projections are given for lower-tier Local Authorities and Clinical Commissioning Groups in Nottinghamshire County.

## Planning Applications

- 3.3. It is important that health partners are aware of and consulted alongside relevant [statutory consultees](#) on all developments (**Appendix 6**). This should be done at all stages of the planning application process, including pre-application discussions. On a reciprocal basis Health Partners need to commit to responding to consultations by the statutory deadlines, or those agreed with the LPA. Failing to respond within the specified statutory deadline gives rise to a number of implications. Table 2 outlines the responsibilities of planners and health partners in the pre-application and application processes.
- 3.4. Discussions and comments provided on all planning applications will make use of the criteria (**Appendix 7**) 'The Checklist for Planning and Health' – this is set out in the 'Spatial Planning for the Health and Wellbeing of Nottinghamshire'. Local Authority planners, health partners and developers should utilise this checklist and the benefits of taking account of it when assessing development proposals.

**Table 2: The involvement of Health Partners in Pre-application discussions and the planning application process**

<b>Planning Application Process</b>	<b>How and when to engage</b>	<b>Who</b>
<b>Pre-application discussions</b>	Establish key health partners' contact details for consultation list.	County, District and Borough Policy, Development Management Planners and health providers
	Supply evidence on health and wellbeing making any recommendations and advising on any specific issues within the statutory deadline of 14 days (of that agreed with the LPA).	Local Authority, Public Health, CCGs and NHS England
	Utilise the Local Estates Forum to discuss healthcare infrastructure considerations.	County, District and Borough Development Management Planners, Health Commissioners (NHS England, CCG's) Local Authority Public Health Health Providers
<b>Outline and Full Planning Applications</b>	Establish key health partners' contact details for consultation list.	County, District and Borough Policy, Development Management Planners and health providers
	Attend meetings to discuss healthcare infrastructure requirements and other relevant issues, where appropriate	
	Supply evidence on health and wellbeing making any recommendations and advising on any specific issues	Local Authority, Public Health, CCGs and NHS England
	Utilise the Local Estates Forum to discuss healthcare infrastructure considerations. Consider whether the proposed development can be made acceptable through the use of planning conditions/Section 106	Planners Health Commissioners (NHS England, CCG's)
	Ensure that all comments are sent to the relevant contact within the statutory 21 days, unless a time extension is agreed with the planning case officer.	All Health Partners
	Check that the CCGs and NHS England have been consulted and responded regarding healthcare infrastructure requirements	County, District and Borough Planners
<b>Planning Decision</b>	Check that health and wellbeing and healthcare infrastructure comments have been taken into consideration and are included in the planning decision notice/Section 106 Agreement in the context of viability and the overall issues	County, District and Borough Policy and Development Management Planners

Planning Application Process	How and when to engage	Who
	associated with the individual planning application.	
Option Appeal to	Provide robust evidence to support the examination. Attendance at Examination where appropriate	County, District and Borough Policy and Development Management Planners, CCGs, Public Health and NHS England

## 4. Protocol implementation and review

- 4.1. It is intended that the engagement protocol will bring together local planners and health partners to provide coordinated, appropriate and timely responses to Local Plans, planning applications, and other relevant planning documents. The protocol provides an opportunity for expertise across the disciplines to be shared and utilised to ensure the health and wellbeing of Nottinghamshire residents is met and to assist in the long term strategic planning of health care infrastructure.
- 4.2. Local planning authorities should agree and ensure that health and wellbeing, and health infrastructure, are considered in local and neighbourhood plans and in planning decision making. Health partners and developers should work effectively with local planning authorities in order to promote healthy communities and support appropriate healthcare infrastructure to serve the growth requirements of the population of Nottinghamshire. Local planning authorities have a role in producing Neighbourhood Plans the responsibility for early engagement at the issues stage rests with the Parish Council or Neighbourhood Forum.
- 4.3. This protocol will be reviewed annually, as a 'living' document and amended as appropriate to ensure that it is meeting the aims and objectives as outlined in section1 and is fit for purpose.

## **Appendix 1 – NHS and Public Health System**

### **1. NHS England**

NHS England leads the NHS in England. It sets the priorities and direction of the NHS. It is responsible for commissioning specialist health services, including prison health services, medical services for the armed forces and dental services as well as authorising and supporting Clinical Commissioning Groups.

### **2. Clinical Commissioning Groups (CCGs)**

CCGs are responsible for designing local health services. They do this by buying health care services including elective hospital care, rehabilitation care, urgent and emergency care, most community health services and mental and learning disability services.

### **3. The Nottingham and Nottinghamshire Sustainability and Transformation Plan**

Health and social care services are working together to improve the quality of their care, their population's health and wellbeing and the finances of local services. The Sustainability and Transformation Plan (STP) is a blueprint which sets out how this will be achieved over the next five years. This includes maximising estates utilisation to make best use land, buildings and facilities and ensure that buildings are fit for purpose and in the most appropriate locations to support the delivery of services.

### **4. Public Health England: East Midlands**

Although the PHE Centre for Chemical, Radiation and Environmental Hazards (PHE-CRCE) is the lead for the planning areas in bullets below, Public Health East Midlands and/or other teams may contribute to responses.

- Environmental Permitting
- Local Planning
- Nationally Significant Infrastructure Projects (NSIP)

#### **Environmental Permitting**

Environmental Permits are issued for certain industrial activities that are considered to pose a potential risk to public health or the wider environment. Under the Environmental permitting Regulations 2010 there are no longer statutory consultees. The regulator may be the Environment Agency (EA) (for higher risk processes) or the Local Authority (for lower risk processes).

The Environment Agency has Working Together Agreements with a number of organisations (one of which is PHE) describing how and when they will consult.

The Environment Agency's working together agreement with PHE includes an agreed risk based screening tool for permit consultations<sup>9</sup>.

The PHE document 'Environmental permitting and the role of Public Health England' (2015)<sup>10</sup> sets out the way Public Health England responds to consultations on environmental permit applications made to the Environment Agency in England. PHE may also be consulted by local authorities who regulate lower risk activities. PHE-CRCE provides an opinion to the regulator on the potential public health and wider environmental impacts of the activities and emissions arising from the proposed regulated facility. Copies of PHE responses to EA permit consultations are sent to the Director of Public Health for information.

## **Planning**

Both PHE and Directors of Public Health fall into the class of non-statutory consultees for local planning applications. It is down to individual local, upper tier planners (who deal with waste and mineral planning applications) and National Park Authorities to decide who they will consult. If Local Planning Authorities consult PHE, PHE sends its response directly to the planners. Consultation with Local Authority Public Health teams is determined by internal arrangements at a local level.

## **Nationally Significant Infrastructure Projects (NSIP) (under the Planning Act 2008)**

Within PHE there is a NSIP Consultation Team who deal centrally with applications and respond on behalf of PHE. Local authorities are statutory consultees to the application process and consultation with Local Authority Public Health teams is determined at a local level.

## **5. Public Health in Local Authorities**

Public Health is the science and art of preventing disease, prolonging life and promoting health through the organised efforts and informed choices of society, public and private organisations, communities and individuals. It is population focused rather than caring for individual patients. The three domains of public health practice are:

- Health Protection – controlling against infectious diseases and emergency response
- Health Improvement – supporting healthy lifestyles and tackling health inequalities and the wider determinants of health such as housing, education and employment.

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<sup>9</sup> <https://www.gov.uk/government/publications/working-together-agreement-environment-agency-and-public-health-england>

<sup>10</sup> <https://www.gov.uk/government/publications/environmental-permitting-and-the-role-of-public-health-england>

- Improving Healthcare – support on service planning, audit, clinical governance, equity, effectiveness and modelling to provide information regarding population growth and needs for health and social care

The Director of Public Health<sup>11</sup> should:

- be the person who elected members and senior officers look to for leadership, expertise and advice on a range of issues, from outbreaks of disease and emergency preparedness through to improving local people's health and concerns around access to health services
- know how to improve the population's health by understanding the factors that determine health and ill health, how to change behaviour and promote both health and wellbeing in ways that reduce inequalities in health
- provide the public with expert, objective advice on health matters
- be able to promote action across the life course, working together with local authority colleagues such as the director of children's services and the director of adult social services, and with NHS colleagues
- work through local resilience fora to ensure effective and tested plans are in place for the wider health sector to protect the local population from risks to public health
- work with local criminal justice partners and police and crime commissioners to promote safer communities
- work with wider civil society to engage local partners in fostering improved health and wellbeing.

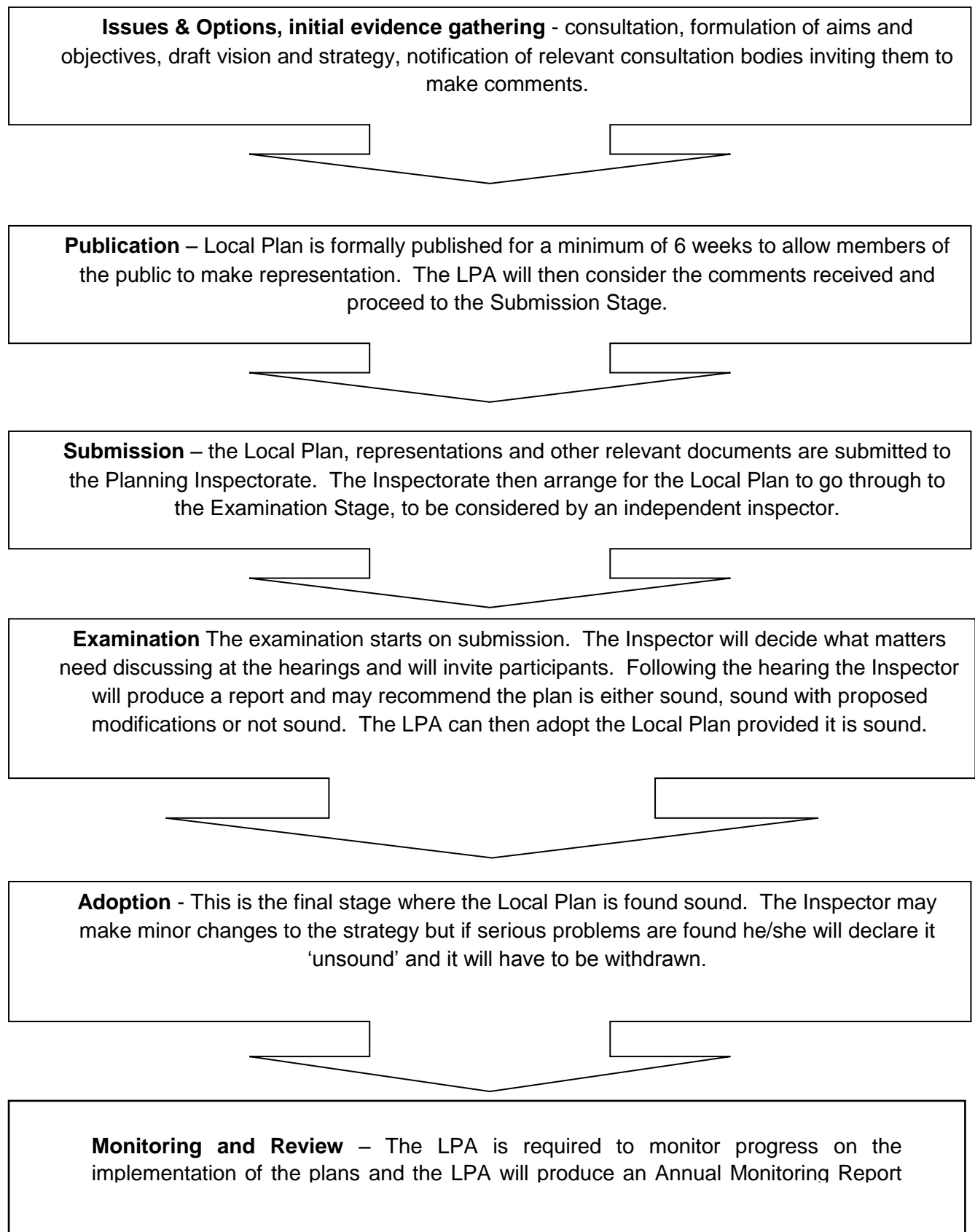
## 6. Healthcare providers

These are the organisations that are commissioned by NHS England, CCG's and Public Health to deliver health promotion and healthcare to the population. They include NHS and private healthcare providers as well as independent contractors such as GP's, optometrists and pharmacists.

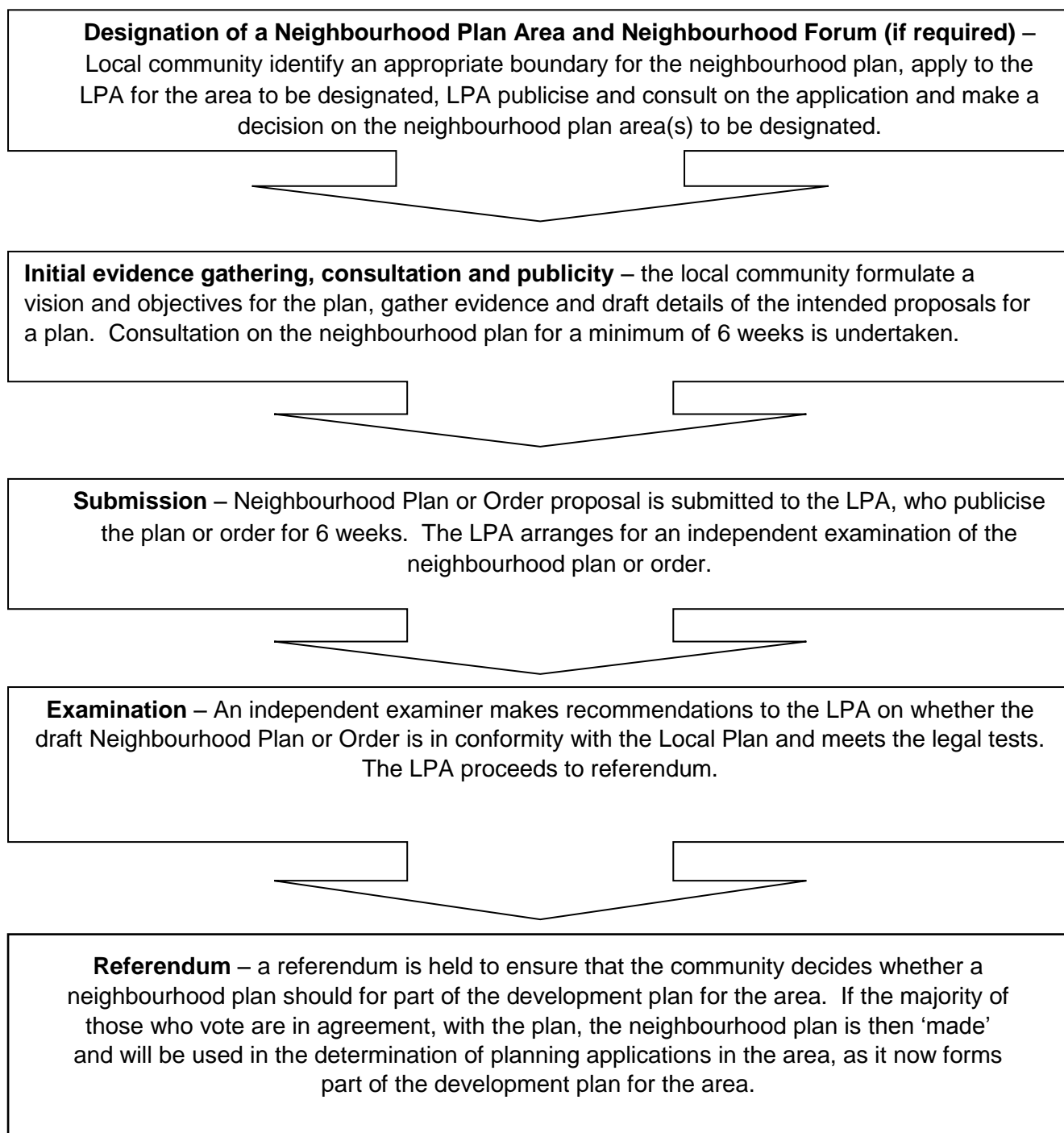
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<sup>11</sup> [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/213007/DsPH-in-local-government-i-roles-and-responsibilities.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/213007/DsPH-in-local-government-i-roles-and-responsibilities.pdf)

## Appendix 2 - Key stages in preparing a Local Plan



## Appendix 3 – Stages in a Neighbourhood Plan





## Appendix 4 – Stages in the planning application process

**Pre-application discussions** – initial advice provided by planning officers as to the potential for development on a site prior to submitting an outline or full planning application. Pre-application advice is confidential and is not open to public consultation.

**Submitting a planning application** - See <http://planningguidance.communities.gov.uk/> on 'Making a Planning Application'

**Notification and consultation with the community and statutory consultees** – statutory consultation lasts for not less than 21 days, publicity requirements will be set out in the LPA's Statement of Community Involvement (SCI).

**Determination** - the planning application will be determined in accordance with the Development Plan, unless material considerations indicate otherwise. The LPA has 8 weeks to make a decision on minor planning applications and 13 weeks for a major planning application

**Decision** – Planning officers usually decide minor planning applications under delegated decision-taking powers. Major planning applications are usually decided at Planning Committee.

**Option to Appeal** – the applicant has the right to appeal to the Secretary of State, through the Planning Inspectorate if the planning application is refused, grants the application subject to unacceptable planning conditions or fails to deal with the application in the statutory time limit. Planning appeals can also be 'recovered' and the decision is made by the Secretary of State.

# Appendix 5 - Planning, population growth and needs for health and social care

## Introduction

Projections of need for health and social care are of interest to upper- and lower-tier local authorities, commissioners and care providers.

This piece of work projects the change in need for four high level pathways across four areas of health and social care need, each using three scenarios of housing growth. Projections are given for lower-tier Local Authorities and Clinical Commissioning Groups in Nottinghamshire County.

## Scenarios for population change

The three scenarios presented below are intended to cover the extremes of possible change in populations and need:

1. **Natural change**

The existing population ages, produces new babies and dies. Net migration is assumed to be zero and there is no new housing.

2. **High growth**

The same population change as in (1), but with the *addition* of new populations as a result of new-build housing. This set of models assumes that new household sizes are the same as the 2011 Census average for *non-single person* households in the relevant area and that inward-migration to take up the new housing is high (100%). This model is likely to represent very high inward migration of young families who move to new housing or to live in housing vacated by existing resident who move to new housing.

3. **Low growth**

The same population change as in (1), but with the *addition* of new populations as a result of new-build housing. This set of models assumes that new household sizes are the same as the 2011 Census average for *all* households in the relevant area and that inward-migration to take up the new housing is low<sup>12</sup>. This model is likely to represent areas where there is higher local housing pressure; existing populations takes up a substantial proportion of any new housing with a lower number of people moving from outside the local area.

## High level pathways

Projected need for services has been calculated for four high-level pathways. Each of these incorporates need across the whole health and social care system. Please note that this is not an attempt to predict the increase in need for specific services. Some types of care provider (for example GPs and primary care staff) perform work across all of these pathways; the overall impact of population growth on these services will be an aggregate of the expected change in each pathway for the relevant services. Others can expect the dominant change to be from within one of the high level pathways (for instance Accident and

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<sup>12</sup> Estimates for each local authority based on data published as part of the CURDs 2010 report 'Geography of Housing Market Areas in England', available at <http://www.ncl.ac.uk/curds/research/defining/NHPAU.htm> . See links for Migration statistics for Local HMAs / single tier set of HMAs.

Emergency services might expect increases to follow the urgent and planned care set, with smaller effects from mental health and social care).

- **Mental health**

This includes all aspects of mental health as an aggregate marker of need (common mental health issues such as depression and anxiety are included with severe and enduring mental health issues). Resources across relevant parts of primary care, MH urgent care (including A&E, crisis resolution and related admissions), outpatients and IAPT are all affected and can all expect the same change in need.

- **Urgent and planned care**

These two pathways are considered together because the projected *change* in demand is identical for both, given populations of the same demography.

The **urgent pathway** incorporates all categories of ambulance and emergency response call-out, 111 service, general practice in- and out-of-hours emergency response, A&E, minor injuries and associated admissions to hospital and related clinic activity.

The **planned care pathway** covers planned primary care activity, community services and out-patient care and day surgery.

- **Social care**

Social care includes care provided to younger adults as well as older people. Social care service provision, nursing and residential care as well as domiciliary and other services are incorporated into this pathway. Related aspects of primary care resources use (e.g. time spent referring from GPs) are also expected to change in a similar pattern.

- **Pregnancy and maternity**

This relates to all healthcare activity from conception through to birth. The number of conceptions, terminations, community midwifery, GP checks, maternity unit activity and births (with or without complications) are all part of this pathway.

## Projected new-build & timescales

The projected number of new-build housing completions (housing trajectories) was taken from planning documents for each relevant local authority. These vary in timescale as in table 1.

Local authority	Projections available to:
Ashfield	2013/14
Bassetlaw	2019/20
Broxtowe	2027/28
Gedling	2027/28
Mansfield	Documents in preparation: projections developed to 2027/28 using the 'Option C: medium level of new housing' in planning policy consultations.
Newark & Sherwood	2025/26
Rushcliffe	2027/28
Nottingham City	2027/28

*Table 1 Housing projection availability by Local Authority.*

For each area, it was assumed that **all** planned housing would be developed and available for occupation in the stated year. Where available, net completions were used (i.e. any planned demolition is accounted for) and 'windfall' development allowances were included.

Housing developments were allocated to CCG geography based on CCG footprint and analysis of detail from the local authority housing trajectories.

### **Base populations**

For ease, the base population used for all projections was the 2014 resident population for each Local Authority area and within each CCG area footprint. For CCGs, this will differ from the more usual registered population (the numbers registered with each GP practice) but the overall scale of change in need will be very similar between registered and resident populations. As the modelling results are presented as the change in need compared to 2015, this is not a major weakness.

Where the CCG footprint is the same as the Local Authority area (Bassetlaw LA/ CCG, Broxtowe LA/ Nottingham West CCG, Rushcliffe LA/ CCG) the projections are identical.

### **Calculations**

Sex and age-specific models of household and population change were developed in Excel for each LA and CCG area and the current number of deaths and births in each area derived from Office for National Statistics data. Population projections and the models of need for each pathway were developed using Scenario Generator (discrete event simulation software developed by the Simul8 Corporation for high-level, whole system health and social care planning: <http://simul8healthcare.com/scenario-generator.htm> )

### **Presentation**

The results are presented in chart and table form in Section 2. Each scenario (natural change, low growth and high growth) is presented for each high level pathway and for each local authority or CCG footprint. The tables and charts show the percentage change in need compared to 2015 (which is always 0).

No attempt has been made to estimate the change in demand for specific services. This is for two reasons: first and most importantly, models of care are likely to change across health and social care systems over the foreseeable future. Predicting the number of hospital beds or GP practices needed may be possible, but such projections would only be valid if no health and social care integration or system redesign takes place. The second reason is that the models are designed to reflect changing **need** as opposed to **demand**. Modelling the demand for services would necessarily involve some assumptions about people's and organisations' behaviour (for example how people might use A&E differently or how social service thresholds for care might change) and are outside the scope of this work.

Section 3 contains the annual cumulative, projected population change for each LA or CCG footprint for each population change scenario. Section 4 presents the CCG registered and Local Authority resident population totals for 2014.

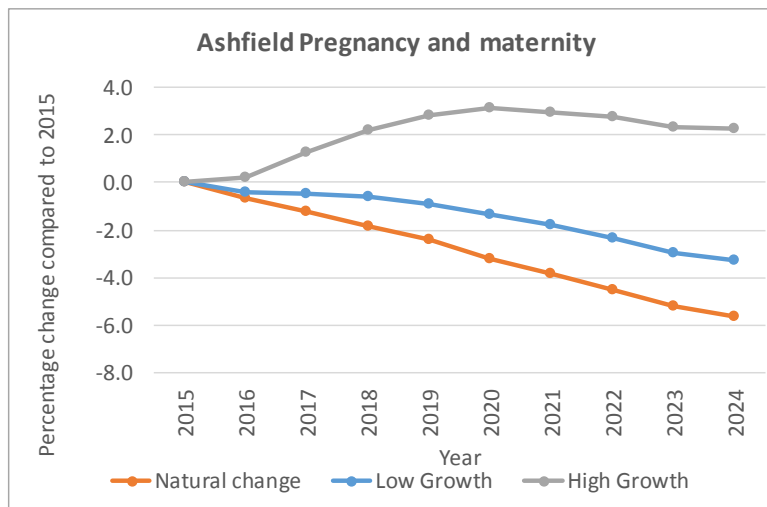
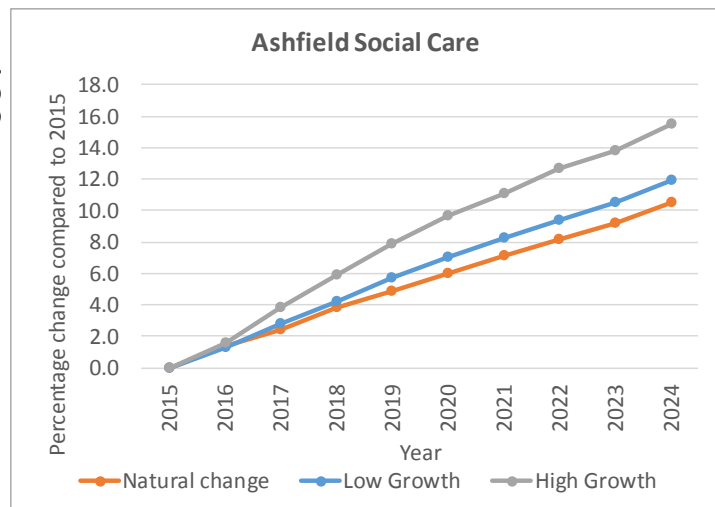
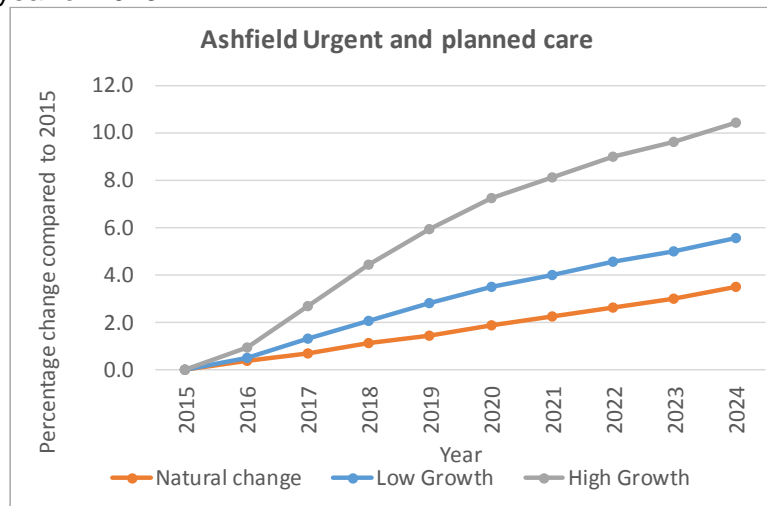
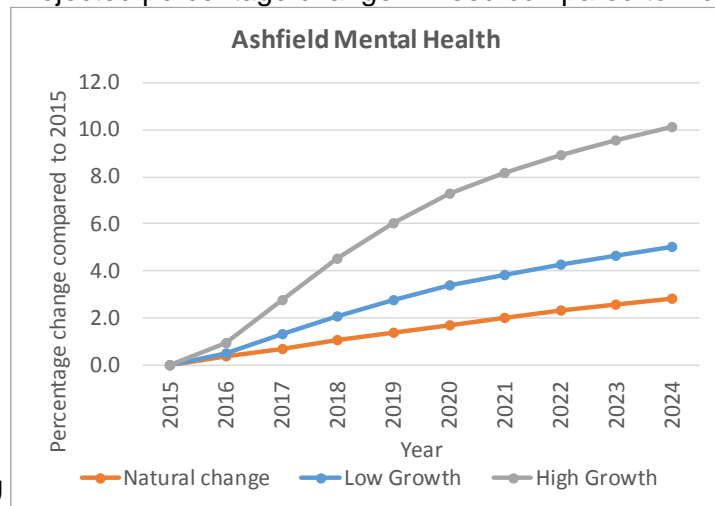
**Your comments, questions and constructive criticism are welcome.**

**For further information, please contact:**

David Gilding  
Public Health Intelligence Team, Nottinghamshire County Council  
[david.gilding@nottscc.gov.uk](mailto:david.gilding@nottscc.gov.uk)  
April 2016

## Ashfield District

Projected percentage change in need compared to index year of 2015



## Ashfield District

Projected percentage change in need compared to index year of 2015

<b>Natural growth</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>	<b>2024</b>
Mental health	0.00	0.37	0.71	1.06	1.38	1.70	2.02	2.30	2.58	2.84
Planned and unplanned care	0.00	0.39	0.72	1.11	1.48	1.87	2.27	2.65	3.02	3.51
Social Care	0.00	1.37	2.45	3.78	4.81	5.96	7.13	8.17	9.20	10.54
Pregnancy and maternity	0.00	-0.67	-1.19	-1.86	-2.42	-3.18	-3.85	-4.50	-5.20	-5.63

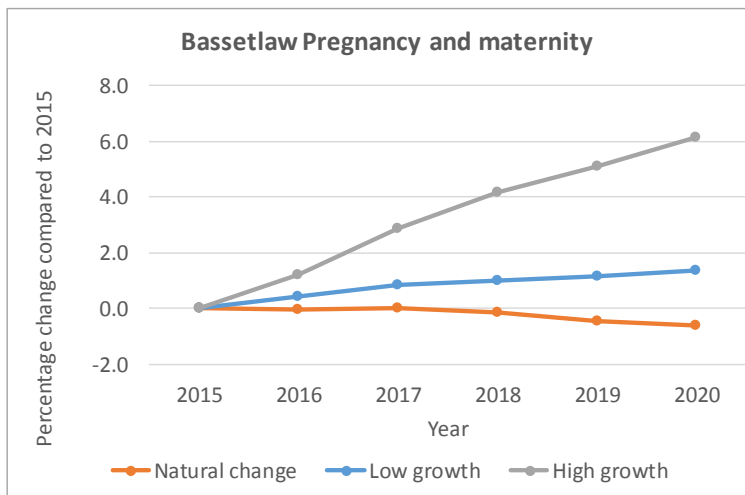
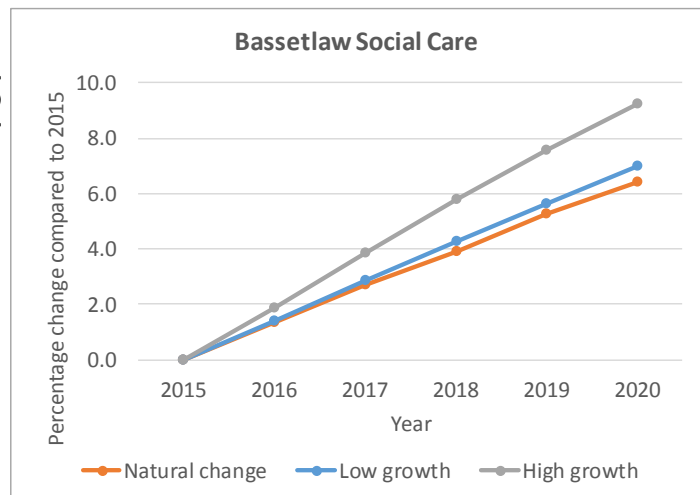
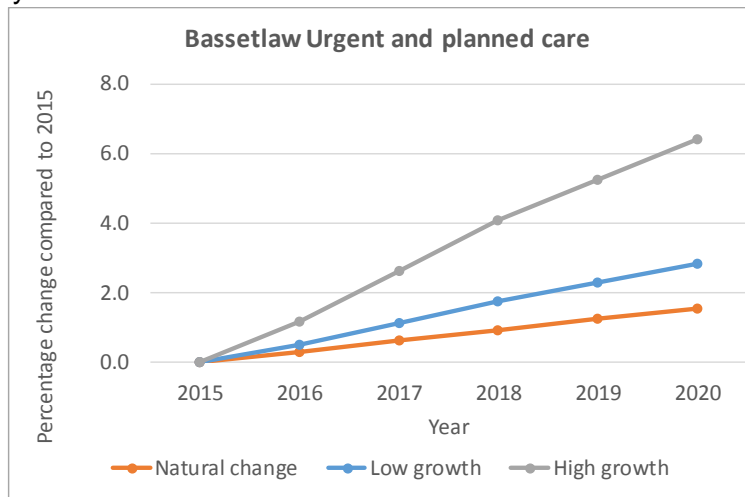
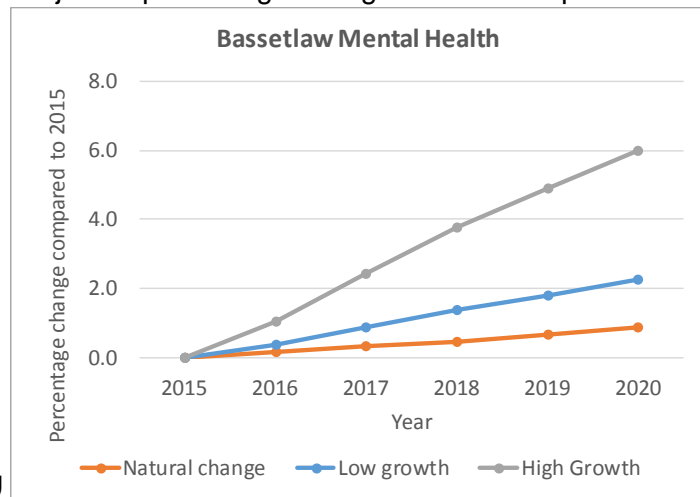
<b>Low growth</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>	<b>2024</b>
Mental health	0.00	0.51	1.30	2.07	2.77	3.36	3.85	4.27	4.64	5.00
Planned and unplanned care	0.00	0.52	1.31	2.09	2.85	3.51	4.04	4.54	5.00	5.60
Social Care	0.00	1.25	2.78	4.22	5.74	7.04	8.20	9.37	10.46	11.95
Pregnancy and maternity	0.00	-0.40	-0.45	-0.58	-0.88	-1.37	-1.77	-2.33	-2.95	-3.28

<b>High growth</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>	<b>2024</b>
Mental health	0.00	0.96	2.75	4.55	6.02	7.27	8.14	8.94	9.53	10.09
Planned and unplanned care	0.00	0.95	2.70	4.46	5.97	7.25	8.15	8.99	9.64	10.42
Social Care	0.00	1.58	3.83	5.91	7.83	9.66	11.05	12.62	13.82	15.52
Pregnancy and maternity	0.00	0.20	1.26	2.21	2.86	3.14	2.99	2.77	2.36	2.28

Negative numbers denote a **reduction** compared to 2015 activity, positive numbers an **increase** compared to 2015

## Bassetlaw District and Bassetlaw CCG

Projected percentage change in need compared to index year of 2015



## Bassetlaw District and Bassetlaw CCG

Projected percentage change in need compared to index year of 2015

<b>Natural growth</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>
Mental health	0.00	0.15	0.33	0.47	0.68	0.88
Planned and unplanned care	0.00	0.32	0.62	0.92	1.26	1.55
Social Care	0.00	1.34	2.68	3.90	5.24	6.43
Pregnancy and maternity	0.00	-0.03	0.01	-0.16	-0.45	-0.63

<b>Low growth</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>
Mental health	0.00	0.38	0.88	1.36	1.82	2.27
Planned and unplanned care	0.00	0.52	1.14	1.75	2.29	2.83
Social Care	0.00	1.37	2.83	4.26	5.64	6.99
Pregnancy and maternity	0.00	0.43	0.87	1.01	1.17	1.36

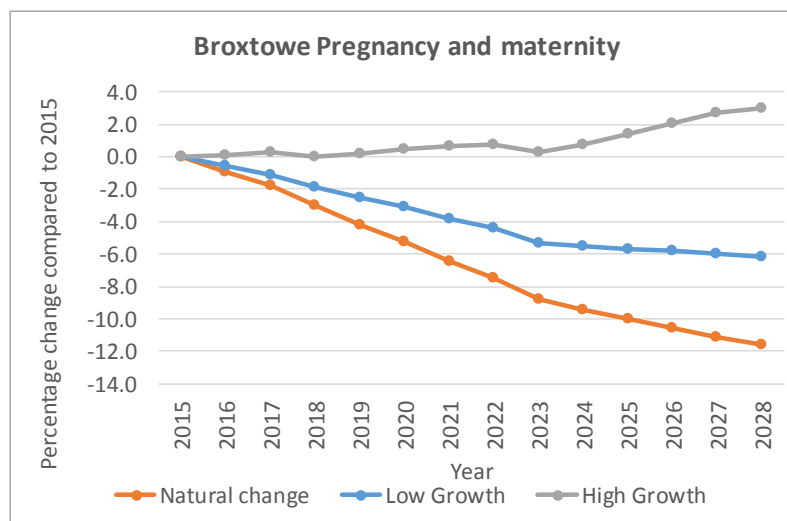
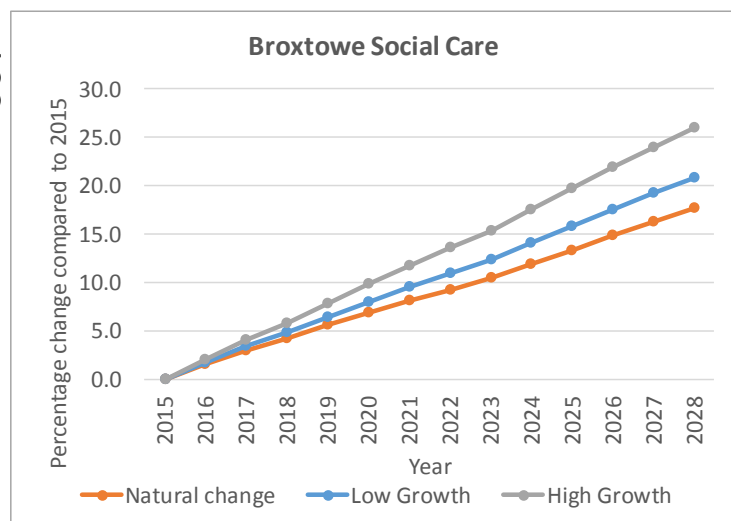
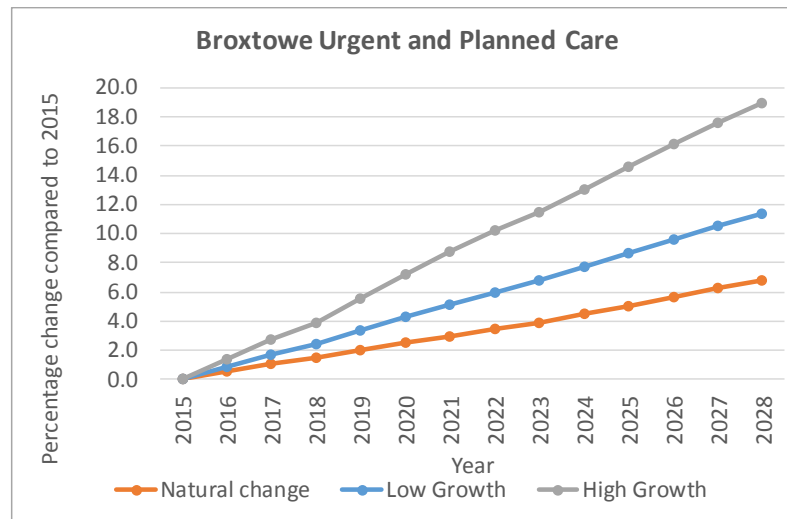
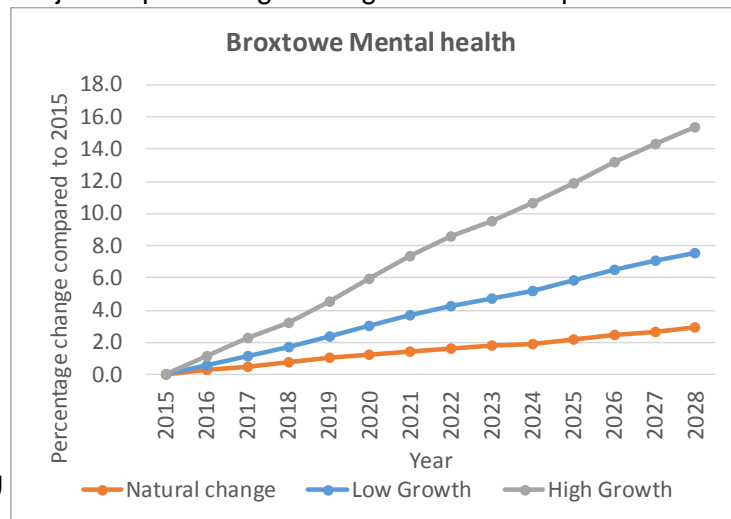
<b>High growth</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>
Mental health	0.00	1.05	2.42	3.77	4.90	5.99
Planned and unplanned care	0.00	1.16	2.64	4.09	5.27	6.41
Social Care	0.00	1.86	3.83	5.77	7.58	9.26
Pregnancy and maternity	0.00	1.19	2.85	4.16	5.09	6.12

Negative numbers denote a **reduction** compared to 2015 activity, positive numbers an **increase** compared to 2015



## Broxtowe Borough and Nottingham West CCG

Projected percentage change in need compared to index year of 2015



## Broxtowe Borough and Nottingham West CCG

Projected percentage change in need compared to index year of 2015

<b>Natural growth</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>	<b>2024</b>	<b>2025</b>	<b>2026</b>	<b>2027</b>	<b>2028</b>
Mental health	0.00	0.27	0.52	0.76	1.00	1.22	1.42	1.60	1.78	1.93	2.17	2.41	2.65	2.88
Planned and unplanned care	0.00	0.52	1.02	1.52	2.03	2.50	2.98	3.42	3.92	4.49	5.07	5.67	6.25	6.82
Social Care	0.00	1.47	2.85	4.20	5.59	6.82	8.09	9.18	10.46	11.87	13.30	14.83	16.28	17.69
Pregnancy and maternity	0.00	-0.96	-1.80	-2.96	-4.17	-5.22	-6.45	-7.48	-8.78	-9.43	-10.00	-10.52	-11.10	-11.62

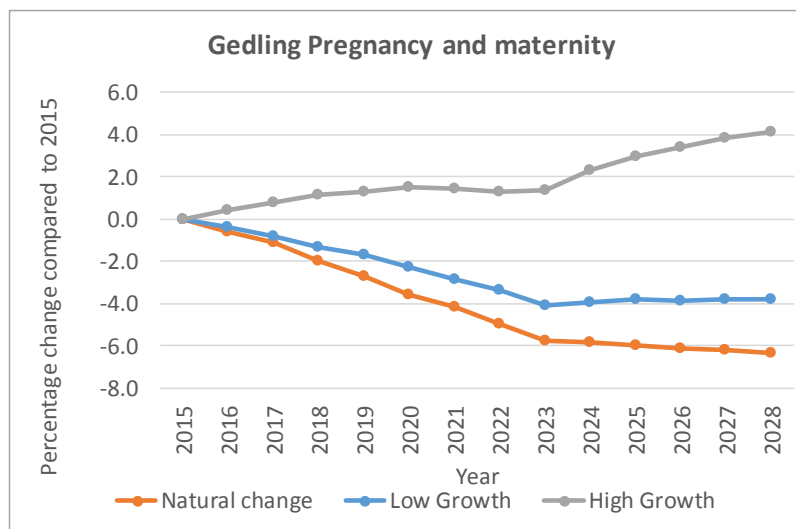
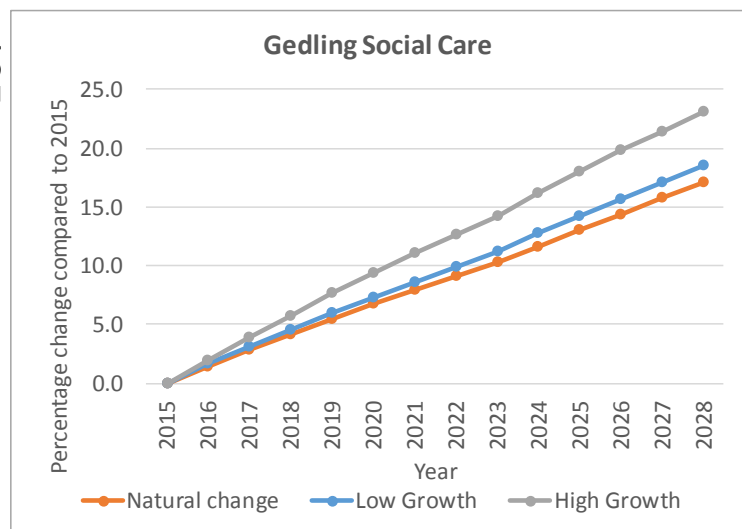
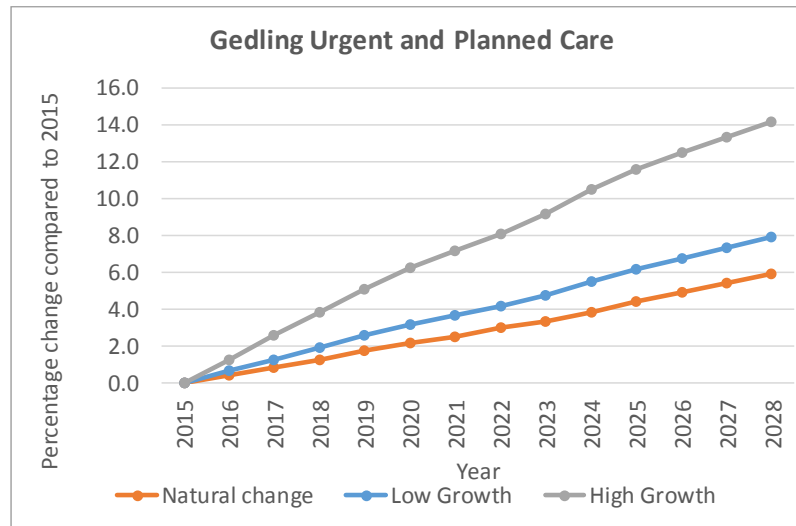
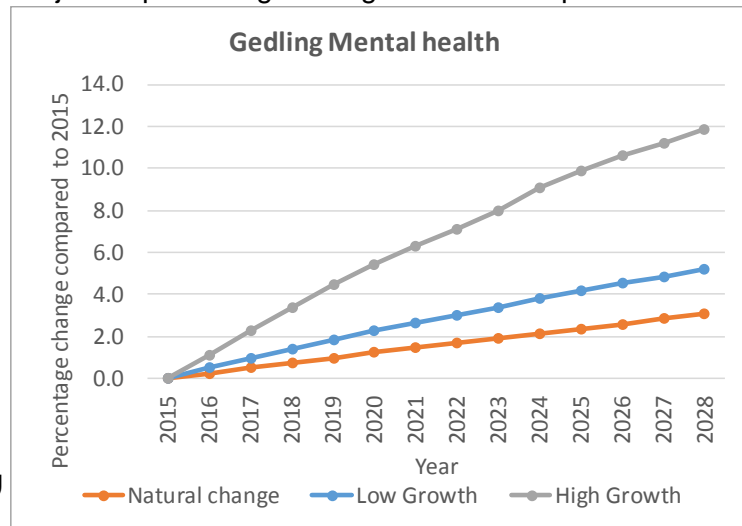
<b>Low growth</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>	<b>2024</b>	<b>2025</b>	<b>2026</b>	<b>2027</b>	<b>2028</b>
Mental health	0.00	0.58	1.17	1.67	2.32	3.00	3.63	4.22	4.67	5.20	5.82	6.46	7.05	7.56
Planned and unplanned care	0.00	0.82	1.66	2.40	3.31	4.24	5.12	5.97	6.73	7.67	8.63	9.59	10.50	11.33
Social Care	0.00	1.63	3.32	4.74	6.33	7.94	9.43	10.85	12.29	13.98	15.74	17.49	19.17	20.74
Pregnancy and maternity	0.00	-0.55	-1.11	-1.84	-2.52	-3.06	-3.83	-4.40	-5.35	-5.55	-5.73	-5.75	-5.95	-6.14

<b>High growth</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>	<b>2024</b>	<b>2025</b>	<b>2026</b>	<b>2027</b>	<b>2028</b>
Mental health	0.00	1.11	2.24	3.20	4.56	5.97	7.30	8.58	9.48	10.64	11.91	13.17	14.36	15.36
Planned and unplanned care	0.00	1.35	2.70	3.88	5.51	7.15	8.72	10.22	11.43	12.97	14.54	16.10	17.59	18.89
Social Care	0.00	2.01	3.97	5.68	7.80	9.81	11.75	13.60	15.33	17.45	19.67	21.83	24.01	25.96
Pregnancy and maternity	0.00	0.07	0.32	0.03	0.16	0.51	0.66	0.78	0.33	0.79	1.44	2.09	2.68	3.00

Negative numbers denote a **reduction** compared to 2015 activity, positive numbers an **increase** compared to 2015

## Gedling Borough

Projected percentage change in need compared to index year of 2015



## Gedling Borough

Projected percentage change in need compared to index year of 2015

<b>Natural growth</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>	<b>2024</b>	<b>2025</b>	<b>2026</b>	<b>2027</b>	<b>2028</b>
Mental health	0.00	0.25	0.49	0.71	0.98	1.21	1.43	1.69	1.89	2.09	2.33	2.58	2.84	3.06
Planned and unplanned care	0.00	0.43	0.88	1.31	1.75	2.17	2.55	2.98	3.38	3.88	4.40	4.92	5.45	5.95
Social Care	0.00	1.39	2.81	4.10	5.48	6.74	7.85	9.14	10.30	11.60	13.00	14.38	15.77	17.06
Pregnancy and maternity	0.00	-0.62	-	-1.96	-2.73	-3.55	-4.17	-4.94	-5.77	-5.82	-5.96	-6.16	-6.17	-6.32

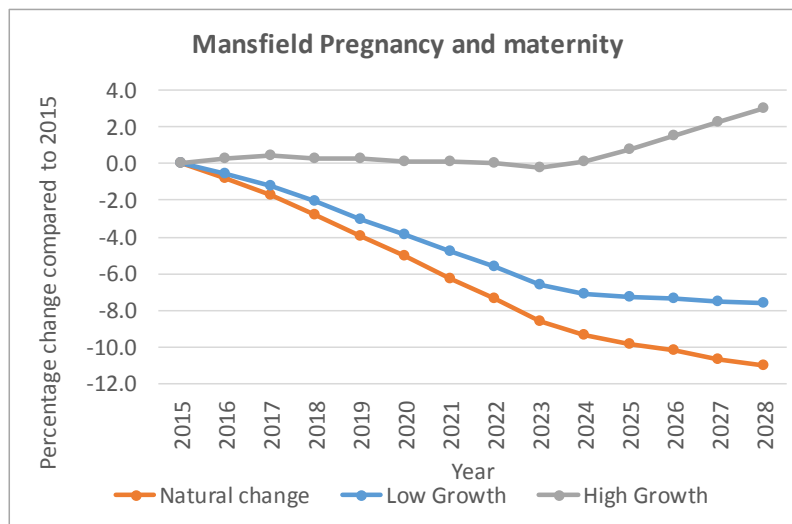
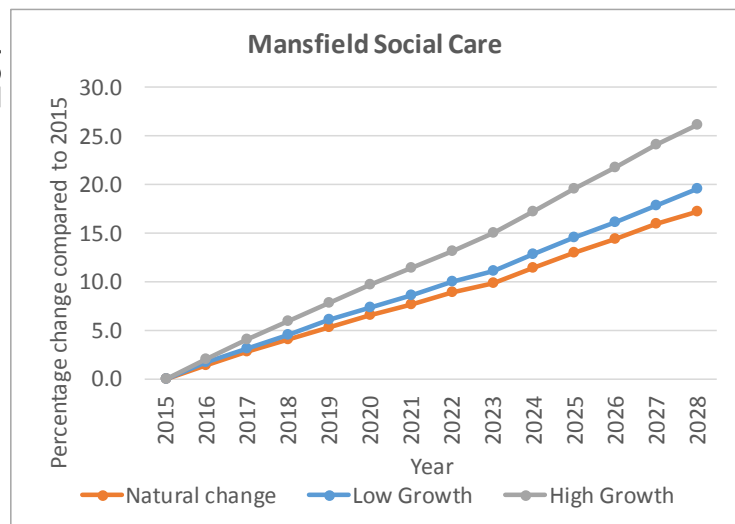
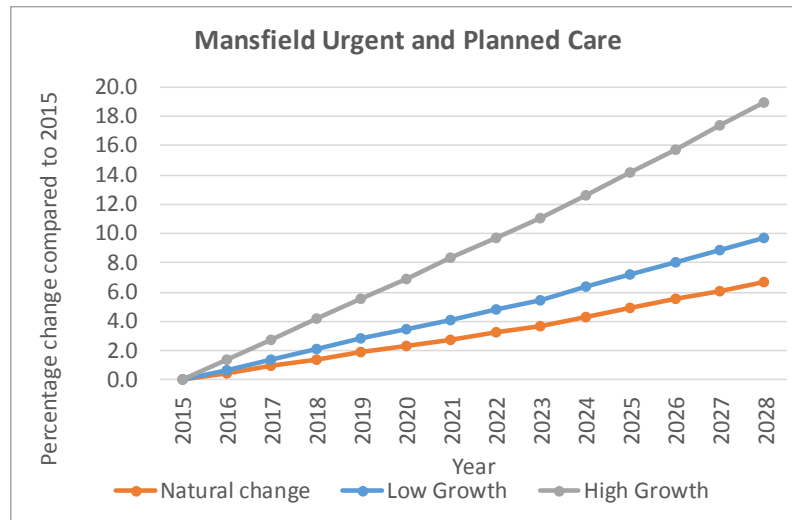
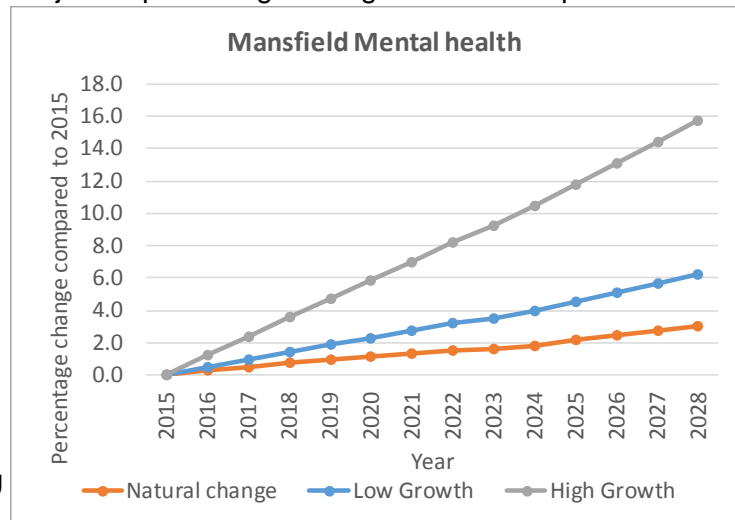
<b>Low growth</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>	<b>2024</b>	<b>2025</b>	<b>2026</b>	<b>2027</b>	<b>2028</b>
Mental health	0.00	0.48	0.92	1.37	1.82	2.24	2.61	2.98	3.37	3.80	4.19	4.54	4.87	5.18
Planned and unplanned care	0.00	0.67	1.30	1.95	2.57	3.16	3.69	4.22	4.80	5.52	6.16	6.79	7.37	7.95
Social Care	0.00	1.61	3.09	4.53	5.93	7.31	8.59	9.87	11.21	12.74	14.19	15.67	17.08	18.44
Pregnancy and maternity	0.00	-0.41	-	-1.30	-1.72	-2.28	-2.86	-3.38	-4.08	-3.93	-3.81	-3.85	-3.83	-3.79

<b>High growth</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>	<b>2024</b>	<b>2025</b>	<b>2026</b>	<b>2027</b>	<b>2028</b>
Mental health	0.00	1.12	2.25	3.35	4.49	5.46	6.30	7.10	8.02	9.07	9.92	10.64	11.21	11.84
Planned and unplanned care	0.00	1.30	2.57	3.86	5.13	6.23	7.20	8.13	9.20	10.49	11.59	12.52	13.32	14.19
Social Care	0.00	1.93	3.92	5.73	7.63	9.36	11.02	12.63	14.23	16.15	18.04	19.78	21.34	23.10
Pregnancy and maternity	0.00	0.41	0.77	1.12	1.31	1.53	1.45	1.30	1.35	2.32	2.94	3.38	3.87	4.16

Negative numbers denote a **reduction** compared to 2015 activity, positive numbers an **increase** compared to 2015

## Mansfield District

Projected percentage change in need compared to index year of 2015



## Mansfield District

Projected percentage change in need compared to index year of 2015

	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028
<b>Natural growth</b>														
Mental health	0.00	0.25	0.51	0.73	0.94	1.13	1.32	1.51	1.64	1.81	2.15	2.45	2.76	3.05
Planned and unplanned care	0.00	0.47	0.94	1.39	1.86	2.32	2.76	3.21	3.64	4.26	4.90	5.49	6.10	6.68
Social Care	0.00	1.41	2.79	4.08	5.31	6.51	7.65	8.80	9.82	11.34	12.97	14.37	15.87	17.26
Pregnancy and maternity	0.00	-0.83	-1.67	-2.83	-3.99	-5.05	-6.28	-7.38	-8.59	-9.34	-9.85	-10.20	-10.66	-11.05

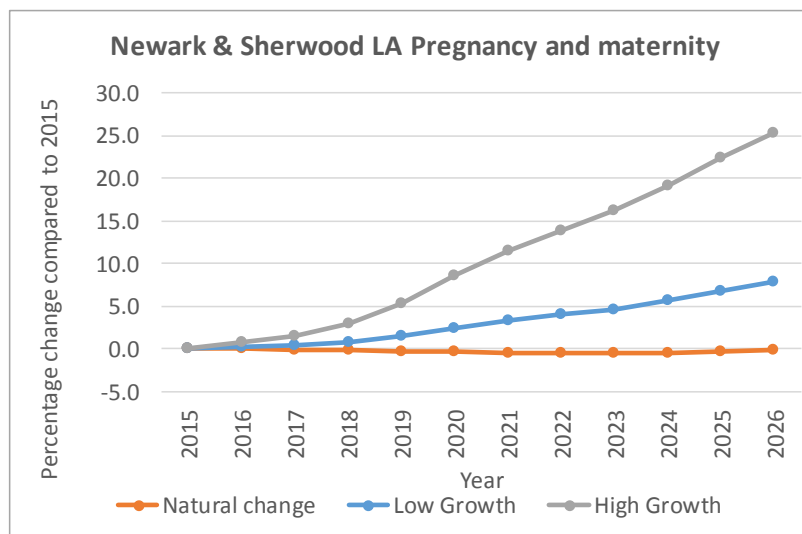
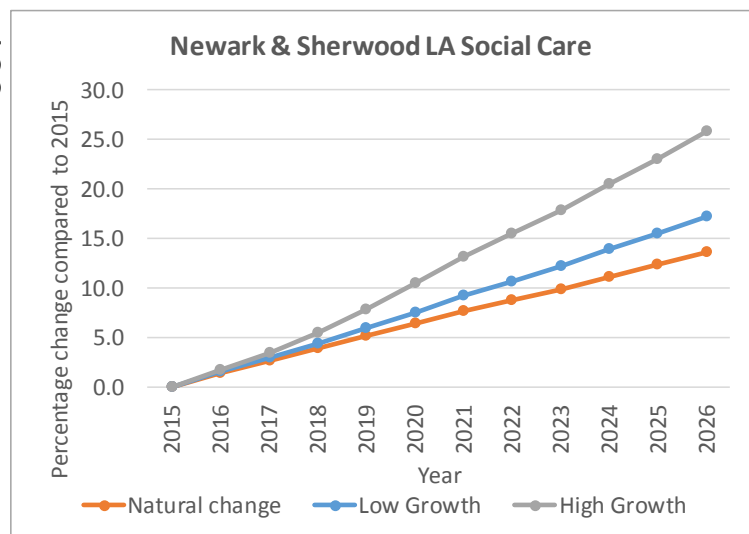
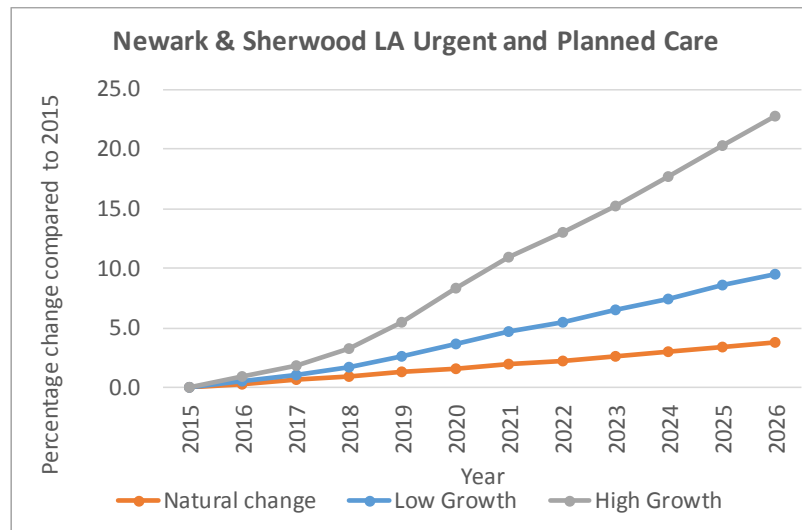
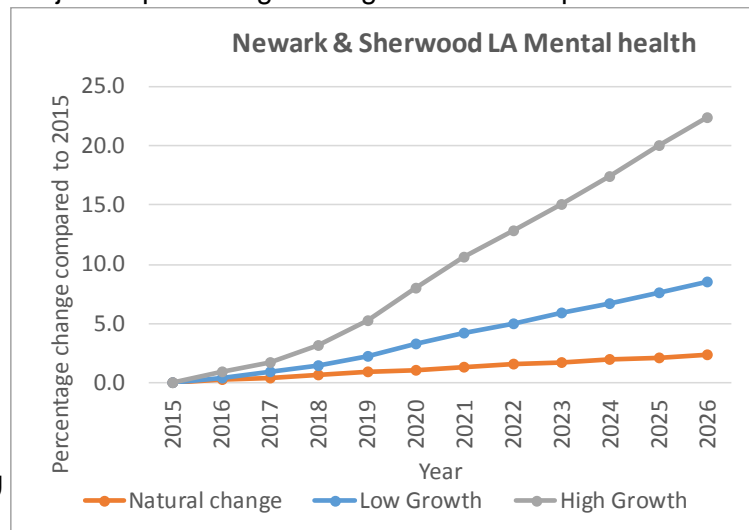
	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028
<b>Low growth</b>														
Mental health	0.00	0.50	0.97	1.43	1.88	2.30	2.74	3.16	3.53	3.95	4.50	5.06	5.62	6.18
Planned and unplanned care	0.00	0.70	1.38	2.07	2.79	3.46	4.13	4.80	5.47	6.32	7.17	8.00	8.86	9.69
Social Care	0.00	1.58	3.08	4.52	6.02	7.30	8.61	9.89	11.12	12.79	14.50	16.13	17.89	19.51
Pregnancy and maternity	0.00	-0.56	-1.21	-2.05	-3.03	-3.87	-4.79	-5.66	-6.58	-7.08	-7.24	-7.37	-7.55	-7.60

	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028
<b>High growth</b>														
Mental health	0.00	1.19	2.36	3.54	4.70	5.86	7.01	8.15	9.27	10.44	11.76	13.08	14.41	15.71
Planned and unplanned care	0.00	1.38	2.77	4.16	5.55	6.93	8.30	9.67	11.05	12.64	14.20	15.76	17.35	18.89
Social Care	0.00	1.99	3.95	5.88	7.76	9.61	11.40	13.14	14.93	17.21	19.47	21.71	24.04	26.19
Pregnancy and maternity	0.00	0.28	0.46	0.31	0.26	0.14	0.08	0.00	-0.19	0.14	0.75	1.55	2.30	3.07

Negative numbers denote a **reduction** compared to 2015 activity, positive numbers an **increase** compared to 2015

## Newark & Sherwood District

Projected percentage change in need compared to index year of 2015



**Newark & Sherwood District**

Projected percentage change in need compared to index year of 2015

<b>Natural growth</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>	<b>2024</b>	<b>2025</b>	<b>2026</b>
Mental health	0.00	0.22	0.44	0.64	0.87	1.10	1.33	1.54	1.74	1.93	2.13	2.33
Planned and unplanned care	0.00	0.32	0.65	0.97	1.29	1.63	1.95	2.26	2.57	2.97	3.36	3.75
Social Care	0.00	1.31	2.67	3.92	5.12	6.35	7.55	8.68	9.80	11.08	12.31	13.54
Pregnancy and maternity	0.00	0.02	-0.14	-0.12	-0.27	-0.29	-0.43	-0.45	-0.49	-0.44	-0.23	-0.05

<b>Low growth</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>	<b>2024</b>	<b>2025</b>	<b>2026</b>
Mental health	0.00	0.44	0.87	1.39	2.23	3.22	4.21	5.02	5.84	6.69	7.63	8.49
Planned and unplanned care	0.00	0.52	1.04	1.69	2.58	3.64	4.69	5.56	6.47	7.49	8.56	9.58
Social Care	0.00	1.49	2.96	4.33	5.90	7.51	9.19	10.64	12.21	13.86	15.54	17.20
Pregnancy and maternity	0.00	0.18	0.36	0.82	1.51	2.46	3.30	4.02	4.68	5.63	6.82	7.79

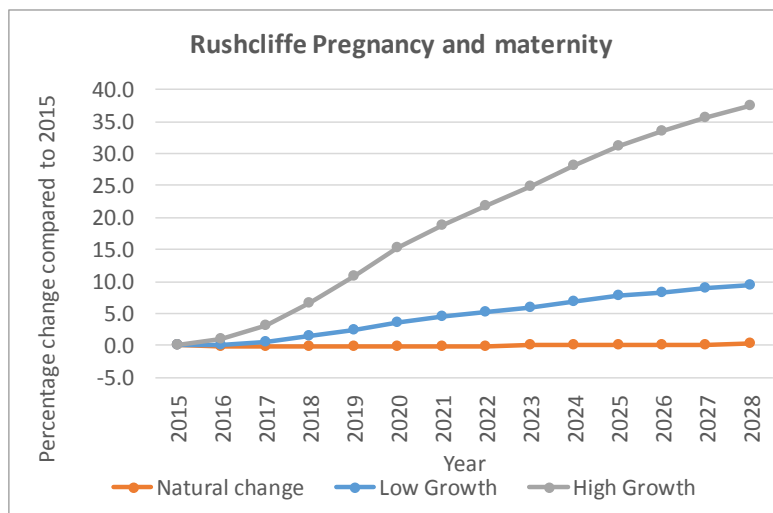
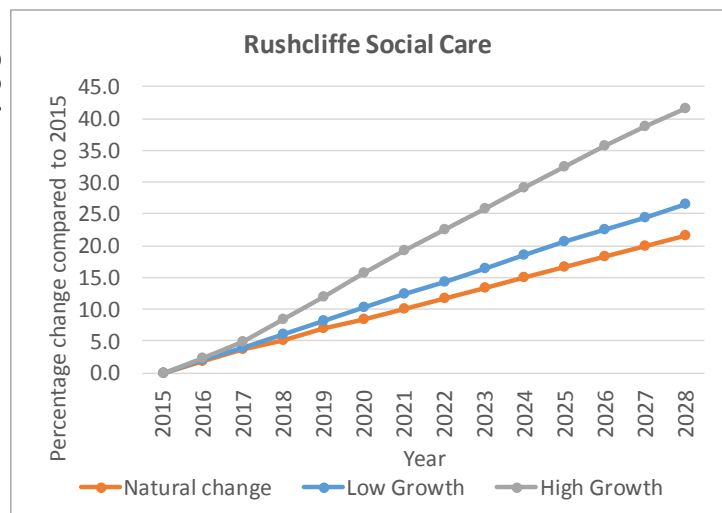
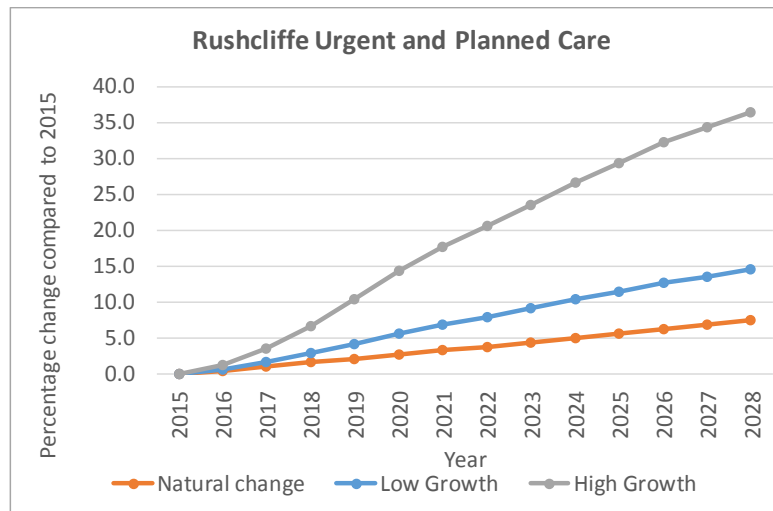
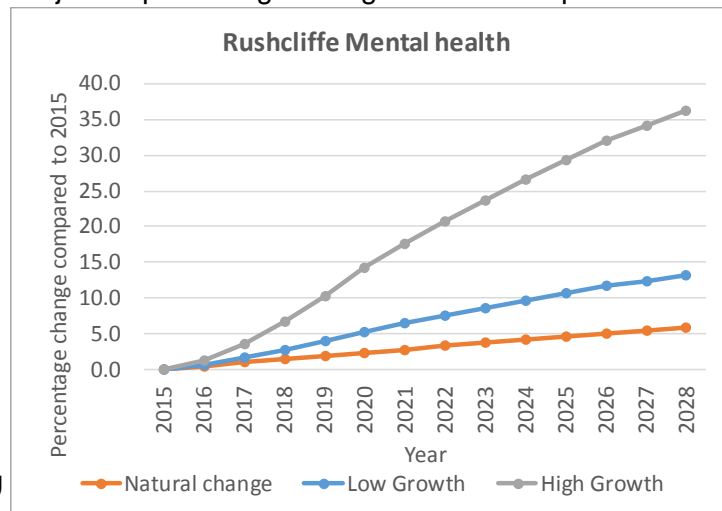
<b>High growth</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>	<b>2024</b>	<b>2025</b>	<b>2026</b>
Mental health	0.00	0.87	1.74	3.12	5.27	8.04	10.65	12.84	15.06	17.40	19.94	22.34
Planned and unplanned care	0.00	0.95	1.88	3.34	5.51	8.29	10.90	13.05	15.29	17.73	20.30	22.75
Social Care	0.00	1.71	3.38	5.44	7.71	10.48	13.11	15.41	17.87	20.47	23.06	25.75
Pregnancy and maternity	0.00	0.83	1.59	2.92	5.35	8.55	11.46	13.85	16.26	19.11	22.48	25.41

Negative numbers denote a **reduction** compared to 2015 activity, positive numbers an **increase** compared to 2015



## Rushcliffe Borough and Rushcliffe CCG

Projected percentage change in need compared to index year of 2015



## Rushcliffe Borough and Rushcliffe CCG

Projected percentage change in need compared to index year of 2015

<b>Natural growth</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>	<b>2024</b>	<b>2025</b>	<b>2026</b>	<b>2027</b>	<b>2028</b>
Mental health	0.00	0.51	1.00	1.45	1.91	2.37	2.82	3.26	3.71	4.15	4.56	4.96	5.39	5.78
Planned and unplanned care	0.00	0.55	1.10	1.68	2.23	2.79	3.34	3.88	4.42	5.04	5.67	6.28	6.92	7.51
Social Care	0.00	1.78	3.57	5.19	6.84	8.48	10.11	11.66	13.22	14.88	16.59	18.20	19.93	21.46
Pregnancy and maternity	0.00	-0.10	-0.16	-0.13	-0.16	-0.06	-0.10	-0.06	0.01	0.10	0.10	0.13	0.13	0.22

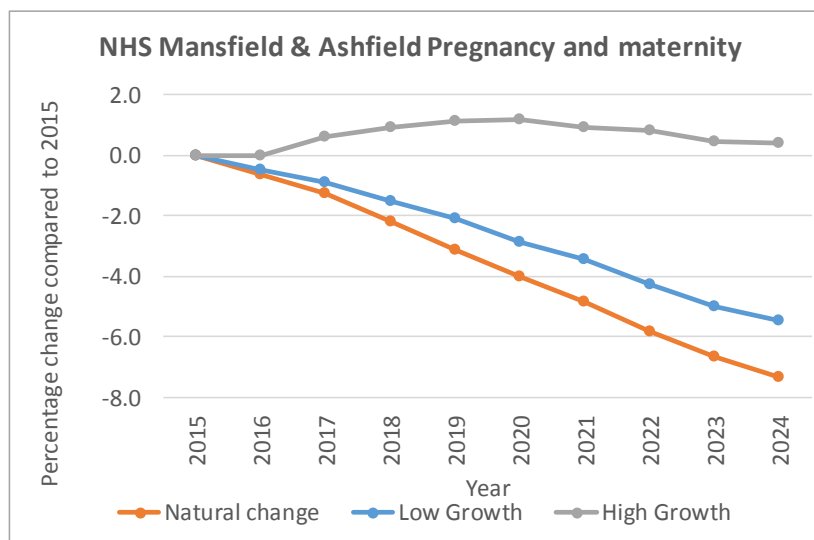
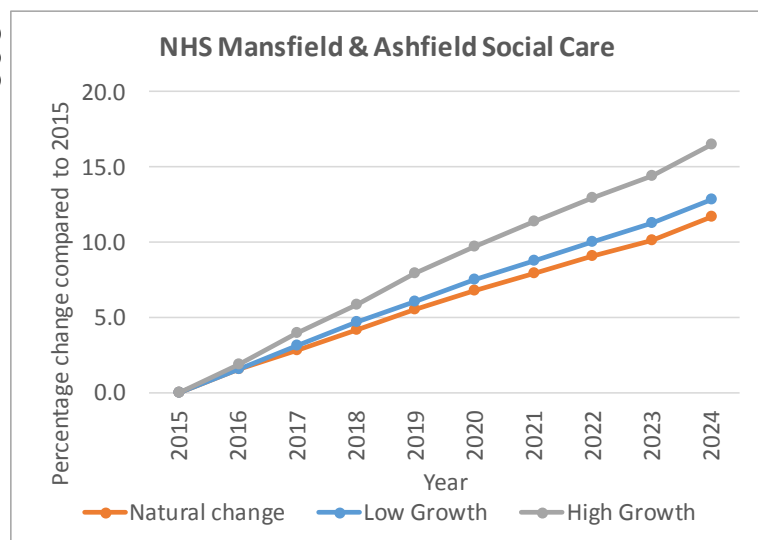
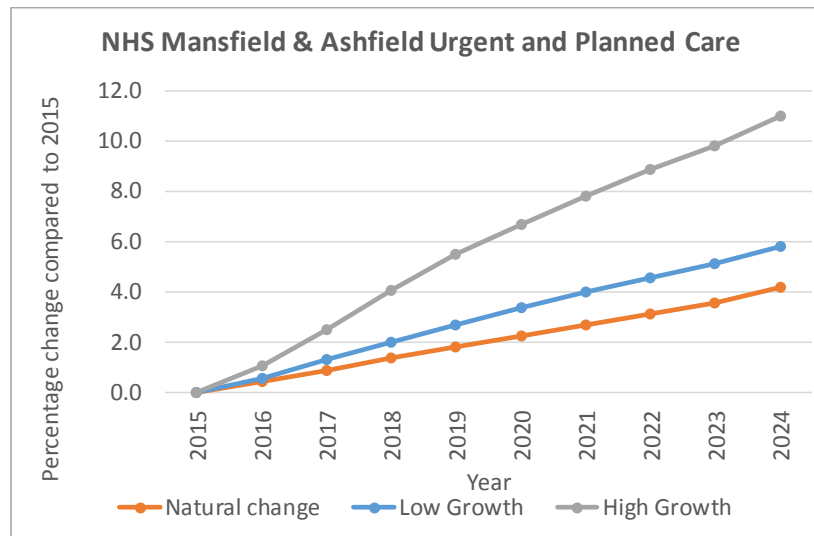
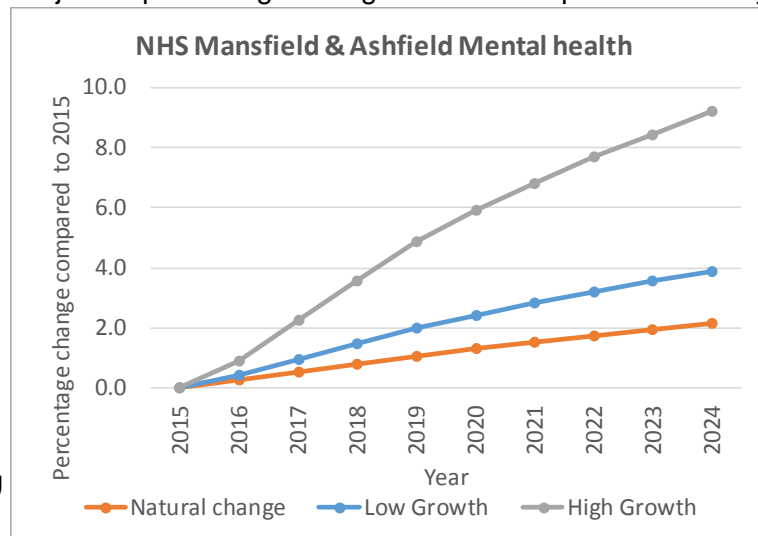
<b>Low growth</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>	<b>2024</b>	<b>2025</b>	<b>2026</b>	<b>2027</b>	<b>2028</b>
Mental health	0.00	0.71	1.61	2.74	3.99	5.31	6.48	7.53	8.62	9.67	10.67	11.63	12.44	13.23
Planned and unplanned care	0.00	0.77	1.69	2.94	4.26	5.66	6.89	8.01	9.15	10.36	11.52	12.66	13.62	14.62
Social Care	0.00	1.97	3.88	5.99	8.11	10.36	12.40	14.32	16.35	18.49	20.50	22.56	24.43	26.47
Pregnancy and maternity	0.00	0.07	0.58	1.50	2.55	3.56	4.55	5.35	6.05	6.88	7.77	8.36	8.97	9.34

<b>High growth</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>	<b>2024</b>	<b>2025</b>	<b>2026</b>	<b>2027</b>	<b>2028</b>
Mental health	0.00	1.28	3.48	6.64	10.34	14.28	17.64	20.65	23.62	26.56	29.37	32.06	34.10	36.09
Planned and unplanned care	0.00	1.32	3.51	6.72	10.42	14.34	17.68	20.66	23.60	26.56	29.45	32.19	34.29	36.35
Social Care	0.00	2.19	4.94	8.28	11.88	15.72	19.16	22.54	25.77	29.14	32.42	35.76	38.63	41.63
Pregnancy and maternity	0.00	0.94	3.06	6.55	10.83	15.25	18.86	21.90	24.89	28.03	31.07	33.61	35.62	37.51

Negative numbers denote a **reduction** compared to 2015 activity, positive numbers an **increase** compared to 2015

## NHS Mansfield & Ashfield

Projected percentage change in need compared to index year of 2015



**NHS Mansfield & Ashfield**

Projected percentage change in need compared to index year of 2015

<b>Natural growth</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>	<b>2024</b>
Mental health	0.00	0.28	0.54	0.81	1.04	1.29	1.52	1.74	1.92	2.13
Planned and unplanned care	0.00	0.47	0.90	1.36	1.83	2.28	2.71	3.16	3.57	4.18
Social Care	0.00	1.49	2.80	4.16	5.47	6.71	7.89	9.08	10.15	11.69
Pregnancy and maternity	0.00	-0.63	-1.28	-2.18	-3.13	-4.01	-4.86	-5.81	-6.66	-7.32

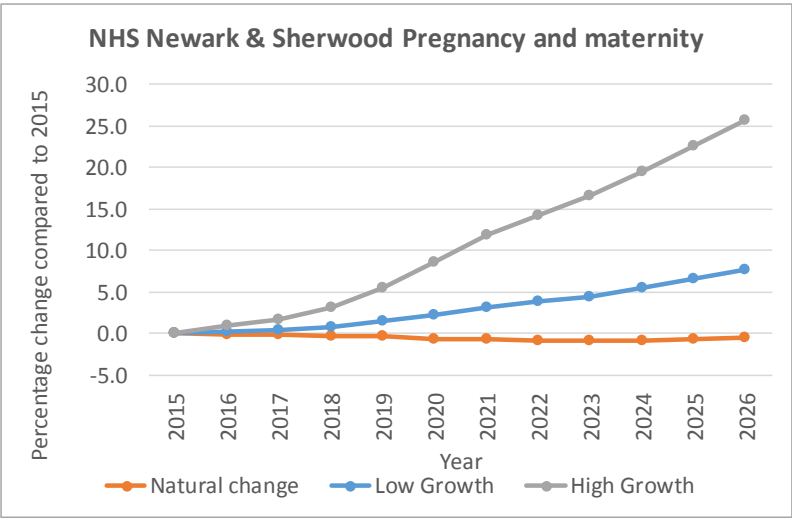
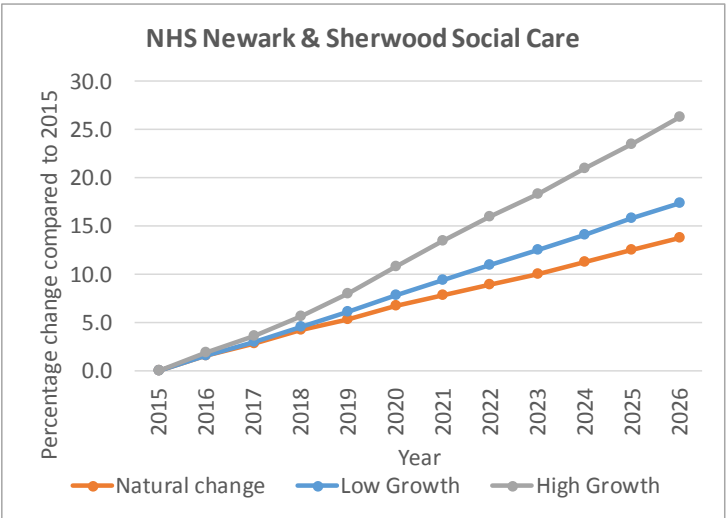
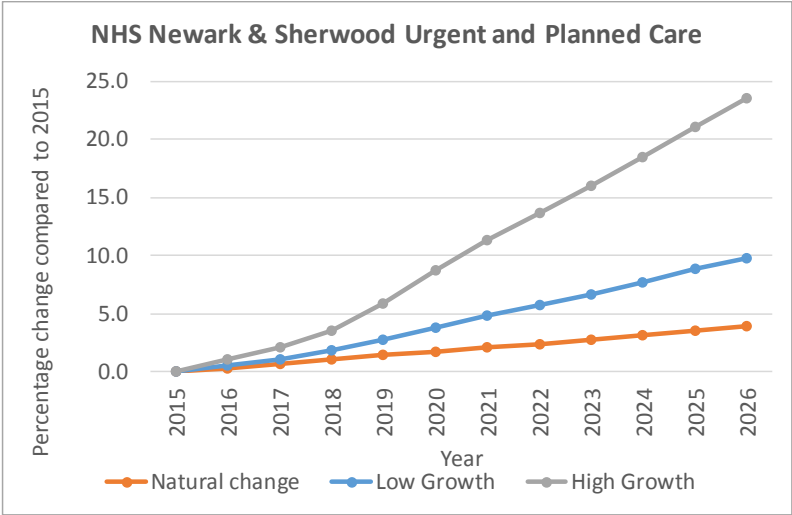
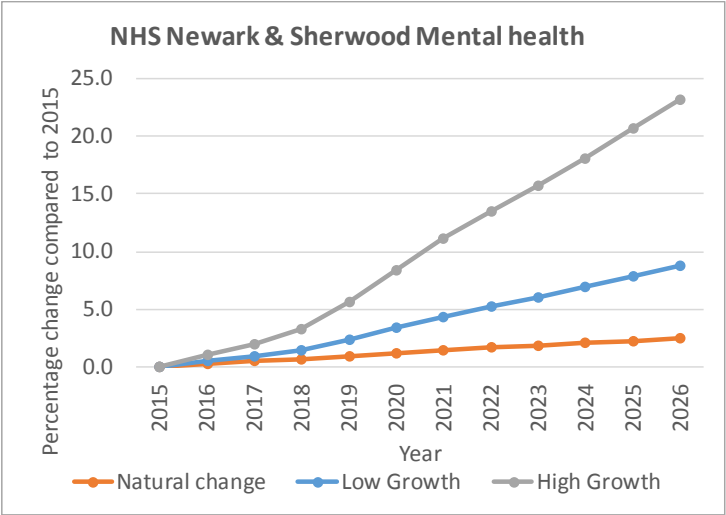
<b>Low growth</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>	<b>2024</b>
Mental health	0.00	0.43	0.96	1.49	1.99	2.42	2.84	3.22	3.55	3.89
Planned and unplanned care	0.00	0.59	1.30	2.03	2.72	3.39	3.98	4.56	5.13	5.85
Social Care	0.00	1.48	3.06	4.61	6.04	7.48	8.77	10.03	11.28	12.84
Pregnancy and maternity	0.00	-0.48	-0.90	-1.54	-2.09	-2.85	-3.46	-4.27	-5.00	-5.46

<b>High growth</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>	<b>2024</b>
Mental health	0.00	0.89	2.23	3.57	4.85	5.89	6.82	7.67	8.42	9.21
Planned and unplanned care	0.00	1.06	2.54	4.04	5.50	6.71	7.83	8.84	9.82	10.98
Social Care	0.00	1.79	3.89	5.85	7.94	9.63	11.38	12.93	14.43	16.47
Pregnancy and maternity	0.00	-0.01	0.63	0.94	1.11	1.19	0.95	0.80	0.45	0.43

Negative numbers denote a **reduction** compared to 2015 activity, positive numbers an **increase** compared to 2015

**NHS Newark & Sherwood**

Projected percentage change in need compared to index year of 2015



**NHS Newark & Sherwood**

Projected percentage change in need compared to index year of 2015

<b>Natural growth</b>	<b>2015</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>	<b>2024</b>	<b>2025</b>
Mental health	0.00	0.25	0.50	0.70	0.94	1.21	1.42	1.66	1.87	2.07	2.28	2.49
Planned and unplanned care	0.00	0.36	0.72	1.06	1.41	1.78	2.09	2.42	2.76	3.15	3.56	3.94
Social Care	0.00	1.42	2.82	4.09	5.32	6.63	7.74	8.88	10.03	11.25	12.50	13.67
Pregnancy and maternity	0.00	-0.09	-0.09	-0.34	-0.37	-0.59	-0.62	-0.81	-0.87	-0.78	-0.68	-0.46

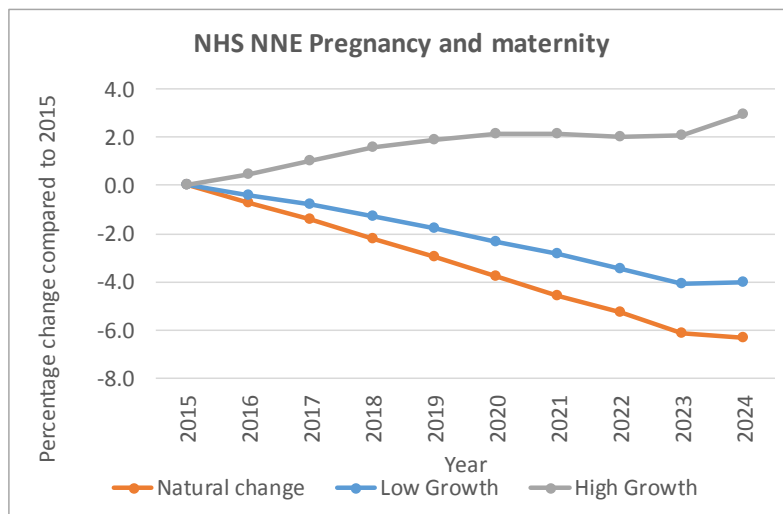
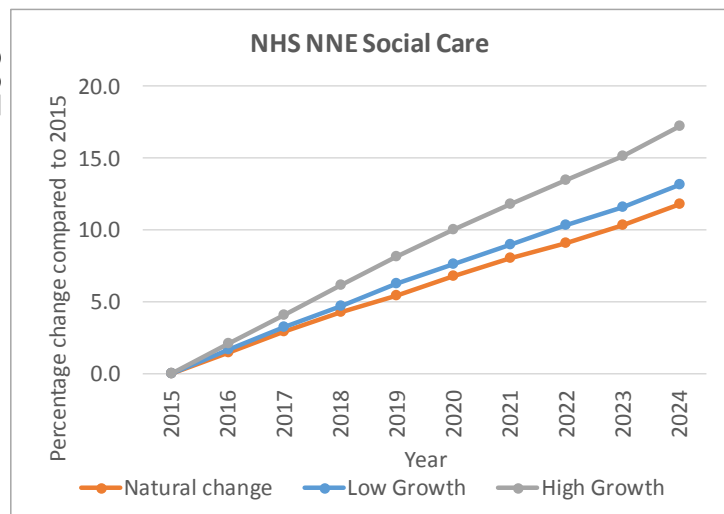
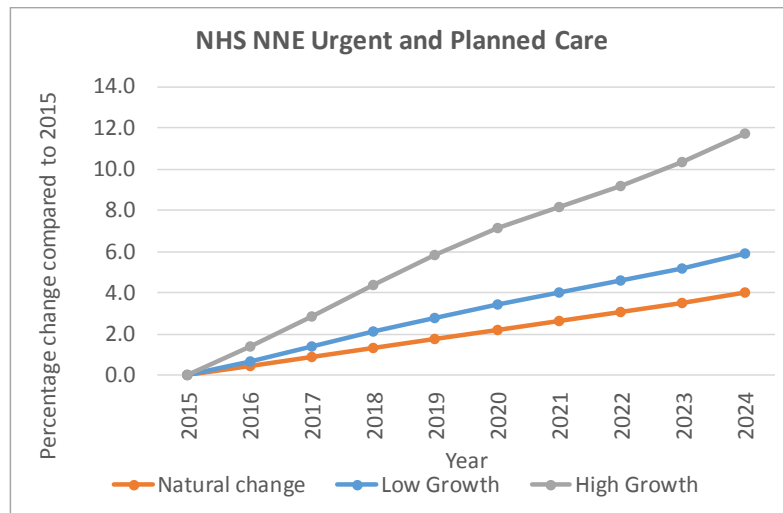
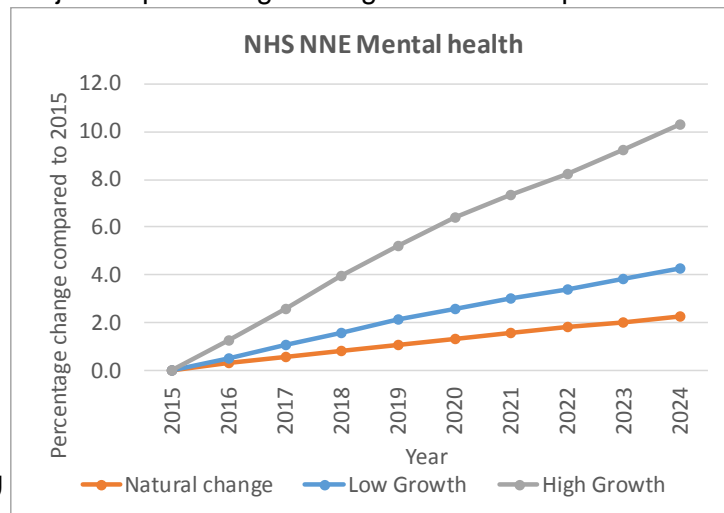
<b>Low growth</b>	<b>2015</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>	<b>2024</b>	<b>2025</b>
Mental health	0.00	0.47	0.91	1.48	2.34	3.37	4.36	5.20	6.04	6.90	7.85	8.72
Planned and unplanned care	0.00	0.58	1.10	1.80	2.71	3.83	4.88	5.79	6.70	7.72	8.81	9.81
Social Care	0.00	1.49	2.91	4.42	5.99	7.76	9.37	10.89	12.41	14.01	15.72	17.27
Pregnancy and maternity	0.00	0.31	0.49	0.85	1.59	2.30	3.20	3.82	4.48	5.48	6.55	7.62

<b>High growth</b>	<b>2015</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>	<b>2024</b>	<b>2025</b>
Mental health	0.00	1.04	1.94	3.34	5.57	8.43	11.15	13.42	15.70	18.09	20.71	23.17
Planned and unplanned care	0.00	1.13	2.09	3.58	5.83	8.70	11.40	13.67	15.95	18.43	21.06	23.56
Social Care	0.00	1.84	3.56	5.53	7.95	10.80	13.45	15.87	18.32	20.87	23.53	26.25
Pregnancy and maternity	0.00	1.02	1.73	3.14	5.48	8.69	11.81	14.18	16.53	19.46	22.63	25.66

Negative numbers denote a **reduction** compared to 2015 activity, positive numbers an **increase** compared to 2015

## NHS Nottingham North & East

Projected percentage change in need compared to index year of 2015



## NHS Nottingham North and East

Projected percentage change in need compared to index year of 2015

<b>Natural growth</b>	<b>2015</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>
Mental health	0.00	0.29	0.54	0.81	1.05	1.33	1.58	1.79	2.03	2.25
Planned and unplanned care	0.00	0.45	0.90	1.36	1.77	2.24	2.66	3.05	3.48	4.04
Social Care	0.00	1.44	2.83	4.21	5.40	6.79	7.99	9.08	10.31	11.76
Pregnancy and maternity	0.00	-0.70	-1.43	-2.20	-2.96	-3.75	-4.58	-5.26	-6.15	-6.35

<b>Low growth</b>	<b>2015</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>
Mental health	0.00	0.52	1.05	1.57	2.11	2.57	3.00	3.41	3.82	4.24
Planned and unplanned care	0.00	0.69	1.39	2.10	2.79	3.43	4.03	4.59	5.19	5.93
Social Care	0.00	1.62	3.17	4.64	6.20	7.56	8.97	10.26	11.59	13.12
Pregnancy and maternity	0.00	-0.42	-0.78	-1.27	-1.78	-2.34	-2.86	-3.48	-4.08	-3.99

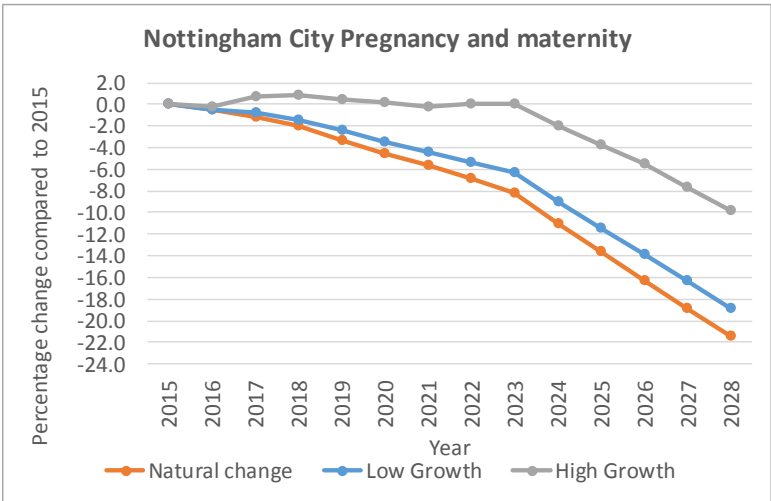
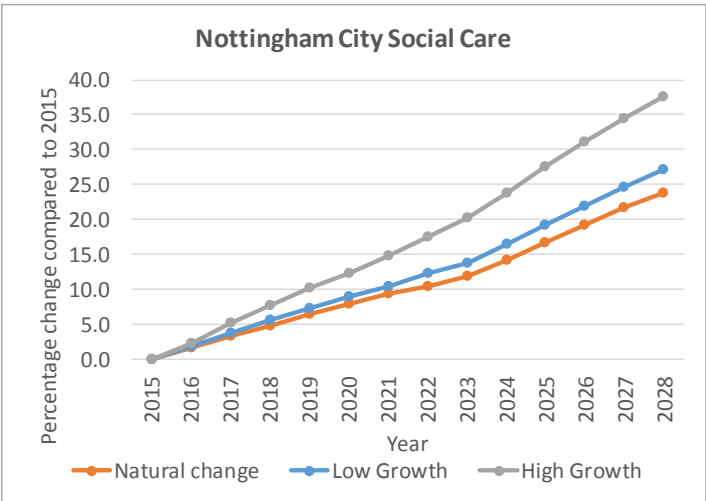
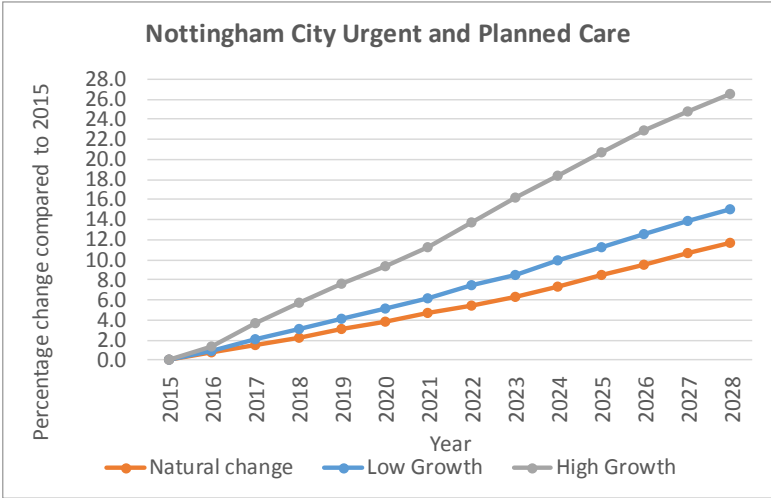
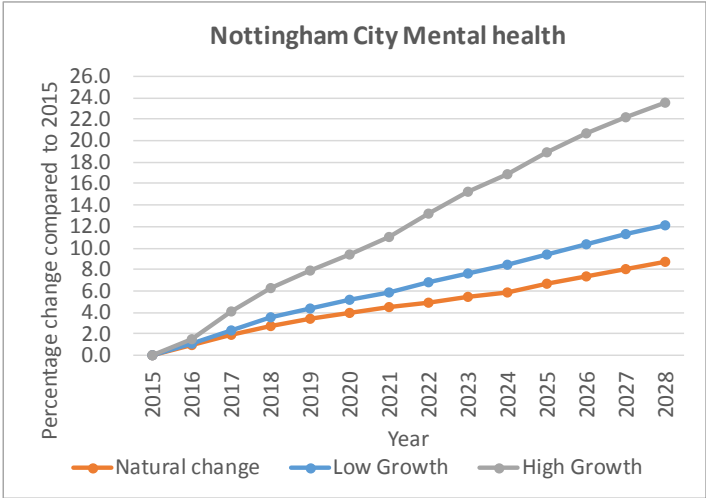
<b>High growth</b>	<b>2015</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>
Mental health	0.00	1.23	2.58	3.97	5.22	6.39	7.33	8.22	9.23	10.30
Planned and unplanned care	0.00	1.37	2.88	4.42	5.80	7.12	8.19	9.22	10.36	11.71
Social Care	0.00	2.01	4.06	6.18	8.11	10.04	11.74	13.40	15.13	17.22
Pregnancy and maternity	0.00	0.44	1.05	1.58	1.90	2.15	2.14	2.01	2.09	2.94

Negative numbers denote a **reduction** compared to 2015 activity, positive numbers an **increase** compared to 2015



LA Nottingham City / Nottingham City CCG

Projected percentage change in need compared to index year of 2015



# **LA Nottingham City / Nottingham City CCG**

Projected percentage change in need compared to index year of 2015

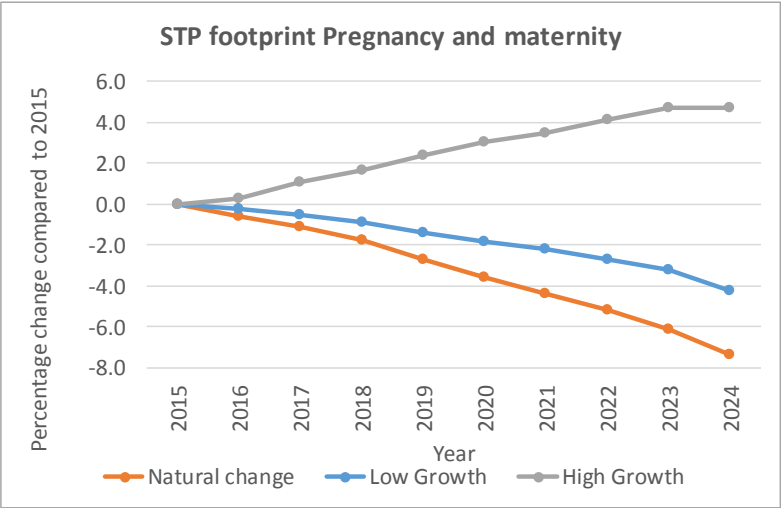
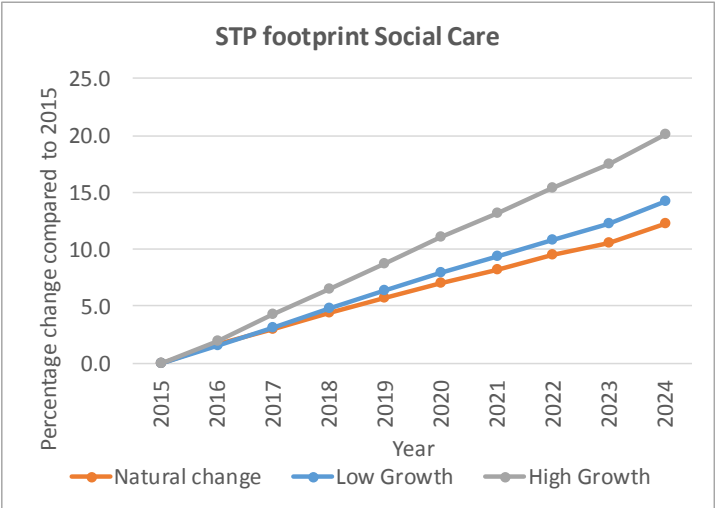
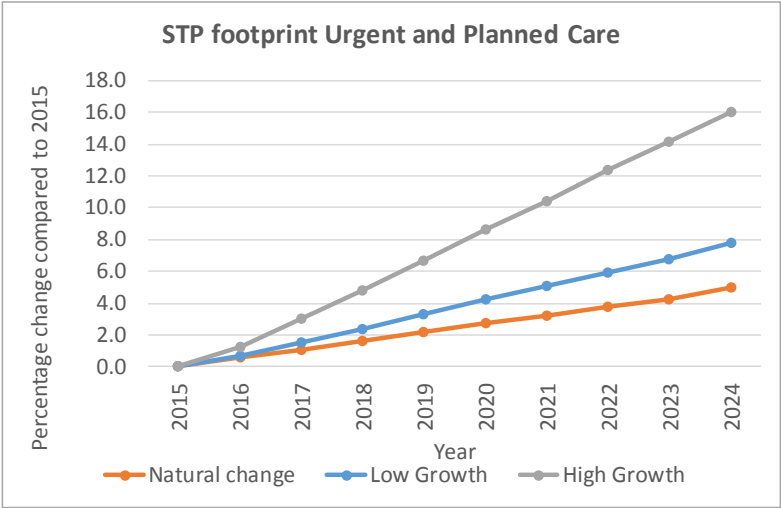
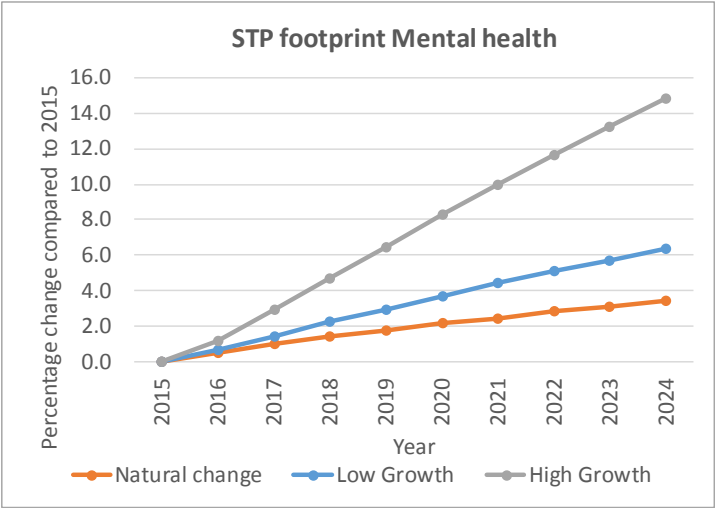
<b>Natural growth</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>	<b>2024</b>	<b>2025</b>	<b>2026</b>	<b>2027</b>	<b>2028</b>
Mental health	0.00	0.93	1.89	2.81	3.38	3.91	4.46	4.96	5.42	5.91	6.62	7.31	8.00	8.67
Planned and unplanned care	0.00	0.75	1.55	2.27	3.12	3.91	4.72	5.49	6.31	7.38	8.46	9.54	10.62	11.65
Social Care	0.00	1.57	3.33	4.81	6.48	7.86	9.29	10.50	11.91	14.27	16.77	19.23	21.71	23.91
Pregnancy and maternity	0.00	-0.54	-1.15	-2.04	-3.30	-4.50	-5.68	-6.85	-8.15	-10.97	-13.59	-16.22	-18.87	-21.39

<b>Low growth</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>	<b>2024</b>	<b>2025</b>	<b>2026</b>	<b>2027</b>	<b>2028</b>
Mental health	0.00	1.07	2.39	3.62	4.40	5.17	5.93	6.87	7.66	8.43	9.40	10.36	11.24	12.07
Planned and unplanned care	0.00	0.91	2.05	3.08	4.12	5.17	6.20	7.41	8.53	9.89	11.24	12.57	13.84	15.07
Social Care	0.00	1.84	3.76	5.57	7.27	8.94	10.53	12.32	13.73	16.48	19.23	21.97	24.62	27.19
Pregnancy and maternity	0.00	-0.48	-0.73	-1.41	-2.38	-3.40	-4.42	-5.29	-6.26	-8.95	-11.38	-13.79	-16.27	-18.79

<b>High growth</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>	<b>2024</b>	<b>2025</b>	<b>2026</b>	<b>2027</b>	<b>2028</b>
Mental health	0.00	1.49	4.09	6.29	7.84	9.41	10.99	13.24	15.29	16.90	18.86	20.64	22.16	23.53
Planned and unplanned care	0.00	1.32	3.76	5.75	7.57	9.39	11.24	13.77	16.18	18.38	20.72	22.89	24.80	26.58
Social Care	0.00	2.18	5.19	7.78	10.16	12.40	14.81	17.56	20.30	23.81	27.56	31.11	34.43	37.62
Pregnancy and maternity	0.00	-0.17	0.67	0.81	0.46	0.15	-0.24	0.10	0.09	-2.00	-3.73	-5.51	-7.64	-9.81

Negative numbers denote a **reduction** compared to 2015 activity, positive numbers an **increase** compared to 2015

**Nottingham and Nottinghamshire STP Footprint**  
 Projected percentage change in need compared to index year of 2015



## Nottingham and Nottinghamshire STP Footprint

Projected percentage change in need compared to index year of 2015

<b>Natural growth</b>	<b>2015</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>
Mental health	0.00	0.53	0.97	1.44	1.79	2.14	2.47	2.81	3.08	3.40
Planned and unplanned care	0.00	0.59	1.09	1.62	2.15	2.70	3.21	3.74	4.25	4.94
Social Care	0.00	1.69	2.98	4.36	5.67	6.99	8.17	9.46	10.56	12.22
Pregnancy and maternity	0.00	-0.59	-1.09	-1.80	-2.69	-3.55	-4.36	-5.19	-6.10	-7.38

<b>Low growth</b>	<b>2015</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>
Mental health	0.00	0.67	1.45	2.25	2.97	3.72	4.41	5.10	5.72	6.37
Planned and unplanned care	0.00	0.71	1.54	2.39	3.29	4.22	5.08	5.95	6.80	7.81
Social Care	0.00	1.55	3.13	4.74	6.32	7.97	9.40	10.83	12.24	14.16
Pregnancy and maternity	0.00	-0.26	-0.55	-0.89	-1.36	-1.86	-2.22	-2.74	-3.21	-4.22

<b>High growth</b>	<b>2015</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>
Mental health	0.00	1.20	2.93	4.69	6.45	8.25	9.92	11.62	13.24	14.79
Planned and unplanned care	0.00	1.23	2.99	4.79	6.68	8.66	10.45	12.33	14.12	16.00
Social Care	0.00	1.92	4.24	6.49	8.72	11.06	13.21	15.40	17.46	20.03
Pregnancy and maternity	0.00	0.27	1.05	1.62	2.36	3.06	3.50	4.12	4.70	4.70

## Cumulative change in population from 2015

### Natural change

Local Authority	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027
LA Ashfield	220	441	662	884	1,106	1,328	1,551	1,774	1,998				
LA Bassetlaw	-7	-14	-21	-28	-35								
LA Broxtowe	224	449	675	901	1,127	1,354	1,581	1,808	2,036	2,265	2,494	2,723	2,953
LA Gedling	162	325	487	650	813	977	1,140	1,304	1,468	1,633	1,797	1,962	2,127
LA Mansfield	230	460	690	921	1,152	1,385	1,617	1,850	2,084	2,318	2,552	2,787	3,023
LA Newark & Sherwood	26	52	78	104	130	156	182	208	234	260	286		
LA Rushcliffe	228	457	687	917	1,147	1,378	1,609	1,841	2,073	2,305	2,539	2,772	3,006
LA Nottingham City	1,919	3,850	5,794	7,750	9,720	11,702	13,698	15,707	17,729	19,764	21,813	23,875	25,951
CCG Footprint	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027
NHS Bassetlaw	-7	-14	-21	-28	-35								
NHS Mansfield & Ashfield	385	770	1,157	1,544	1,931	2,320	2,709	3,100	3,490				
NHS Newark & Sherwood	40	80	120	160	200	240	280	320	361	401	441		
NHS Nottingham North & East	254	509	765	1,020	1,277	1,533	1,790	2,048	2,306				
NHS Nottingham West	229	459	690	921	1,152	1,384	1,616	1,849	2,082	2,316	2,550	2,785	3,020
NHS Rushcliffe	228	457	687	917	1,147	1,378	1,609	1,841	2,073	2,305	2,539	2,772	3,006
NHS Nottingham City	1,919	3,850	5,794	7,750	9,720	11,702	13,698	15,707	17,729	19,764	21,813	23,875	25,951
STP footprint	2015	2016	2017	2018	2019	2020	2021	2022	2023				
	3,056	6,126	9,212	12,312	15,427	18,558	21,703	24,864	28,041				

## Cumulative change in population from 2015

### Low growth

Local Authority	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027
LA Ashfield	472	1,257	2,064	2,741	3,323	3,766	4,162	4,506	4,828				
LA Bassetlaw	301	723	1,134	1,442	1,749								
LA Broxtowe	614	1,238	1,800	2,548	3,325	4,069	4,783	5,346	6,018	6,695	7,373	8,012	8,572
LA Gedling	440	872	1,314	1,746	2,128	2,469	2,796	3,178	3,587	3,927	4,219	4,478	4,743
LA Mansfield	498	996	1,494	1,993	2,492	2,993	3,493	3,994	4,496	4,998	5,500	6,003	6,507
LA Newark & Sherwood	286	572	1,055	1,851	2,880	3,852	4,644	5,457	6,322	7,258	8,120		
LA Rushcliffe	477	1,225	2,274	3,488	4,766	5,868	6,842	7,811	8,760	9,682	10,550	11,220	11,866
LA Nottingham City	2,293	5,378	8,195	10,832	13,502	16,172	19,351	22,428	25,170	28,003	30,737	33,297	35,781
<b>CCG Footprint</b>													
NHS Bassetlaw	301	723	1,134	1,442	1,749								
NHS Mansfield & Ashfield	709	1,648	2,608	3,508	4,312	5,049	5,750	6,432	7,097				
NHS Newark & Sherwood	357	654	1,158	1,968	3,016	4,018	4,841	5,668	6,548	7,498	8,374		
NHS Nottingham North & East	633	1,328	2,025	2,669	3,281	3,798	4,300	4,849	5,423				
NHS Nottingham West	619	1,248	1,815	2,568	3,350	4,099	4,818	5,387	6,064	6,746	7,429	8,074	8,639
NHS Rushcliffe	477	1,225	2,274	3,488	4,766	5,868	6,842	7,811	8,760	9,682	10,550	11,220	11,866
NHS Nottingham City	2,293	5,378	8,195	10,832	13,502	16,172	19,351	22,428	25,170	28,003	30,737	33,297	35,781
	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>				
<b>STP footprint</b>	5,089	11,482	18,074	25,033	32,227	39,005	45,903	52,574	59,062				

## Cumulative change in population from 2015

### High growth

Local Authority	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027
LA Ashfield	1,065	3,180	5,369	7,120	8,550	9,515	10,319	10,948	11,501				
LA Bassetlaw	1,114	2,668	4,182	5,322	6,459								
LA Broxtowe	1,274	2,574	3,706	5,339	7,048	8,667	10,204	11,337	12,759	14,194	15,631	16,964	18,083
LA Gedling	1,327	2,615	3,950	5,238	6,320	7,225	8,075	9,152	10,342	11,242	11,943	12,504	13,087
LA Mansfield	1,340	2,680	4,020	5,361	6,702	8,045	9,387	10,730	12,074	13,418	14,762	16,107	17,453
LA Newark & Sherwood	882	1,764	3,293	5,850	9,176	12,312	14,858	17,472	20,258	23,276	26,051		
LA Rushcliffe	1,253	3,618	7,220	11,503	16,049	19,866	23,157	26,426	29,611	32,684	35,528	37,562	39,491
LA Nottingham City	3,593	10,681	16,527	21,527	26,626	31,682	38,966	45,750	50,989	56,593	61,704	65,991	69,892
<b>CCG Footprint</b>													
NHS Bassetlaw	1,114	2,668	4,182	5,322	6,459	11,811	13,649						
NHS Mansfield & Ashfield	1,728	4,411	7,178	9,695	11,814	12,939	15,333	16,934	18,466	24,255	27,104		
NHS Newark & Sherwood	1,105	2,008	3,607	6,237	9,666	11,029	15,612	18,296	21,158	5	4		
NHS Nottingham North & East	1,843	3,941	6,046	7,932	9,676	11,026	12,309	13,785	15,366				
NHS Nottingham West	1,279	2,584	3,721	5,359	7,073	8,697	10,239	11,378	12,805	14,245	15,687	17,026	18,150
NHS Rushcliffe	1,253	3,618	7,220	11,503	16,049	19,866	23,157	26,426	29,611	32,684	35,528	37,562	39,491
NHS Nottingham City	3,593	10,681	16,527	21,527	26,626	31,682	38,966	45,750	50,989	56,593	61,704	65,991	69,892
	2015	2016	2017	2018	2019	2020	2021	2022	2023				

<b>STP footprint</b>	10,80 2	27,24 4	44,29 8	62,25 3	80,90 4	97,86 0	115,61 7	132,56 8	148,39 5	
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**Clinical Commissioning Group registered population April 2014 (source: HSCIC)**

<b>Clinical Commissioning Group</b>	<b>Total population</b>
NHS BASSETLAW CCG	112,878
NHS MANSFIELD AND ASHFIELD CCG	186,539
NHS NEWARK & SHERWOOD CCG	129,552
NHS NOTTINGHAM NORTH AND EAST CCG	147,729
NHS NOTTINGHAM WEST CCG	94,112
NHS RUSHCLIFFE CCG	122,948

**Local Authority 2014 mid-year-estimate resident population (source: ONS)**

<b>Local Authority</b>	<b>Total population</b>
Ashfield	122,508
Bassetlaw	114,143
Broxtowe	111,780
Gedling	115,638
Mansfield	105,893
Newark and Sherwood	117,758
Rushcliffe	113,670

## Appendix 6 – Planning Application Thresholds

Type of Development	Thresholds
<b>Planning Applications</b>	
Renewable energy	<ul style="list-style-type: none"> <li>- Single or multiple wind turbines above 15m high (including blade length);</li> <li>- All Solar Farms;</li> <li>- All Biomass Plants</li> </ul>
Retail development	<ul style="list-style-type: none"> <li>- Applications over 2500m<sup>2</sup> floor space;</li> <li>- Other retail applications where the proposal is outside a defined town centre</li> <li>- A5 applications</li> </ul>
Residential Development	<ul style="list-style-type: none"> <li>- 0-50 dwellings: if strategic planning issues are apparent;</li> <li>- 51-200 dwellings: Applications which are contrary to local or national planning policy;</li> <li>- 201+ dwellings: All applications</li> </ul>
Commercial Development	<ul style="list-style-type: none"> <li>- Applications over 2500m<sup>2</sup> floor space;</li> <li>- All applications outside a defined urban boundary</li> </ul>
Other development	To be decided on a case by case basis
<b>Local and National Strategies/Guidance</b>	
Local Plans/Core Strategies	All plans within the County Neighbouring Borough/District Plans/strategies
Other Plans/Strategies/Publications	To be decided on a case by case basis

## Appendix 7 – Checklist for Planning and Health

### Nottinghamshire Rapid Health Impact Assessment Matrix

Assessment criteria	Relevant?	Details/evidence	Potential health impact?	Recommended amendments or enhancement actions to the proposal under consideration
<b>1. Housing quality and design</b>				
1. Does the proposal seek to address the housing needs of the wider community by requiring provision of variation of house type that will meet the needs of older or disabled people?  [For example does it meet all Lifetime Homes Standards, Building for Life etc.?]	<input type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No		<input type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	
2. Does the proposal promote development that will reduce energy requirements and living costs and ensure that homes are warm and dry in winter and cool in summer	<input type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No		<input type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	
<b>2. Access to healthcare services and other social infrastructure</b>				
3. Does the proposal seek to retain, replace or provide health and social care related infrastructure?	<input type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No		<input type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	

Assessment criteria	Relevant?	Details/evidence	Potential health impact?	Recommended amendments or enhancement actions to the proposal under consideration
4. Does the proposal address the proposed growth/ assess the impact on healthcare services?	<input type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No		<input type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	
5. Does the proposal explore/allow for opportunities for shared community use and co-location of services?	<input type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No		<input type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	
<b>3. Access to open space and nature</b>				
6. Does the proposal seek to retain and enhance existing and provide new open and natural spaces to support healthy living and physical activity?	<input type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No		<input type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	
7. Does the proposal promote links between open and natural spaces and areas of residence, employment and commerce?	<input type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No <input type="checkbox"/>		<input type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	
8. Does the proposal seek to ensure that open and natural spaces are welcoming, safe and accessible to all?	<input type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No		<input type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	
9. Does the proposal seek to provide a range of play spaces	<input type="checkbox"/> Yes <input type="checkbox"/> Partial		<input type="checkbox"/> Positive <input type="checkbox"/> Negative	

Assessment criteria	Relevant?	Details/evidence	Potential health impact?	Recommended amendments or enhancement actions to the proposal under consideration
for children and young people (e.g. play pitches, play areas etc.) including provision for those that are disabled?	<input type="checkbox"/> No		<input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	
<b>4. Air quality, noise and neighbourhood amenity</b>				
10. Does the proposal seek to minimise construction impacts such as dust, noise, vibration and odours?	<input type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No		<input type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	
11. Does the proposal seek to minimise air pollution caused by traffic and employment/commercial facilities?	<input type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No		<input type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	
12. Does the proposal seek to minimise noise pollution caused by traffic and employment/commercial facilities?	<input type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No		<input type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	
<b>5. Accessibility and active transport</b>				
13. Does the proposal prioritise and encourage walking (such as through shared spaces) connecting to local walking networks?	<input type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No		<input type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	
14. Does the proposal prioritise and encourage cycling (for example by providing secure cycle parking, showers and	<input type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No		<input type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	

Assessment criteria	Relevant?	Details/evidence	Potential health impact?	Recommended amendments or enhancement actions to the proposal under consideration
cycle lanes) connecting to local and strategic cycle networks?				
15. Does the proposal support traffic management and calming measures to help reduce and minimise road injuries?	<input type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No		<input type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	
16. Does the proposal promote accessible buildings and places to enable access to people with mobility problems or a disability?	<input type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No		<input type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	
<b>6. Crime reduction and community safety</b>				
17. Does the proposal create environments & buildings that make people feel safe, secure and free from crime?	<input type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No		<input type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	
<b>7. Access to healthy food</b>				
18. Does the proposal support the retention and creation of food growing areas, allotments	<input type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No		<input type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral	

Assessment criteria	Relevant?	Details/evidence	Potential health impact?	Recommended amendments or enhancement actions to the proposal under consideration
and community gardens in order to support a healthy diet and physical activity?			<input type="checkbox"/> Uncertain	
19. Does the proposal seek to restrict the development of hot food takeaways (A5) in specific areas?	<input type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No		<input type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	
<b>8. Access to work and training</b>				
20. Does the proposal seek to provide new employment opportunities and encourage local employment and training?	<input type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No		<input type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	
<b>9. Social cohesion and lifetime neighbourhoods</b>				
21. Does the proposal connect with existing communities where the layout and movement avoids physical barriers and	<input type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No		<input type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	

Assessment criteria	Relevant?	Details/evidence	Potential health impact?	Recommended amendments or enhancement actions to the proposal under consideration
severance and encourages social interaction? [For example does it address the components of Lifetime Neighbourhoods?]				
<b>10. Minimising the use of resources</b>				
22. Does the proposal seek to incorporate sustainable design and construction techniques?	<input type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No		<input type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	
<b>11. Climate change</b>				
23. Does the proposal incorporate renewable energy and ensure that buildings and public spaces are designed to respond to winter and summer temperatures, i.e. ventilation, shading and landscaping?	<input type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No		<input type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	
24. Does the proposal maintain or enhance biodiversity	<input type="checkbox"/> Yes <input type="checkbox"/> Partial <input type="checkbox"/> No		<input type="checkbox"/> Positive <input type="checkbox"/> Negative <input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	
<b>12. Health inequalities</b>				
25. Does the proposal consider health inequalities and	<input type="checkbox"/> Yes <input type="checkbox"/> Partial		<input type="checkbox"/> Positive <input type="checkbox"/> Negative	



Assessment criteria	Relevant?	Details/evidence	Potential health impact?	Recommended amendments or enhancement actions to the proposal under consideration
encourage engagement by underserved communities?	<input type="checkbox"/> No		<input type="checkbox"/> Neutral <input type="checkbox"/> Uncertain	
<b>Any other comments</b>				
Name of assessor and organisation				
Date of assessment				

## Appendix 8 – Useful Links

- Bassetlaw CIL Charging Schedule: <http://www.bassetlaw.gov.uk/everything-else/planning-building/community-infrastructure-levy.aspx>
- Gedling CIL Charging Schedule: <http://www.gedling.gov.uk/planningbuildingcontrol/planningdevelopmentmanagement/communityinfrastructurelevy/>
- Newark & Sherwood Developer Contributions and Planning Obligations SPD <http://www.newark-sherwooddc.gov.uk/spds/>
- Newark & Sherwood CIL Charging Schedule: <http://www.newark-sherwooddc.gov.uk/cil/>
- Nottinghamshire CC Planning Obligations Strategy: <http://www.nottinghamshire.gov.uk/planning-and-environment/general-planning/planning-obligations-strategy>
- Planning Practice Guidance CIL: <http://planningguidance.communities.gov.uk/blog/guidance/community-infrastructure-levy/>
- Planning Practice Guidance CIL & Neighbourhood Proportion: <http://planningguidance.communities.gov.uk/blog/guidance/community-infrastructure-levy/spending-the-levy/>
- Planning Practice Guidance CIL Exemptions: <http://planningguidance.communities.gov.uk/blog/guidance/community-infrastructure-levy/cil-introduction/>
- Planning Practice Guidance Planning Obligations: <http://planningguidance.communities.gov.uk/blog/guidance/planning-obligations/>
- Planning Practice Guidance Pooling Restrictions (Para's 99-102): <http://planningguidance.communities.gov.uk/blog/guidance/community-infrastructure-levy/other-developer-contributions/>
- Public health in Planning: Good Practice Guide
  - <http://www.tcpa.org.uk/pages/best-practice-in-planning-and-public-health-in-london-2015.html>
  - Building the foundations: Tackling obesity through planning and development <http://www.tcpa.org.uk/pages/building-the-foundations-2016.html>
  - [Working Together to Promote Active Transport. A briefing for local authorities.](#)
  - [Spatial Planning for the Health and Wellbeing of Nottinghamshire](#)
  - [Building the Foundations](#): Tackling obesity through planning and development
  - [Tipping the Scales](#): Case studies on the use of planning powers to limit hot food takeaways



## **Report to Cabinet**

**Subject:** Gedling Gambling Statement of Policy

**Date:** 28 June 2018

**Author:** Director of Health and Community Wellbeing

### **Wards Affected**

All wards

### **Purpose**

To inform Members of the requirements of the Gambling Act 2005 in relation to the review of the Authority's Gambling Statement of Policy and to seek approval to consult on proposed amendments to the existing policy.

### **Key Decision**

This is not a key decision.

### **Background**

- 1.1 The Gambling Act 2005 ('the Act') requires Licensing Authorities to prepare and publish at least every three years a statement of policy that they propose to apply when exercising their gambling functions. The first Gambling Statement of Policy was produced in 2007 and the existing Gambling Statement of Policy for this Authority is due for review by the end of 2018 with a view to publishing a statement of policy in January 2019.

There are three licensing objectives under the Act. Keeping crime out of gambling, ensuring it is fair and open and protecting children and other vulnerable people from being harmed by gambling.

The function of the Statement is to reflect locally specific gambling concerns and to reflect the Council's wider strategic objectives. The active use of the Statement is one means by which you can make clear your expectations of gambling operators who have premises in your area. This allows operators to respond to locally specific requirements

and adjust their own policies and procedures as required. It also reduces the risk of matters being escalated to a licensing committee.

- 1.2 Within Nottinghamshire all the eight local authorities, having responsibilities under the Act, have worked closely together through the Nottinghamshire Authorities Licensing Group (NALG) to produce a common basis for their gambling statements of policy to be developed from. NALG comprises officers with legal, environmental health and licensing backgrounds. In amending the existing gambling policy document regard has been had to the guidance from the Gambling Commission and any relevant changes to the Act. In Nottinghamshire each licensing authority has then taken the common document for customisation to reflect local issues prior to embarking on a period of consultation as required by the legislation.
- 1.3 The legal nature of the document reflects the future function of the policy as the basis for determining applications made under the Act, which are subject to legal appeal to the Magistrates' Court.
- 1.4 Under the Act Licensing Authorities are required to carry out a consultation on their policy statements with:
  - The Chief of Police for the licensing authority's area.
  - One or more persons who appear to the authority to represent the interests of persons carrying on gambling businesses in the authority's area.
  - One or more persons who appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority's functions under this Act.

As part of the consultation process the draft policy will be published on the Council's website and letters will be sent to the above individuals, groups and organisations stating where the draft policy can be accessed on the website. The consultation will be carried out for ten weeks.

- 1.5 Following on from any consultation, the proposed Statement of Gambling Policy, along with the results of the consultation, will be brought back to Cabinet for proposals to be recommended to Full Council.

## **Proposal**

- 2.1 Licensing authorities must have finalised their draft statement of policy for consultation purposes; carried out eight to ten weeks of the consultation as advocated by central Government best practice; have undertaken the necessary changes to the document arising from the consultation and

informed Members of the final licensing policy statement for endorsement by full Council and advertised the statement of policy prior to it coming into effect in January 2019.

- 2.2 At Appendix 1 is a copy of the existing Gedling Gambling Statement of Policy and at Appendix 2 are the proposed changes. Any significant changes for the existing policy reflect changes to the legislation and guidance.
- 2.3 It is proposed that members approve the proposed changes to the Authority's Gambling Statement of Policy to go out to consultation for a period of ten weeks as detailed in the report and in accordance with the Act.

### **Alternative Options**

- 3.1 The Authority are required by the Act to review the Gambling Statement of Policy every 3 years, the Authority are also required to consult on any changes to the policy statement. An alternative option would be not to authorise the changes to go out to consultation, which would be contrary to the Act and best practice, or to suggest alternative amendments to the policy to go out to consultation. The proposed changes however, have been made following extensive work with NALG and are deemed appropriate.

### **Financial Implications**

- 4.1 There are no financial implications.

### **Appendices**

- 5.1 Appendix 1 – Current Gedling Gambling Statement of Policy
- 5.2 Appendix 2 – Proposed changes the Gedling Gambling Statement of Policy

### **Background Papers**

There are no background papers.

### **Recommendation:**

#### **That Cabinet:**

**Approve the proposed changes to the Council's Gambling Statement of Policy to go out to consultation for a period of ten weeks in accordance with the Gambling Act and as detailed in this report.**

### **Reasons for Recommendations**

The production and external consultation of the draft amended Gedling Gambling Statement Policy will ensure that this Authority complies with the requirements of the Gambling Act 2005 concerning policy consultation and national licensing guidance.

# **Gambling Act 2005**

## **Statement of Principles**

**Effective from 31<sup>st</sup> January 2016**





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# **1. INTRODUCTION AND SCOPE**

## **Introduction**

- 1.1 Section 349(1) of the Gambling Act 2005 [“the Act”] imposes a statutory requirement upon **Gedling Borough Council** as the statutory Licensing Authority [“the Authority”] to prepare a Statement of Principles [“the Statement”] and to review it every three years. However, should the need arise, the Authority may review and alter the policy within that period.
- 1.2 In exercising their functions under Section 153 of the Act the Authority shall aim to permit the use of premises for gambling in so far as the Authority think it:
- in accordance with any relevant code of practice issued by the Gambling Commission
  - in accordance with any relevant guidance issued by the Gambling Commission
  - reasonably consistent with the licensing objectives, and
  - in accordance with the Authority’s statement of licensing principles

In exercising their functions under the Gambling Act 2005, Licensing Authorities must have regard to the licensing objectives as set out in section 1 of the Act. The three objectives are as follows:

- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime; and
  - Ensuring that gambling is conducted in a fair and open way; and
  - Protecting children and other vulnerable persons from being harmed or exploited by gambling.
- 1.3 The aim of the Authority in this Statement is to address the impact of licensed premises in terms of crime and disorder arising from gambling and to ensure that their location and internal layout are appropriate with a view to protecting children and vulnerable persons. The Authority is committed to partnership with all stakeholders with a view to the promotion of this aim.
- 1.4 The Authority will, in the statutory discharge of its functions, have particular regard to the principles to be applied in exercising its powers:
- under Section 157 of the Act to designate in writing a body competent to advise the Authority about the protection of children from harm;
  - under Section 158 of the Act to determine whether a person is an interested party in relation to a premises licence or in relation to an application for or in respect of a premises licence.
- 1.5 Subject to statutory provision, a review of this Statement will take place periodically and any revisions to the Statement will be made taking into account information collated over a period of time, the outcomes of related initiatives at central and local government level and following appropriate consultation.
- 1.6 Nothing in this Statement should be regarded or interpreted as any indication that any statutory requirement of gambling or other law is to be overridden.

## **Declaration**

1.7 The Authority in preparation of this Statement has had due regard to;

- the Gambling Act 2005
- the Gambling Act 2005 (Licensing Authority Policy Statement) (England and Wales) Regulations 2006
- current guidance issued by the Gambling Commission and by the Secretary of State under Section 25 of the Act.
- responses from those consulted on the Statement and the reviews thereof.

## **Consultation**

1.8 The Gambling Act requires the Authority to consult the following on the Licensing Authority Statement of Policy or any subsequent revision:

- in England and Wales, the chief officer of police for the Authority's area
- one or more persons who appear to the Authority to represent the interests of persons carrying on gambling businesses in the Authority's area
- one or more persons who appear to the Authority to represent the interests of persons who are likely to be affected by the exercise of the Authority's functions under this Act.

A full list of consultees is shown in appendix 1.

## **Local Area Profile**

1.9 The Borough of Gedling covers an area of 120 sq km at the heart of Nottinghamshire, with the City of Nottingham bordering to the South-West. It includes the suburban settlements of Arnold, Mapperley, Carlton, Gedling and Netherfield, ten rural parishes and the urban parish of Colwick. The Borough also shares boundaries with three other local authorities namely Rushcliffe Borough Council, Newark and Sherwood District Council and Ashfield District Council. Around 112,000 people live in the Borough in total.

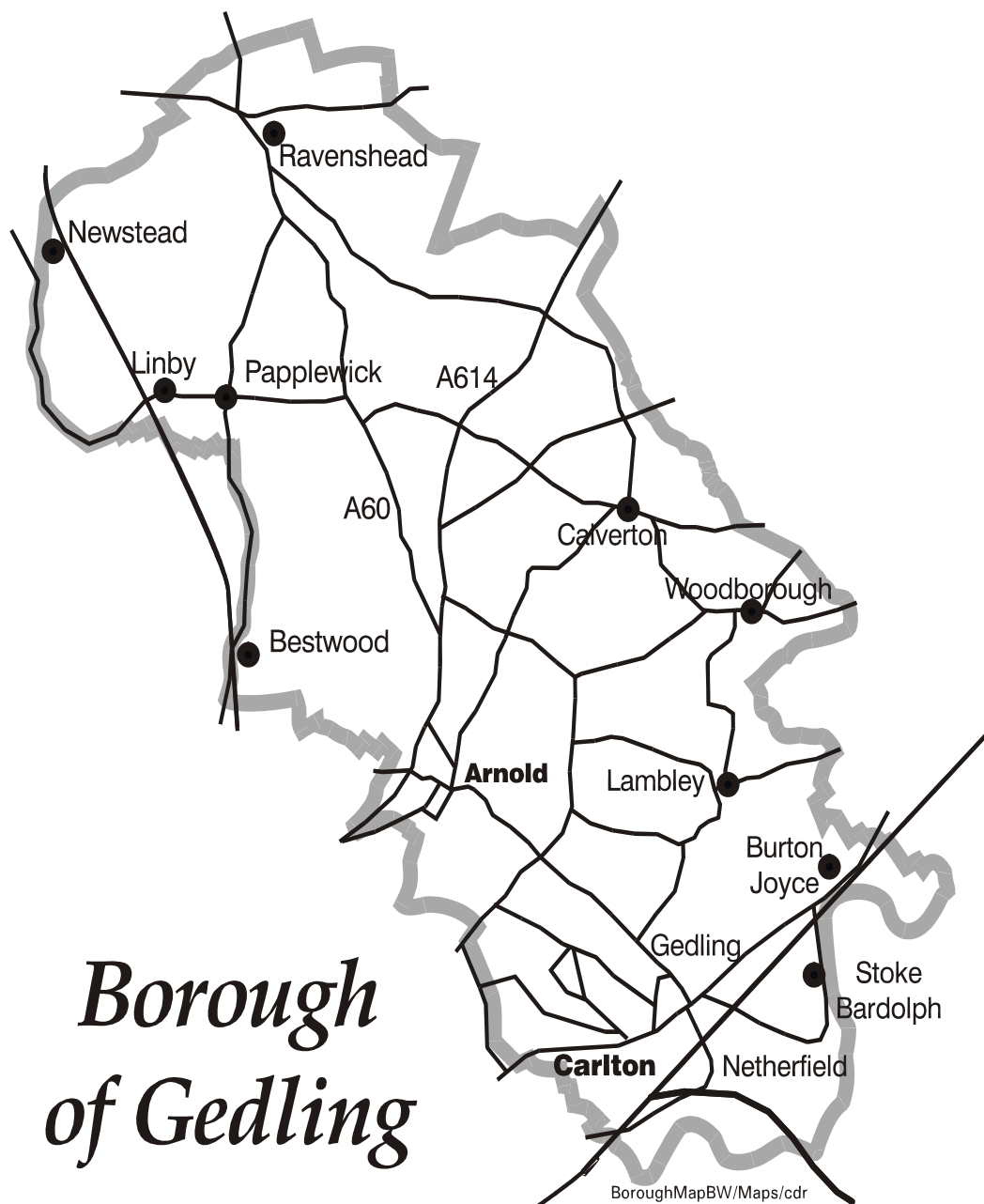
The Authority recognises the wide variety of premises which will require a licence or permit which include casinos, betting shops, bingo halls, clubs and amusement arcades. Within the area there are currently 12 betting shops and 5 amusement arcades and 1 bingo hall mostly located in the main suburban areas of Arnold, Carlton and Netherfield.

The Borough has an increasing percentage of around 7.3% of the local population that comes from black and minority ethnic (BME) backgrounds. The BME population is spread throughout the Borough and there are no distinct geographical BME communities.

Gedling Borough Council is a non-metropolitan district council providing a wide range of statutory and non-statutory services for the community.

A local area profile has been prepared based on local knowledge and taking into account a wide range of factors, data and information held by the licensing authority and its partners. It is anticipated that the local area profile will give operators and a better awareness of the local area and the risks, which includes both potential and actual risks.

## 1.10 Map of Gedling area



### Authorised activities

1.11 The Act gives Licensing Authorities a number of important regulatory functions in relation to gambling. Their main functions are to:

- licence premises for gambling activities;
- issue provisional statements for premises;
- consider notices given for the temporary use of premises for gambling;
- grant permits for gaming and gaming machines in clubs and miners' welfare institutes;
- regulate gaming and gaming machines in alcohol licensed premises;

- grant permits to Family Entertainment Centres for the use of certain lower stake gaming machines;
- grant permits for prize gaming;
- consider occasional use notices for betting at tracks; and
- register small societies' lotteries.

**N.B.** Spread betting is regulated by the Financial Services Authority.

Remote gambling, Operator Licences and Personal Licences are dealt with by the Gambling Commission.

The National Lottery is now regulated by the Gambling Commission.

In carrying out its licensing functions within the framework established by this Statement, the Authority will have particular regard to:

- maintaining a close working relationship with the responsible authorities;
- taking necessary and appropriate steps for the protection of children and other vulnerable persons;
- the need to treat each application on its own merits taking into account the individual circumstances at each premise.

### **Relationship with other legislation**

- 1.12 In complying with the provisions of the Gambling Act 2005, whilst the Authority recognises the requirements of other legislation, this Statement is not intended to duplicate the existing legislation and regulatory orders which incur statutory obligations.
- 1.13 In particular, in making a determination in respect of any application, the Authority will not take into account irrelevant matters, such as the likelihood of the application receiving planning permission, or building regulation approval.

### **“Demand” for gaming premises**

- 1.14 The Authority will not consider the demand for gaming premises when making decisions about applications for a premises licence under the Act.

### **Rights of applicants and third parties**

- 1.15 This Statement does not override the right of any person to make an application under the Act and have that application considered on its individual merits.
- 1.16 Similarly this Statement does not undermine the right of any third party to make representations on an application or to seek a review of a licence where provision has been made for them to do so.

### **Data sharing, data security and the principles of better regulation**

- 1.17 The Authority will act in accordance with the provisions of the Gambling Act 2005 in its exchange of information which includes the provision that the Data Protection Act 1998 will not be contravened. The Authority will also have regard to any guidance issued by the Gambling Commission on this matter, as well as any relevant

regulations issued by the Secretary of State under the powers provided in the Gambling Act 2005. The Authority will apply the principles of better regulation.

## **Equality and Diversity**

- 1.18 The Authority has an Equal Opportunity Policy that underpins all aspects of the licensing service. The policy contains a statement of intent noting that,

*“Gedling Borough Council seeks to create a culture of employment and direct or indirect service delivery through its Members, managers and other employees, in which people can feel confident of being treated with fairness, dignity and tolerance irrespective of their personal circumstances, background or lifestyle. Discrimination consists of conduct or words or practices that disadvantage or advantage people; we will not intentionally discriminate on grounds of disability, race, colour, ethnic or national origins, religion or belief, gender, marital status, gender reassignment, sexual orientation, unrelated criminal conviction age or trade union membership.”*

In producing this Gambling Statement consultation has been undertaken to enable comments to be submitted from a wide range of organisations and individuals commensurate with equalities legislation.

## **2. LOCAL RISK ASSESSMENTS**

- 2.1 The Gambling Commission’s Licence Conditions and Codes of Practice (LCCP) which were revised and published in February 2015, formalise the need for operators to consider local risks. Local risk assessment apply to all non-remote casino, adult gaming centre, bingo, family entertainment centre, betting and remote betting intermediary (trading room only) licences, except non-remote general betting (limited) and betting intermediary licences. This provision comes into force on 6 April 2016
- 2.2 Licensees are required to assess the local risks to the licensing objectives posed by the provision of gambling facilities at each of their premises, and have policies, procedures and control measures to mitigate those risks. In undertaking their risk assessments, they must take into account relevant matters identified in this policy statement.
- 2.3 Licensees must review (and update as necessary) their local risk assessments:
- a) to take account of significant changes in local circumstances, including those identified in a licensing authority’s statement of licensing policy;
  - b) when there are significant changes at a licensee’s premises that may affect their mitigation of local risks;
  - c) when applying for a variation of a premises licence; and
  - d) in any case, undertake a local risk assessment when applying for a new premises licence.
- 2.4 Licensees are required to undertake a local risk assessment when applying for a new premises licence. Risk assessment must also be updated:
- when applying for a variation of a premises licence
  - to take account of significant changes in local circumstances, including those identified in a licensing authority’s policy statement

- when there are significant changes at a licensee's premises that may affect their mitigation of local risks.

- 2.5 The new social responsibility provision is supplemented by an ordinary code provision that requires licensees to share their risk assessment with licensing authorities when applying for a premises licence or applying for a variation to existing licensed premises, or otherwise at the request of the licensing authority. Both provisions take effect from 8 May 2015.
- 2.6 Where concerns do exist, perhaps prompted by new or existing risks, a licensing authority may request that the licensee share a copy of its own risk assessment which will set out the measures the licensee has in place to address specific concerns. This practice should reduce the occasions on which a premises review and the imposition of license conditions is required.
- 2.7 The licensing authority have an expectation that all local risk assessments will take into account the local social profile of the area.

### **3. MAKING REPRESENTATIONS**

#### **Who can make a representation?**

- 3.1 The Gambling Act allows “responsible authorities” (identified in section 157 of the Act) and “interested parties” to make representations on applications relating to **premises licences and provisional statements**. In the case of reviews that right is also given to the licensee. With regard to other forms of notification and permit, the right to object is restricted to specified bodies. The following section therefore only relates to representations in respect of **premises licences and provisional statements**.
- 3.2 Premises licences are only necessary for the types of gambling listed below and interested parties may therefore only make representations in respect of:
- Casino premises
  - Bingo premises
  - Betting premises (including tracks)
  - Adult gaming centres
  - Licensed family entertainment centres

#### **Interested parties**

- 3.3 Interested parties are defined as persons who, **in the Licensing Authority's opinion**,
- live sufficiently close to the premises to be likely to be affected by the authorised activities
  - have business interests that might be affected by the authorised activities, or
  - represent either of the above. This could include, e.g. democratically elected persons such as Councillors or Members of Parliament
  -

#### **Policy One**



**3.4 In determining if someone lives sufficiently close to the premises to be likely to be affected by the authorised activities or have business interests that are likely to be affected, the Authority may take any or all of the following into account:**

- the proximity of their home or business to the application premises
- the nature of their residency (e.g. private resident, resident in home for the vulnerable etc)
- the nature of the business making the representation
- the nature of the authorised activities to be conducted on the application premises
- the size and capacity of the application premises
- the likely catchment area for the application premises
- the routes likely to be taken to and from the application premises
- the character of the area
- the density of the built up area
- the topography of the area
- local area profile
- mitigating measures contained within the applicants risk assessments

REASON: To ensure that those who are likely to be directly affected by the proposed activities can exercise their right to be heard.

**3.5** The Authority will interpret the phrase “business interest” widely and not merely confine the phrase to meaning those engaged in trade and commerce. It may therefore include charities, churches, medical practices, schools and other establishments and institutions.

**3.6** Similarly a wide interpretation will be given to those categories of persons and organisations that represent residents and businesses. These may include residents and tenants associations, trade unions and other associations, as well as individuals whose role is to represent the interests of one or more residents or businesses such as a councillor, MP or legal representative.

**3.7** It is for the Authority to determine on a case by case basis whether or not a person making a representation is an “interested party”. The Authority may ask for evidence to identify who is being represented and show that they have given Authority for representations to be made on their behalf. In cases which are not clear-cut the benefit of the doubt will usually be exercised in favour of the person making the representation.

### **Form and content of representation**

**3.8** The Act places a duty on the Authority to aim to permit the use of premises for gambling in so far as the Authority thinks the application is in accordance with:

- this Policy Statement; and
- the Commission’s Guidance; and
- local area profile and applicants risk assessments
- the Codes of Practice; and
- where the application is reasonably in accordance with the licensing objectives.

- 3.9 As these are the criteria against which an application is to be assessed, representations which address these issues are more likely to be accepted and given weight.
- 3.10 All representations must be made in writing and must be received by the Authority within the time limits set by the relevant regulations. For a representation to be relevant it should:
- be positively tied or linked by a causal connection to particular premises; and
  - relate to the licensing objectives; or
  - raise issues under this policy, the Commission's Guidance or Codes of Practice.
- 3.11 Representations received outside the statutory period for making such representations or which otherwise do not comply with the Regulations will be invalid and will not be taken into consideration when the application is determined. In addition the Authority expects representations to be made in accordance with policy two.

## **Policy Two**

### **3.12 A representation should indicate the following:**

- (i) The name, address and a contact number for the person making the representation.**
- (ii) The capacity in which the representation is made (e.g. interested party, responsible authority, licensee) and if made as a representative should indicate who is being represented.**
- (iii) The name and address of the premises in respect of which the representation is being made.**
- (iv) The licensing objective(s) relevant to the representation.**
- (v) Why it is felt that the application;**
  - is not reasonably consistent with the licensing objectives, or
  - is not in accordance with this Policy, the Commission's Guidance or the relevant Code's of Practice, or
  - the local risk assessments are not considered suitable and sufficient; or
  - otherwise should not be granted, or
  - should only be granted subject to certain specified conditions.
- (vi) Details of the evidence supporting the opinion in (v).**

REASON: To ensure the representation is made by a responsible Authority or interested party and that it is relevant and directly related to the application premises.

- 3.13 A preferred form of representation is available and can be downloaded at [www.gedling.gov.uk](http://www.gedling.gov.uk). Whilst representations which are not in the preferred form or which do not fully comply with Policy Two will not automatically be rejected, they may be less likely to comply with the law relating to representations resulting in them ultimately being rejected or given little or no weight.
- 3.14 Ordinarily where representations are received the Authority will hold a hearing, however, a hearing does not have to be held where the Authority thinks that a representation is frivolous, vexatious, or will certainly not influence the Authority's determination of the matter. It is for the licensing Authority to determine whether a

representation falls within these categories, however, representations which comply with Policy Two are unlikely to do so.

- 3.15 It is in the interests of those making representations that they include as much detail and evidence as possible at the time the representation is made. The Authority will determine whether a representation should be excluded as frivolous or vexatious based on the normal interpretation of the words. A representation may therefore be excluded if it obviously lacks seriousness or merit, or is designed to be antagonistic. An example may be a representation received from a rival operator which is based solely on the fact that the new premises would compete with their own.

### **Irrelevant considerations**

- 3.16 Whilst not intended to provide an exhaustive list the following matters cannot be taken into account and representations relating to them are likely to be discounted:
- need and demand for the relevant premises
  - issues relating to nuisance
  - traffic congestion and parking
  - likelihood of the premises receiving planning permission or building regulation approval
- 3.17 Any person seeking to operate gambling premises must first have applied for or obtained an operating licence from the Gambling Commission. The Commission will therefore have made a judgement as to the applicant's suitability to operate the proposed form of gambling and therefore this issue is not relevant to the subsequent assessment of the premises licence application. The only exception is in relation to track premises licences. In this case an operator's licence is not required and the suitability of the applicant may, in appropriate cases, be taken into consideration.

### **Reviews**

- 3.18 A premises licence may be reviewed by the Authority of its own volition or following the receipt of an application for a review from a responsible authority or interested party. Reviews cannot be delegated to an officer of the Authority – the lowest level of delegation permitted is to a Licensing Subcommittee (Licensing Panel).
- 3.19 The Act provides that Licensing Authorities may initiate a review in relation to a particular class of premises licence or in relation to particular premises. Officers of the Council or of a responsible Authority may be involved in the initial investigations of complaints leading to a review, or may try informal mediation or dispute resolution techniques prior to a full scale review being conducted.
- 3.20 If at any time the Authority considers it necessary in their scheme of delegation they will establish a system that determines who initiates reviews, and that may include a "filter" system to prevent unwarranted reviews from being conducted.
- 3.21 In relation to a class of premises, the Authority may review the use made of premises and, in particular, the arrangements that premises licence holders may have made to comply with licence conditions. In relation to these general reviews, the Authority would most likely be acting as a result of specific concerns or complaints about particular types of premises, which would cause it to want, for example, to look at the default conditions that apply to that category of licence. In relation to particular

premises, the Authority may review any matter connected to the use made of the premises if it has reason to suspect that licence conditions are not being observed, or for any other reason (such as a complaint from a third party) which gives it cause to believe that a review may be appropriate.

- 3.22 Representations and review applications will be considered by the Authority in accordance with the relevant legislation, guidance issued by the Commission, this Statement of Principles, Codes of Practice, local area profile and the premises licence holders local risk assessments.

## **4. LICENSING OBJECTIVES**

### **Preventing gambling from being a source of Crime and Disorder**

- 4.1 The Authority places considerable importance on the prevention of crime and disorder, and will fulfil its duty under section 17 of the Crime and Disorder Act 1998 to do all it reasonably can to prevent crime and disorder in its area. A high standard of control is therefore expected to be exercised over licensed premises.
- 4.2 The Authority will, when determining applications, consider whether the grant of a premises licence will result in an increase in crime and disorder. In considering licence applications, the Authority will particularly take into account the following:
- the design and layout of the premises;
  - the training given to staff in crime prevention measures appropriate to those premises;
  - physical security features installed in the premises. This may include matters such as the position of cash registers or the standard of CCTV that is installed;
  - where premises are subject to age restrictions, the procedures in place to conduct age verification checks;
  - the likelihood of any violence, public order or policing problem if the licence is granted.
- 4.3 Where an application is received in relation to premises in an area noted for particular problems with organised crime, part of this determination will include consultation with the police and other relevant authorities. The Authority may then consider whether specific controls, such as a requirement for the provision of door supervisors, need to be applied in order to prevent those premises being a source of crime.
- 4.4 As far as disorder is concerned, there are already powers in existing anti-social behaviour and other legislation to deal with measures designed to prevent nuisance, whether it arises as a result of noise from a building or from general disturbance once people have left a building. The Authority does not therefore intend to use the Act to deal with general nuisance issues, for example, parking problems, which can easily be dealt with using alternative powers. The Authority has no jurisdiction under the Act to deal with general nuisance issues.
- 4.5 In accordance with the Guidance, the Authority will only seek to address issues of disorder under the Act if the disorder amounts to activity which is more serious and disruptive than mere nuisance. A disturbance could be serious enough to constitute disorder if police assistance were required to deal with it. Another factor the Authority is likely to take into account is how threatening the behaviour was to those who could see or hear it, whether those people live sufficiently close to be affected or have business interests that might be affected.
- 4.6 The Authority will consult with the police and other relevant authorities when making decisions in this regard and will give due weight to any comments made by the police or other relevant authorities.

### **Policy Three**

- 4.7 **The Authority will have particular regard to the likely impact of licensing on related crime and disorder in the district particularly when considering the**

**location, impact, operation and management of all proposed licence applications.**

REASON: Under the Crime and Disorder Act 1998 local authorities must have regard to the likely effect of the exercise of their functions on, and do all they can to prevent, crime and disorder in their area.

### **Ensuring gambling is conducted in a Fair and Open Way**

- 4.8 The Gambling Commission does not expect Licensing Authorities to become concerned with ensuring that gambling is conducted in a fair and open way as this will either be a matter for the management of the gambling business (and therefore relevant to the Operating Licence), or will be in relation to the suitability and actions of an individual (and therefore relevant to the Personal Licence).
- 4.9 Both issues will be addressed by the Commission through the operating and personal licensing regime. This is achieved by:
- operating and personal licences are issued only to those who are suitable to offer gambling facilities or work in the industry;
  - easily understandable information is made available by operators to players about, for example: the rules of the game, the probability of losing or winning, and the terms and conditions on which business is conducted;
  - the rules are fair;
  - advertising is not misleading;
  - the results of events and competitions on which commercial gambling takes place are made public; and
  - machines, equipment and software used to produce the outcome of games meet standards set by the Commission and operate as advertised.
- 4.10 Because betting track operators do not need an operating licence from the Commission, the Authority may, in certain circumstances attach conditions to a licence to ensure that the betting is conducted in a fair and open way. The Authority may in these circumstances also consider the suitability of the applicant to hold a track premises licence. Such factors which the Authority may take into consideration are set out below:
- references to adduce good character
  - criminal record of the applicant
  - previous experience of operating a track betting licence
  - any other relevant information
  -

### **Protection of children and other vulnerable persons**

#### **Access to licensed premises**

- 4.11 The access of children and young persons to those gambling premises which are adult only environments will not normally be permitted.

- 4.12 The Authority will seek to limit the advertising for premises so that gambling products are not aimed at children or advertised in such a way that makes them particularly attractive to children (e.g. by using loud speakers that can be heard in the street).
- 4.13 The Authority will consult with the Nottinghamshire Safeguarding Children Board and the Nottinghamshire Committee for the Protection of Vulnerable Adults on any application that indicates there may be concerns over access for children or vulnerable persons.
- 4.14 The Authority will judge the merits of each separate application before deciding whether to impose conditions to protect children or vulnerable persons on particular categories of premises. This may include such requirements as:
- supervision of entrances;
  - segregation of gambling areas from areas frequented by children;
  - supervision of gaming machines in non-adult gambling specific premises.
- 4.15 The Act provides for a Code of Practice on access to casino premises by children and young persons and the Authority will work closely with the Police to ensure the appropriate enforcement of the law in these types of premises.

### **Vulnerable persons**

- 4.16 The Authority does not seek to prohibit particular groups of adults from gambling in the same way that it seeks to prohibit children, but it will assume for regulatory purposes, that “vulnerable persons” include:
- people who gamble more than they want to;
  - people who gamble beyond their means;
  - people who may not be able to make an informed or balanced decision about gambling due to a mental impairment, alcohol or drugs.
- 4.17 The Authority will consider in relation to a particular application whether any special considerations apply in relation to vulnerable persons but any such considerations will be balanced against the Authority’s objective to aim to permit the use of premises for gambling. (see 2.8)

## **5. PREMISES LICENCES**

### **General Principles**

- 5.1 In the Act, “premises” is defined as including “any place”. Section 152 therefore prevents more than one premises licence applying to any place. But a single building could be subject to more than one premises licence, provided they are for different parts of the building and different parts of the building can be reasonably regarded as being different premises. This approach has been taken to allow large, multiple unit premises such as a pleasure park, pier, track or shopping mall to obtain discrete premises licence, where safeguards are in place. However, licensing authorities should pay particular attention if there are issues about sub-divisions of a single building or plot and ensure that mandatory conditions relating to access between premises are observed.

In relation to an application to split existing licensed premises thereby creating multiple premises, the Authority will expect the primary use of each premise to be the main business in accordance with the type of licence held. Any activities other than the primary use will be considered ancillary to the main business.

- 5.2 The procedure for obtaining Premises Licences is set by regulations. Should a licence be granted it will be made subject to mandatory and/or default conditions set by the Secretary of State. The Authority may choose to exclude default conditions if it thinks it appropriate and may also impose other specific conditions which are appropriate to the application.
- 5.3 The Gambling Commission plays a leading role in preventing gambling from being a source of crime and will maintain rigorous licensing procedures that aim to prevent criminals from providing facilities for gambling. With the exception of applicants for track premises anyone applying to the Authority for a premises licence will have to hold an operating licence from the Commission before a licence can be issued. The Authority will not generally therefore be concerned with the suitability of an applicant. Where concerns arise about a person's suitability, the Authority will bring those concerns to the attention of the Commission.
- 5.4 The Authority will however be concerned with issues such as the impact of the licensed premises in terms of crime and disorder and matters such as the location of the premises and their internal layout in terms of protecting children and vulnerable persons. Such issues are discussed in more detail in the paragraphs below relating to the specific types of gambling premises.

### **Betting Premises and Tracks**

- 5.5 Betting premises relates to those premises operating off-course betting. That is other than at a track.
- 5.6 Tracks are sites where races or other sporting events take place. Betting operators may operate self contained betting premises within track premises although they would normally only open on event days. There may be several licensed premises at any track.
- 5.7 Permitted activities include:
- off-course betting;
  - on-course betting for tracks;
  - betting by way of betting machines, and;
  - gaming machines as stipulated by regulations.
- 5.8 Factors for consideration when determining the application will be:
- location, particularly in relation to vulnerable persons;
  - suitability of the premises;
  - size of premises in relation to the number of betting machines;
  - the ability of staff to monitor the use or abuse of such machines and;
  - the provision for licence holders to ensure appropriate age limits are adhered to.



- 5.9 This is not an exhaustive list and each application will be judged on its merits. Any effective measures to support the licensing objectives will be taken into account.
- 5.10 In addition to the mandatory and default conditions attached by the Secretary of State by regulations from time to time, conditions may also be applied in support of the licensing objectives.
- 5.11 The Authority shall require an appropriately defined plan of the premises to accompany each application.
- 5.12 In relation to the licensing of tracks the Authority may require certain conditions to be imposed in support of the licensing objectives and in particular, to ensure that the environment in which track betting takes place is suitable, especially in circumstances where the track operator does not have an operating licence. Mandatory or default conditions may be attached by regulations issued by the Secretary of State.

### **Adult Gaming Centres (AGCs)**

- 5.13 These premises must be operated by the holder of a gaming machine general operating licence from the Gambling Commission as well as a premises licence from the Authority.
- 5.14 Permitted activities include the provision of gaming machines as stipulated by regulations.
- 5.15 Factors for consideration when determining the application for an AGC will include:
- the location;
  - the ability of operators to minimise illegal access by under 18's to the premises.
- 5.16 This is not an exhaustive list and each application will be judged on its merits. Any effective measures to support the licensing objectives will be taken into account.
- 5.17 Conditions may be applied by the Authority in support of the licensing objectives if it is felt necessary. Mandatory and default conditions will be attached by regulations issued by the Secretary of State. No one under the age of 18 is permitted to enter an AGC.

### **Club Gaming Permits and Club Machine Permits**

- 5.18 Club gaming permits authorise qualifying clubs to provide gaming machines as well as equal chance gaming and games of chance as prescribed in regulations.
- 5.19 Club machine permits allow the provision of higher category gaming machines.
- 5.20 Commercial clubs may in some circumstances operate with club machine permits but not club gaming permits.
- 5.21 The Authority may only refuse an application on the following grounds:

- (a) the applicant does not fulfill the requirements for a members' or commercial club or miners' welfare institute and therefore is not entitled to receive the type of permit for which it has applied;
- (b) the applicant's premises are used wholly or mainly by children and/or young persons;
- (c) an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities;
- (d) a permit held by the applicant has been cancelled in the previous ten years; or
- (e) an objection has been lodged by the Commission or the police;

and in the case of (a) or (b) must refuse the permit.

5.22 The Authority may grant or refuse a permit, but it may not attach conditions to a permit.

### **Alcohol Licensed Premises**

5.23 The Act provides an automatic entitlement to provide two gaming machines of category C or D. The premises licence holder must notify the Authority of his or her intention and pay the prescribed fee. Although the Authority has no discretion to refuse the notification, the authorisation may be removed if gaming has taken place on the premises that breaches a condition of section 282 of the Act.

5.24 The Authority may also issue "licensed premises gaming machine permits" to premises in this category on application for any additional number of category C and/or D machines. This would replace any automatic entitlement under section 282 of the Act.

5.25 The Authority must have regard to the licensing objectives and the Gambling Commission Guidance when granting these permits. Factors for consideration will include:

- location, particularly in relation to vulnerable persons;
- suitability of the premises, size of premises in relation to the number of betting machines;
- the ability of staff to monitor the use or abuse of such machines, and;
- the provision for licence holders to ensure appropriate age limits are adhered to.

5.26 This is not an exhaustive list and each application will be judged on its merits. Any effective measures to support the licensing objectives will be taken into account.

5.27 It is a condition of the automatic entitlement to make available two gaming machines (of category C or D), that any relevant provision of a code of practice under section 24 about the location and operation of a gaming machine is complied with. The Authority will take account of these provisions and the relevant codes of practice are available on the Gambling Commission website. [www.gamblingcommission.gov.uk](http://www.gamblingcommission.gov.uk)

### **Family Entertainment Centres**

5.28 There are two classes of Family Entertainment Centres (FECs) dependent upon the type of gaming machines provided on the premises:

- FECs with category C and D machines require a Premises Licence.
- Unlicensed FECs provide only category D machines and are regulated through FEC gaming machine permits.

5.29 In determining the suitability of the location, consideration will be given to the following factors:

- proximity of premises to schools and vulnerable adult centres (e.g. a centre for gambling addicts);
- proximity to residential areas where there may be a high concentration of families with children;
- town centre or edge of town centre locations.
- hours of operation
- proposed operational management to regulate entry by children and vulnerable persons.

5.30 It should be noted that a permit cannot be issued in respect of a vessel or a vehicle.

5.31 An application for an FEC permit shall be made on the standard form obtainable from the Authority. All applicants must be 18 years of age. The Authority will require an applicant to supply appropriate premises and indemnity insurance details.

Relevant convictions will be taken into account, especially with respect to child protection issues.

### **Prize Gaming Permits**

5.32 These permits cover gaming where the nature and size of the prize is not determined by the number of people playing or the amount paid for or raised by the gaming - the prize is determined by the operator before play commences.

5.33 Consideration will be given to the following factors:

- proximity of premises to schools and vulnerable adult centres (e.g. a centre for gambling addicts);
- proximity to residential areas where there may be a high concentration of families with children;
- town centre or edge of town centre locations.

5.34 It should be noted that a permit cannot be issued in respect of a vessel or a vehicle.

5.35 The applicant must be 18 years of age or over. Relevant convictions will be taken into account, especially with respect to child protection issues.

### **Travelling Fairs**

5.36 Provided a travelling fair allows only category D gaming machines to be made available, and the facilities for gambling (whether by way of gaming machine or

otherwise) amount together to no more than an ancillary amusement at the fair, then no application for a licence is required under the Act. The Authority will want to satisfy itself from time to time that gambling at a travelling fair is within the definition of section 286 of the Act. A guide for those wishing to operate gambling machines at travelling fairs is available on the Commission website.

### **Small Society Lotteries**

- 5.37 Small Society lotteries are distinguished from large society lotteries by the amount of the proceeds that they generate. A lottery is small if the total value of tickets put on sale in a single lottery is £20,000 or less and the aggregate value of the tickets put on sale in a calendar year is £250,000 or less. Other lotteries are dealt with by the Gambling Commission.
- 5.38 Small society lotteries are required to be registered with the Licensing Authority in the area where their principal office is located.

### **Temporary Use Notices**

- 5.39 There are a number of statutory limits as regards Temporary Use Notices. It is noted that it falls to the Authority to decide what constitutes a “set of premises” where Temporary Use Notices are received relating to the same building/site (see Gambling Commission’s Guidance to Licensing Authorities).

### **Occasional Use Notices**

- 5.40 The Authority has very little discretion as regards these notices aside from ensuring that the statutory limit of eight days in a calendar year is not exceeded. The Authority will need to consider whether a Notice in respect of premises can be dealt with under the definition of a “Track”. It will also need to consider whether the Applicant is permitted to avail him/herself of the notice.

### **Casinos**

#### **No Casino Resolution**

- 5.41 The Authority has not passed a “no Casino resolution” under Section 166 of the Gambling Act 2005, but is aware that it has the power to do so. Should the Authority decide in the future to pass such a resolution, it will update this Policy Statement with details of that resolution.

### **Bingo**

- 5.42 The holder of a bingo operating licence will be able to apply for a bingo premises licence to provide any type of bingo game including cash and prize bingo. Commercial bingo halls will also require a bingo premises licence from the Authority. If the only type of bingo to be provided is prize bingo then this may be authorised by way of a permit.
- 5.43 If children are allowed to enter premises licensed for bingo, then controls must be in place to prevent them from participating in gambling, other than on category D machines. Where category C or above machines are available in premises to which children are admitted the Authority will expect to see that:

- all such machines are located in an area of the premises separate from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance;
- only adults (over 18s) are permitted to the area where the machines are located;
- access to the area where the machines are located is supervised;
- where the machines are located is arranged so that it can be observed by staff of the operator or the licence holder; and
- at the entrance to, and inside any such an area, there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.

5.44 The Gambling Commission has issued guidance about the need for Licensing Authorities to take into account the suitability and layout of bingo premises. Therefore plans should make clear what is being sought for authorisation under the bingo premises licence and what, if any, other areas are to be subject to a separate application for a different type of premises licence.

5.45 A limited number of gaming machines may also be made available at bingo licensed premises.

5.46 Bingo is a class of equal chance gaming and is permitted in alcohol licensed premises and in clubs provided it remains below a certain threshold as directed by the law, otherwise it will require a bingo operating licence which will have to be obtained from the Gambling Commission.

### **Provisional Statements**

5.47 Developers may wish to apply to this Authority for provisional statements before entering into a contract to buy or lease property or land to judge whether a development is worth taking forward in light of the need to obtain a premises licence. There is no need to hold an operating licence in order to apply for a provisional statement.

## **6. INSPECTION AND ENFORCEMENT**

### **General Statement**

6.1 The Authority will have regard to its General/Corporate Enforcement Policy, the relevant provisions of the Act, any relevant guidance and/or codes of practice when considering taking enforcement action.

6.2 It is the intention of the Authority to establish and maintain enforcement protocols with other enforcement agencies.

### **Inspections**

6.3 The Authority will inspect gambling premises and facilities for compliance with the Act and any licence conditions through the application of a risk based inspection programme.

- 6.4 The inspection programme will in principle operate a light touch in respect of low-risk premises whilst applying greater attention to those premises which are considered to present a higher risk.
- 6.5 In addition to programmed inspections the licensing Authority will also investigate any evidence based complaints that it receives.

#### Policy Four

- 6.6 **The Authority will adopt a risk based assessment approach for determining the frequency of compliance inspections. The risk rating will be based broadly on the following factors:**

- **location of the premises and their impact on the surrounding area,**
- **enforcement history of the premises,**
- **nature of the licensed or permitted operation,**
- **potential to have an adverse affect on the licensing objectives, and;**
- **management record.**

REASON: To provide a targeted and cost efficient enforcement service which will encourage and improve operating practice, promote the licensing objectives, and drive out poor practices; whilst at the same time meet accepted best practice principles of compliance inspection.

#### Enforcement

- 6.7 In general the Gambling Commission will take the lead on the investigation and where appropriate, the prosecution of illegal gambling. There may be occasions on which the Authority is better placed to take the lead, particularly where there is illegal activity on a smaller scale confined to the Authority's area.
- 6.8 Where a licensed premise is situated in more than one administrative area then this Authority will liaise with the other Authority to determine the most appropriate course of action and who will lead any investigation or prosecution.
- 6.9 Part 15 of the Act gives "authorised persons" power of investigation and section 346 enables Licensing Authorities to institute criminal proceedings in respect of offences described in that section. In exercising these functions the Authority will endeavour to follow the Better Regulation and Hampton principles. The principles require that enforcement should be:
- **Proportionate:** regulators should only intervene when necessary: remedies should be appropriate to the risk posed, and costs identified and minimised;
  - **Accountable:** regulators must be able to justify decisions, and be subject to public scrutiny;
  - **Consistent:** rules and standards must be joined up and implemented fairly;
  - **Transparent:** regulators should be open, and keep regulations simple and user friendly; and
  - **Targeted:** regulation should be focused on the problem, and minimise side effects

- 6.10 The Authority will work closely with the Gambling Commission and exchange information on suspected illegal gambling and any proposed action that the Authority considers necessary.
- 6.11 The main enforcement and compliance role for the Authority in terms of the Gambling Act 2005 will be to ensure compliance with the Premises Licences and other permissions which it authorises. The Gambling Commission will be the enforcement body for Operator and Personal Licences. It is also worth noting that concerns about manufacture, supply or repair of gaming machines will not be dealt with by the Authority but will be notified to the Gambling Commission.
- 6.12 The Authority may institute proceedings in respect of a number of offences as identified in section 346 of the Act.
- 6.13 The Authority will avoid duplication with other regulatory regimes.

## **Glossary of terms**

Many of the terms used in this Statement of Licensing Policy are defined in the appropriate section of the Act. Section 353 identifies various terminologies and directs the reader to the relevant section of the Act, where appropriate, for a full and complete meaning of the term.

In the interests of clarity the following terms, which are used in this statement of licensing policy, are defined below.

<b>Terminology</b>	<b>Definition</b>
“the Act”	The Gambling Act 2005 (c19)
“Authority”	This refers to the “Licensing Authority” as defined by section 2 of the Act
“authorised person”	An officer of a Licensing Authority, <b>and</b> an officer of an Authority other than a Licensing Authority, both of whom have been authorised for a purpose relating to premises in that Authority’s area
“authorised local Authority officer”	An officer of a Licensing Authority who is an authorised person for a purpose relating to premises in that Authority’s area
“gambling commission”	An organisation established under section 20 of the Act that is responsible for regulating gambling in Great Britain
“guidance”	“Guidance to Licensing Authorities”, issued by the Gambling Commission under section 25 of the Gambling Act 2005
“interested parties”	Defined at paragraph 2.3 of this statement of licensing principles
“mandatory condition”	A condition that must be placed on a licence by virtue of regulations
“regulations”	Refers to regulations made under the Gambling Act 2005
“responsible authorities”	Public bodies that must be notified of applications for premises licences and they also have the right to make representations in relation to those applications. They are listed in full in section 157 of the Act.



## **Appendix One – List of bodies and organisations consulted**

Nottinghamshire Police Force  
Nottinghamshire Fire & Rescue Service  
The Local Safeguarding Children Board  
The local Vulnerable Adult Board  
Representatives of the holders of the various licences for premises in the borough who will be affected by this policy  
Parish and Town Councils in the borough  
Persons and businesses likely to be affected by authorised gambling within the borough  
Elected councillors, Gedling Borough Council  
H.M. Revenue and Customs  
The British Casino Association  
Casino Operators Association of the UK  
Business in Sport and Leisure  
Racecourse Association Limited  
British Amusement Catering Trade Association  
British Holiday and Home Parks Association  
Association of British Bookmakers  
Representatives of alcohol licensed premises in the borough  
Representatives of Club Premises Certificate holders in the borough  
Gamcare  
APAS  
Gambling Commission  
Representatives of Society Lottery registrations in the borough  
Bingo Association  
Licensing Solicitors  
British Beer and Pub Association  
Licensing Magistrates' Court

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## Appendix 2 – Proposed amendments to the Gedling Gambling Policy Statement

Page	Existing Policy	Proposed amendment
8	1.17 Data Sharing, Data Security and the principles of better regulation	Amend the reference to the 'Data Protection Act 1998' to the 'General Data Protection Regulations'
9	Insert new paragraphs on Local Risk Assessments and re-number the paragraphs	<p>'The council will expect the local risk assessment to consider as a minimum:</p> <ul style="list-style-type: none"> <li>• The location of services for children such as schools, playgrounds, leisure/community centres and other areas where children will gather;</li> <li>• The demographics of the area in relation to vulnerable groups;</li> <li>• Whether the premises is in an area subject to high levels of crime and/or disorder;</li> <li>• Local risk assessments should show how vulnerable people, including people with gambling dependencies are protected.</li> </ul> <p>The 3 statutory licensing objectives for gambling include protecting children and other vulnerable persons from harm and exploitation. Licensing policies are not currently required to address public health concerns and Public Health is not a responsible authority, as in the case of alcohol, however the Gambling Commission has recognised the benefits of a Public Health whole population approach (February 2018). The Commission has identified specific groups of people who are particularly at risk:</p>

		<ul style="list-style-type: none"> <li>• ethnic groups</li> <li>• youth</li> <li>• low IQ</li> <li>• substance abuse/misuse</li> <li>• poor mental health.</li> </ul> <p>It is estimated that there are over 370,000 problem gamblers in England. There are no local level estimates available. Gambling harm includes poor physical and mental ill-health and is associated with substance misuse problems especially alcohol and with smoking. It also contributes to debt problems, relationship breakdown and criminality. There is more information on gambling related harm as a public health issue on the Gambling Commission website at <a href="http://www.gamblingcommission.gov.uk">www.gamblingcommission.gov.uk</a></p> <p>There is less evidence available to support gambling SOLPs at a local level. Nationally there is a significant amount of gambling that takes place on the internet which reduces barriers to where people can gamble. Problem gambling is linked with areas of socio-economic deprivation, so identifying areas with potentially higher levels of gambling harm can therefore be informed by the alcohol licensing maps.</p>
	2.3 & 2.4	Re number 2.3 as 2.4 and remove the existing 2.4 to avoid repetition in the new 2.6
	2.6	<p>Remove 2.6 and replace with:</p> <p>LRA's must be kept at licensed premises and be available for inspection by RA's. The LRA must be submitted to the LA with any new or variation application, otherwise the application has not been properly served. The LRA must also be submitted when changes in the local environment or the premises warrant a risk assessment to be conducted</p>

		again.
17	4.15	<p>Amend 4.15 to include:</p> <p>The Authority will pay particular attention to measures proposed by operators to protect children from harm in Adult Gaming Centres and Family Entertainment Centres. Such measures may include, but would not be limited to, the following:</p> <ul style="list-style-type: none"> <li>• Proof of age schemes.</li> <li>• CCTV</li> <li>• Supervision of entrances/machine areas</li> <li>• Physical separation of areas</li> <li>• Specific opening hours</li> <li>• Self-barring schemes</li> <li>• Notices/signage</li> <li>• Measures/training for staff on how to deal with suspected truanting school children on the premises and how to recognise signs of potential child sexual exploitation</li> <li>• Clear Policies that outline the steps to be taken to protect children from harm</li> <li>• Provision of information leaflets/helpline numbers for organisations such as GamCare.</li> </ul> <p>This list is not mandatory, nor exhaustive, and is merely indicative of example measures.</p>
19	5.15	<p>Add the following bullet point:</p> <ul style="list-style-type: none"> <li>• Local risk assessment at the premises</li> </ul>
24	Policy Four 6.6	<p>Add the following bullet point:</p> <ul style="list-style-type: none"> <li>• Local risk assessment at the premises</li> </ul>
24	6.9	<p>Remove reference to the Better Regulation and Hampton principles – no longer relevant</p>

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## Report to Cabinet

**Subject:** Provision of a Pet Cremation Service

**Date:** 28 June 2018

**Author:** Service Manager – Parks and Street Care (PASC) Services

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### 1. Wards Affected

All Borough wards are affected

### 2. Purpose

This report sets out proposals to approve the establishment of a new Pet Cremation service within the PASC Service area, and to agree an increase in the capital budget and refer it to Council for approval. Additionally it seeks to authorise the Deputy Chief Executive and Director of Finance to obtain any necessary consents, approvals and licences required to operate the Pet Cremation Service.

### 3. Key Decision

This is not a key decision.

### 4. Background

In March 2017 full council approved an updated Gedling Plan for 2017/19 which included a new action to *"explore the feasibility of implementing a new pet cremation and ashes burial service, if financially viable."*

Market research has found that the East Midlands has one of the highest instances of dog and cat ownership in the country, with 31% of households owning a dog (with an average of 1.5 dogs per dog-owning household), and 20% of households owning a cat (with an average of 1.8 cats per cat-owning household).

It is reported that there are approximately 1.1 million dogs in the East Midlands, and by applying the regional trends to Gedling Borough it can be calculated that there are approximately 22,947 dogs in the borough. Similarly, it is reported that there are approximately 854,000 cats in the region, and by applying the regional trends to Gedling Borough it can be calculated that there are approximately

17,766 cats in the borough.

A Populus survey conducted in 2017 also found that people in the East Midlands are the most likely in the UK to hold a memorial event when their pet dies (35%).

Based on this research and the fact that the Council is seeking to become more innovative and commercial, PASC Services have identified a business case for a Pet Cremation Service to be delivered from Gedling Borough Council's Jubilee Road depot site. This will be distinct from a pet crematorium service offered by other businesses as no public access will be allowed. Instead it will be a collection and return service.

There are 9 veterinary practices (including multiple sites) listed on the vet directory within Gedling, and around 40 in the wider Nottingham area. Preliminary market research indicates that these veterinary practices use hazardous waste collection and cremation services at locations that are outside of the district or even Nottinghamshire, which indicates that there is a readily available market within Gedling and its immediate environs for a locally run service.

Early discussions with local veterinary practices have indicated that there would be support for such a service as it is perceived that there are currently only the larger national providers or small local independent family run businesses operating in this field. No mid-range organisations are currently supplying to this potential market, and PASC Services aims to fill this gap.

If proven to be successful, it is envisaged that the Pet Cremation Service may operate both inside and outside of the Borough. Initially though, the target market would be the 9 local veterinary practices, plus offering a service to householders within the Borough.

The service would involve the collection of pet cadavers from veterinary surgeries and from households. The cadavers would then be transported to the depot to be burnt individually, guaranteeing that the correct ashes are returned back to the veterinary surgery for collection, or to the household direct if requested by the pet owner.

It is envisaged that the Council will contract directly with the vets for removal of clinical and hazardous waste, including the pet cadavers, and the pet owning customers directly for the provision of the casket containing the pet ashes. Caskets will range from a basic model made from biodegradable cardboard, through wood, to brass and pewter with plaques placed on them with words of remembrance and the name of the pet depending on customers' requirements.

The Council can rely on powers under section 1 of the Localism Act 2011 to operate the cremation service and the Environmental Protection Act 1990 ("the EPA") and the regulations made thereunder, namely the Controlled Waste (England and Wales) Regulations 2012 ("the Regulations"), to charge for the



collection and disposal of waste. The EPA gives collection authorities like Gedling the discretion to collect industrial waste, if requested to do so, **within their area** and dispose of it for a reasonable charge. The Regulations also give the power to charge for the collection of dead domestic pets from households.

Outside the Borough, any collection of industrial waste would be on a cost recovery basis under the Localism Act as the EPA only provides the power to charge for collection within the Borough.

In order to dispose of the collected industrial waste, the collection authority (Gedling) will need approvals from the waste disposal authority for the area, in this case that is the County Council.

Having sought guidance from GBC Planning Department, GBC Environmental Health Officers and the Environmental Agency the depot location, subject to licence approval and permit authorisation, has been confirmed as suitable for housing a pet cremator.

An area of unused space in the yard will be fenced off to use as a waste transfer station, and three bays in the existing storage sheds will be allocated for the installation of a suitable model of cremator and to allow ancillary space for vehicle storage, refrigeration units and administrative accommodation.

#### Cremator Licences & Permits

As the operation will be incinerating animal carcasses it will require Animal and Plant Health Agency (APHA) approval as a low capacity incinerator site.

However it has been confirmed that the Council will not require a waste permit from the Environment Agency as the Pet Cremator has been approved by DEFRA as only cremating under 50kg of materials, (domestic animals/pets), per hour. As an industrial unit that has the potential to cause pollution to air, the installation is required to have a pollution permit from the local authority before it can operate.

The process classification required in this case is an environmental permit 'Part B' from Gedling Borough Council, to ensure the equipment conforms to the latest standards with regards emissions and pollutants.

#### Waste Transfer Station Authorisation and Licencing

As part of the service being offered the Council will be required to remove hazardous and non-hazardous waste from veterinary surgeries along with any pet cadavers. In order to do this the Council will need to establish and register a Waste Transfer station in Jubilee Road Depot.

This will involve creating a fenced off compound area that is bunded with a tank

for drainage, in a corner of the depot. The area will be used to securely store the waste streams that come into the transfer station from the veterinary surgeries in separate identifiable containers, before they are collected and removed by hazardous waste contractors from site. The cost of this disposal will be recovered from the veterinary surgeries and is being introduced to encourage the surgeries to take up the overall service.

As a result the Council are required to register as a waste carrier and apply for a Standard Rules SR2015 No 9 - household commercial and industrial waste transfer station with asbestos storage (no building) permit from the Environment Agency. This process will require formal consent from Nottinghamshire County Council prior to the submission of the application to the Agency.

## **5. Proposal**

To recommend the addition of a Pet Cremation Service to PASC Services to be fully operational by 1 April 2019 to ensure that it is able to provide and deliver an appropriate and effective service on behalf of the Council and local residents. Initially, the target market would be within the Borough, although this may be extended to include addresses that sit along our boundary.

As part of the Dynamic Council commercialisation agenda, the PASC Service is adopting a more commercial and entrepreneurial-led business model. The Pet Cremation Service will initially make contributions towards the cost of service overheads. Whilst the Council is able to make reasonable charges associated with the collection of waste within the Borough as detailed within this report, if the business proves successful over the short to medium term, then a new approach may need to be considered which would involve the creation of a local authority company.

It is also proposed that authorisation be given to the Deputy Chief Executive and Director of Finance to obtain all necessary consents, licences and approvals to enable the Pet Cremation Service to operate.

This will enable the new Pet Cremation service to be introduced, subject to the granting of the necessary authorisations, permits and licences. This Service is not intended to be a crematorium site and as such no members of the public will be coming into the depot. Where a domestic service is offered, our unique selling point (USP) will be that we collect from and return to their dwellings.

It is proposed to establish two new staff posts to form a 'Pet Cremation Service' team to provide all aspects of the cremation and waste disposal work for external customers. This will consist of a skilled operative and an administrative assistant.

## **6. Alternative Options**

An alternative option would be to not commence the commercial initiative. This option is not recommended as the Council would miss out on what is potentially a good income stream, and would not fulfil a Gedling Plan objective. There is also an option to concentrate on only one income stream i.e. the veterinary surgeries or the householders, but this would not make commercial sense to do so.

## **7. Financial Implications.**

In March 2018 Council approved a provision of £65,400 within the capital programme for the acquisition of a pet cremator and vehicle. Since approval of that budget an increased budget requirement has been identified due to an increased vehicle specification and additional building conversion costs. The revised capital programme requirement is now £89,000, an increase of £23,600. It is proposed that Cabinet agree the increase in the capital programme and refer it Council for approval.

The 2018/19 budget contained a revenue provision of £59,800 as part of its budget reduction programme on the basis that the business would start in September. This start date has now been moved to 1 April 2019 and the contribution to overheads of £59,800 will not be achieved in the current financial year – this will be reported in the Q1 budget monitoring report to Cabinet.

The pet cremation service is budgeted to generate a contribution to overheads of £88,800 during 2019/20 financial year. This was based on a fully developed business case utilising an assumed number of cat and dog cremations per year, casket sales and an indicative charging mechanism.

The worst case scenario would be a lack of business, in which case the estimated contribution to overheads would not be achieved but the capital equipment purchased for the pet cremation service could be re-sold, with the two staff being redeployed or made redundant.

The final fees and charges for pet cremations and associated products will be formally agreed with the portfolio holder prior to going live in April 2019.

## **8. Appendices**

None.

## **9. Background Papers.**

None.

## **10. Recommendation(s)**

Cabinet members are recommended to:

- (a) Agree to increase the capital budget by £23,600 and refer to Council for approval.
- (b) Subject to the approval of the capital budget, approve the establishment of a new Pet Cremation Service within PASC which will become fully operational on 1 April 2019.
- (c) Authorise the Deputy Chief Executive and Director of Finance to obtain any necessary consents, approvals and licences required to operate the Pet Cremation Service.
- (d) Authorise the Portfolio Holder for Environment to determine any future proposals for the Pet Cremation service to be provided to residents and businesses outside the Borough.

## **11. Reasons for Recommendations**

This project will bring additional revenue income into the Council which can be used to directly support the general costs of services provided by the Council to its residents.

It will also assist the Council in becoming more innovative and commercial by operating in the local market and gaining valuable experience that can translate into other service areas if required.



## **Report to Cabinet**

**Subject:** Collaboration Agreement with Nottingham City Council

**Date:** 28 June 2018

**Author:** Senior Leadership Team

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### **Wards Affected**

Borough-wide.

### **Purpose**

To seek Member approval to enter into an agreement to develop collaborative working between Gedling Borough Council and Nottingham City Council. To authorise the Deputy Chief Executive and Director of Finance, in consultation with the Director of Democratic Services and Organisational Development, to finalise the terms of the Collaboration Agreement with Nottingham City Council.

### **Key Decision**

This is not a key decision.

### **Background**

- 1.1 The pressure on budgets has been relentless since the financial crisis in 2007 and the introduction of austerity measures in 2008. This has led to councils seeking opportunities to reduce costs by working in partnership with other public sector and voluntary bodies. This has included the delivery of services, employment of staff, and co-location of office space.
- 1.2 Gedling is no exception, and Cabinet approved a Collaboration Agreement between Gedling Borough Council, Newark and Sherwood District Council, and Rushcliffe Borough Council (GNSR) in December 2013 to facilitate closer working between the authorities and to provide a framework under which shared services could, if appropriate, operate.
- 1.3 This Agreement has had limited application over the past five years, with more recent collaborative activity being with Nottingham City Council, who have had the capacity and experience to deliver on projects and initiatives in the Borough.

- 1.4 Gedling currently provides services to the following:
- Delivery of a comprehensive payroll service to Rushcliffe BC.
  - Management of Bestwood Country Park under a collaborative arrangement with Nottinghamshire County Council.
- 1.5 Gedling currently engages services from other local authorities as follows:
- Delivery of a clinical waste service from Rushcliffe BC.
  - Management of Café 1899 at Gedling Country Park from Nottingham City.
  - Management capacity for the leisure service from Nottingham City under a secondment arrangement.
  - Delivery of Arnold Carnival from Nottingham City.
- 1.6 Gedling has, however, been extremely successful in encouraging a multitude of public and voluntary sector partners into the Civic Centre and Arnot Hill House campus, and Jubilee depot.
- 1.7 As working relationships with the City Council have grown, Senior Leadership and Leaders of both organisations recognise that the authorities work well together and are keen, where it is appropriate, to work together in future and look at ways to save money, increase financial returns, and strengthen the resilience of each Council as they come under increasing pressure to further reduce budgets.
- 1.8 A Collaboration Agreement between the two authorities would provide an agreed set of principles under which future shared working would operate. It takes such activity a step further by building on the concept of 'preferred partner'. The Agreement would not bind the authorities into working together to the exclusion of other partners, however it is envisaged that both authorities would consider working with each other as a first port of call. Whilst the Agreement would provide some high level principles, every arrangement made under the Collaboration Agreement would be considered on its own merits.
- 1.9 The two councils have a common boundary in the River Trent, which has an impact on many parts of our communities, and we share similar ambitions in terms of developing these areas.
- 1.10 There are various powers available to authorities to enable shared working and these powers would underpin the Agreement. The Local Government Act 1972 and the Local Government Act 2000, provide authorities with the power to share staff, share functions or delegate functions to other authorities. The Agreement would focus on the principles of sharing staff and functions, how that would be managed, the oversight that would be given by Senior Leadership Team and Leaders and more practical details around data sharing, TUPE (if appropriate), and service standards expected. The Agreement is intended to regulate the provision of services,

the business and activity of any services and the relationship between the two Councils.

- 1.11 As indicated, the Agreement would not bind the authorities to work together to the exclusion of other public bodies but it would provide a structure for future arrangements where appropriate. It is important to emphasise that both councils will retain decision making sovereignty over the policies, services and finances for their areas. The detail of any future arrangements would, where necessary, be subject to separate approvals. Where procurement processes are necessary for the provision of certain services, this would continue in line with the Public Contract Regulations 2015 and the Council's Contract Standing Orders.

## **Proposal**

- 2.1 It is proposed that the Council builds upon the successful working relationships formed over a number of years with Nottingham City Council and enter into a Collaboration Agreement to regulate collaborative working arrangements between the two authorities. This will provide both authorities with the opportunity to work together to generate financial and procedural efficiencies and improve the quality of services being provided to residents.
- 2.2 Subject to Cabinet approval to enter into the Collaboration Agreement, the Council will explore and actively pursue new opportunities to share capacity, expertise, merge services, and work together on common objectives.
- 2.3 Such arrangements will not preclude the involvement of, or sharing with, other local authority partners where there are greater advantages in doing so.
- 2.4 It is proposed that authority be given to the Deputy Chief Executive and Director of Finance, in consultation with the Director of Democratic Services and Organisational Development, to finalise the terms of the Collaboration Agreement. The terms will reflect the principles set out in this report and provide a regulatory framework for the provision of services. Any specific arrangements falling under the Collaborative Agreement will be subject to separate approvals and agreements which would form appendices to the overarching Collaborative Agreement.
- 2.5 The above proposal will be subject to a reciprocal arrangement being approved by the Nottingham City Council Executive.

## **Alternative Options**

- 3.1 The Council could choose not to collaborate with Nottingham City Council and continue as it is on a piecemeal basis. This is an option but the Agreement provides a clear direction for sharing services and the standards both authorities would need to adhere to in delivering shared arrangements. Some shared working is already taking place with the City and is proving effective, and this Collaboration Agreement will only strengthen these arrangements and potential future arrangements.

## **Financial Implications**

- 4.1 It is anticipated that the Agreement will contribute positively to the funding challenges set out in the Medium Term Financial Plan.
- 4.2 There are no immediate costs resulting from entering into this Agreement, and any future financial implications will be considered in separate reports as opportunities present themselves.

## **Appendices**

- 5.1 None

## **Background Papers**

- 6.1 None.

## **Recommendation**

That Cabinet;

- a) Agrees to enter into a Collaborative Agreement with Nottingham City Council as detailed in the report.
- b) Authorises the Deputy Chief Executive and Director of Finance, in consultation with the Director of Democratic Services and Organisational Development, to finalise the terms of the Agreement. This being subject to reciprocal arrangements being approved by the Nottingham City Council Executive.

## **Reasons for Recommendations**

To enable the Council to develop shared services in a systematic way and to improve the efficiency and resilience of service delivery.





## **Report to Cabinet**

**Subject:** The future operating model for Leisure Services in Gedling Borough

**Date:** 28 June 2018

**Author:** Director of Health and Community Wellbeing

### **Wards Affected**

All

### **Purpose**

To inform Members of the work being progressed to identify the best operating model for the Council's wider leisure transformation programme.

### **Key Decision**

This is not a key decision.

### **Background**

#### Update on Current Arrangements

- 1.1 As part of the Council's Dynamic Council Programme, the Leisure Transformation Board, chaired by the Director of Health and Community Wellbeing, has been focusing on the management and operating model arrangements for the five leisure centres, for the medium and longer term. This is in the context of driving further improvements in performance, reducing subsidy levels, increasing the number of customers, and continuing to drive up customer satisfaction levels.
- 1.2 Since April 2017, a formal contract has been in place with Nottingham City Council who has provided both strategic and day-to-day operational oversight and management in the absence of recruiting a permanent Service Manager for leisure. This arrangement has enabled the service area and the Director for Health and Community Wellbeing to have access to service specific expertise by two officers from Nottingham City Council with very successful track records in transformation and operational management. Both officers are well respected locally, regionally and nationally.

- 1.3 Whilst not only being able to provide a high level of industry knowledge and experience, they have been able to access support and guidance from their colleagues within the City Council's Major Projects Team, who have themselves provided considerable advice and support on the options for improvements across the leisure centres currently operated by the Council.
- 1.4 In terms of cost to the Council, the officers providing this strategic and operational management have been contained within those costs allocated to the vacant Service Manager, Leisure post.
- 1.5 What has become evident over the past twelve months is that within Gedling Borough, there remains a buoyant leisure market and with the demographic make-up of the borough, there remains considerable business growth opportunity in the leisure sector.
- 1.6 Appendix A highlights some of the business improvements, increases in income, and overall leisure services performance over the past twelve months.
- 1.7 In order to seek to further reduce the overall subsidy within leisure services, considerable restructuring work has been undertaken within the service area and this has not only improved the operational efficiency of the service but has reduced the subsidy by £139,200.

Whilst there remains some potential to reduce the current subsidy levels through income growth, the need to reduce costs is now more significant, and in order to achieve this, the operating and management model for leisure services must be reconsidered by the Council.

#### 1.8 Options Appraisal

In order to deliver an efficient and effective leisure service in the medium to long term, an overview of the potential delivery options available is required. In order to meet appropriate governance and audit requirements, this should cover the key features, advantages and disadvantages, implications and risks associated with each option.

In this regard, an independent options appraisal is being commissioned from leading industry experts, which will assess Gedling's suitability against each of the options as set out in the Sport England document: *Leisure Management Options Guidance, September 2017*. These are as follows:

- In-house Management;
- Outsourced Management;

- Establishing a New Organisation:
  - Non Profit Distributing Organisation (NPDO)
  - Co-operative and Charitable Incorporated Organisation (CIO)
  - Community Interest Company (CIC)
  - Local Authority Controlled Company (LACC)
  - Joint Venture Company (JV)
- Asset Transfer.

This review will also have to take into account any VAT implications of each option.

- 1.9 Officers are aware that full outsourcing may not be palatable to Members, primarily as the direction and control of the service would be very much diminished when compared to other management models outlined above. This information has been provided to the consultant, however for transparency purposes, it is important that this option is still considered within the full option appraisal process.
- 1.10 It is expected that this robust leisure management options appraisal process will be delivered by September 2018. Following consideration of this document, Gedling will be in a position to select its most appropriate operating model and delivery partner(s).

## **Proposal**

- 2.1 The current working arrangements with the City are working well. They are improving service delivery, and delivering financial efficiencies. There is therefore a need to continue these arrangements in the short term, but also to determine what a shared service approach with the City could offer to Gedling in the longer term.
- 2.2 One of the models that will be considered by the consultants as part of the options appraisal is the shared service model with another local authority. As the Council's existing agreement with Nottingham City Council to second two of their senior leisure managers has proved successful and the Council intends to seek opportunities to work collaboratively with the City Council as outlined in the previous agenda item, the consultants have been tasked to consider what a shared service operating model with Nottingham City Council may look like and assess the benefits of such an arrangement for Gedling Borough Council. This would be in conjunction with Gedling leisure officers.
- 2.3 The Council is aware that Nottingham City Council are supportive of a shared leisure service being explored with them, as their own independently commissioned consultancy on models of leisure management suggested that this option was worth further consideration.

- 2.4 Once the consultants have delivered both the options appraisal and their opinion on a potential shared services model with the City, it is anticipated that a further report will be submitted to Cabinet outlining options and recommendations for the future operating model most appropriate for the Council's leisure service.

### **Alternative Options**

- 3.1 Not extend the current working arrangements with Nottingham City Council. This is not recommended as demonstrable benefits have already been achieved through this arrangement.

Not to support the commissioning of a robust leisure management options appraisal. This is not recommended as it will result in members not having detailed information to enable an informed decision to be made about the most appropriate future operating model.

### **Financial Implications**

- 4.1 The costs for the independent consultancy support have been met from the Transformation Fund.

Other financial implications will become clear in due course and these will all be subjected to outline and full business case preparation. This project management approach will allow for all the financial aspects to be transparent and documented for audit purposes.

### **Appendices**

- 5.1 Appendix A: Leisure services annual performance highlights report.

### **Background Papers**

- 6.1 House of Commons Library Briefing Paper 05950 20 May 2016
- 6.2 Local Government: alternate models of service delivery by Mark Stafford
- 6.3 Local Government group shared services and management: a guide for Councillors

### **Recommendations**

That Cabinet:

- a) Supports the continuation of the current arrangements with the City.
- b) Endorses the work carried out by officers to commission the options appraisal work as described in the report.
- c) Requests a further report to Cabinet later in the year that outlines options and recommendations for the future operating model most appropriate for

the council's leisure service.

### **Reasons for Recommendations**

To further improve on the successes the Council's leisure services have delivered throughout 2017/18, and ensure Cabinet has detailed information to enable it to make an informed decision about a sustainable and effective model for future operation.

For further information, please contact Dave Wakelin, Director of Health and Community Wellbeing on 0115 9013952 or by email [david.wakelin@gedling.gov.uk](mailto:david.wakelin@gedling.gov.uk)

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# GEDLING LEISURE REVIEW 2017/18

## INCOME

Did you know....**60%** of leisure's income is from swimming lessons and DNA?

Swimming lesson delivered **£535,636** income against the target of **£498,300**, which is an extra 7% of income.

Children's parties at Calverton have had another strong year and brought in **£67,980** compared to **£62,103** in 16/17,

THE  
INCOME TARGET  
FOR SITES THIS YEAR WAS  
**£2,669,600**  
AND WE OVER ACHIEVED BY  
**£77,000**

DNA income delivered **£1,093,576** against a target of **1,033,300** which was an extra 5.8% of income

Richard Herrod generated **£57k** income in Millennium Suite bookings and a further **£34k** from bar sales in the Millennium Suite

Income for the Bonington Theatre has grown from **£40,699** in 2014/15 to **£144,855** in 17/18.

We now have **77%** parents paying for swimming lessons by direct debit against our target of **75%**, which is great considering it's only been running for 1 year

# GEDLING LEISURE REVIEW 2017/18

## ATTENDANCES

During 17/18 the facilities delivered 9% growth in attendances **(1,033,691 versus a target of 948,444).**

That is equivalent to every single person living in the borough using the facilities 10 times over the year.

1

The last time the service delivered over **1 million** visits was in 2012/13.

2

The learn to swim scheme has grown by **23%** in the last 12 months and we now have **2,198** swimmers.

3

Arnold LC hit **1000** kids on lessons for the first time, which is the first site to do this across Gedling and Nottingham City pools!

4

The new 3G pitch which opened at Redhill (in conjunction with Redhill Academy and the Football Foundation) has generated **32,008** attendances since it opened in April and a further **17,000** spectators.

5

There were over **17,000** visits to the Bonington Cinema in 17/18, compared to **8,091** in 16/17. That is growth of over **100%!**



# GEDLING LEISURE REVIEW 2017/18

## OTHER ACHIEVEMENTS

In 17/18 we delivered **£139k** of savings to and a further **£67,800** delivered toward the 18/19 efficiency targets

Achieved the **Credability kite mark** at all sites which aims to improve access to our facilities by customers with a disability

Our NPS score has gone from **28** to **38** in the last 12 months, against a UK average leisure score of 44. That means we have more promoters/ fewer detractors than last year

Improved our mystery visit scores across the sites, going from an average score of **78%** in 2016/7 to **82%** in 2017/8

We brought direct debit collections in-house fully from April 17 which has saved **£9k per year**

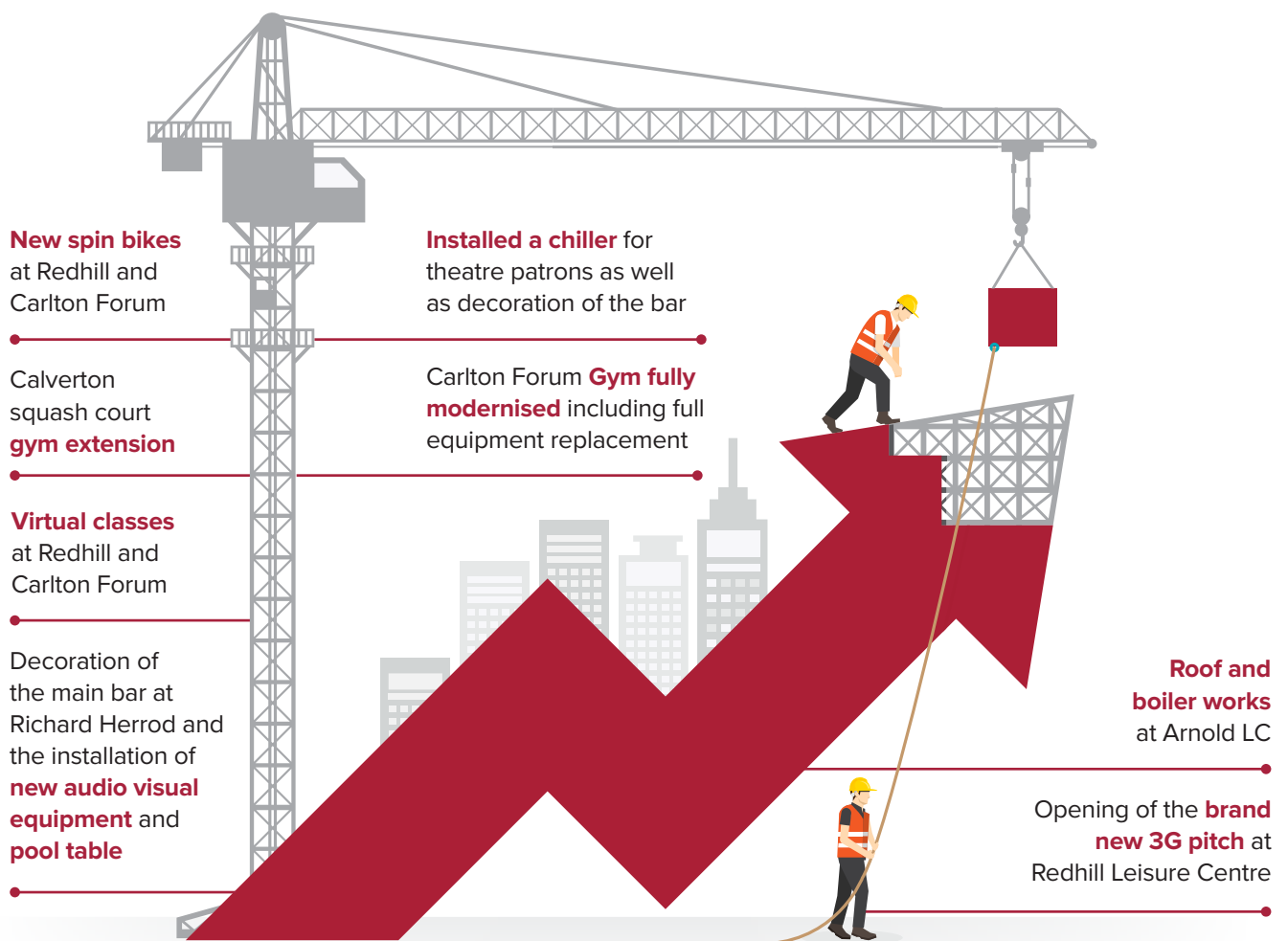
We've widened and increased attendances at the **Bonington Theatre** by streaming live events, expanding the number of film screenings and putting on targeted screenings for mother & baby and people suffering from dementia

The website has been altered to be more commercial, with more **improvements** due in 18/19

We've now had over **3,000** download of the leisure app

# GEDLING LEISURE REVIEW 2017/18

## FIT FOR THE FUTURE



**There'll be more improvements this year too as we tackle the changing rooms at Redhill and Calverton.**

"2017/18 has been a challenging year for the leisure team, with stretching income and attendance targets as well as the need to deliver significant efficiency savings. The level of professionalism and dedication by all members of the leisure team in the last 12 months has been incredible and is a fantastic achievement that we have delivered growth in attendances and income. Thank you to everyone for driving the business forward, I am very proud of you as a team. We need to keep this momentum going through 2018/19 to ensure we have another positive year" – **Dave Wakelin, Corporate Director**



## **Report to Cabinet**

**Subject:** Forward Plan

**Date:** 28 June 2018

**Author:** Service Manager, Democratic Services

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### **Wards Affected**

Borough-wide.

### **Purpose**

To present the Executive's draft Forward Plan for the next four month period.

### **Key Decision**

This is not a Key Decision.

### **Background**

- 1 The Council is required by law to give to give notice of key decisions that are scheduled to be taken by the Executive.

A key decision is one which is financially significant, in terms of spending or savings, for the service or function concerned (more than £500,000), or which will have a significant impact on communities, in two or more wards in the Borough.

In the interests of effective coordination and public transparency, the plan includes any item that is likely to require an Executive decision of the Council, Cabinet or Cabinet Member (whether a key decision or not). The Forward Plan covers the following 4 months and must be updated on a rolling monthly basis. All items have been discussed and approved by the Senior Leadership Team.

### **Proposal**

- 2 The Forward Plan is ultimately the responsibility of the Leader and Cabinet as it contains Executive business due for decision. The Plan is therefore presented at this meeting to give Cabinet the opportunity to discuss, amend or delete any item that is listed.

### **Alternative Options**

- 3.1 Cabinet could decide not agree with any of the items are suggested for inclusion in the plan. This would then be referred back to the Senior Leadership Team.
- 3.2 Cabinet could decide to move the date for consideration of any item.

### **Financial Implications**

- 4 There are no financial implications directly arising from this report.

### **Appendices**

- 5 Appendix 1 – Forward Plan

### **Background Papers**

- 6 None identified.

### **Recommendation(s)**

It is recommended THAT Cabinet note the contents of the draft Forward Plan making comments where appropriate.

### **Reasons for Recommendations**

- 7 To promote the items that are due for decision by Gedling Borough Council's Executive over the following four month period.

<b>Issue</b>	<b>Key Decision or Council Decision?</b>	<b>Who will decide and date of decision</b>	<b>Documents to be considered (only applicable to executive Key decisions)</b>	<b>Who will be consulted?</b>	<b>From whom can further information be obtained and representations made?</b>
Adoption of Local Planning Document	Key	Cabinet July 2018  Council 18 July 2018			Jo Gray, Service Manager, Planning Policy joanna.gray@gedling.gov.uk
Prudential Code Indicator Monitoring 2018/19 and Quarterly Treasury Activity Report	Key	Cabinet 2 August 2018			Sue Healey, Principal Accountant Sue.Healey@gedling.gov.uk
Quarterly Budget Monitoring, Performance Digest & Virement Report	Key	Cabinet 2 August 2018			Alison Ball, Service Manager Finance alison.ball@gedling.gov.uk

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