Date: **Wednesday 30 January 2019**

Place: **Council Chamber**

For any further information please contact:

**Alec Dubberley**

Service Manager, Democratic Services

0115 901 3906
Council

Membership

Mayor
Councillor Barbara Miller

Deputy Mayor
Councillor Pauline Allan

Councillor Michael Adams  Councillor Gary Gregory
Councillor Bruce Andrews  Councillor Helen Greensmith
Councillor Emily Bailey Jay  Councillor Sarah Hewson
Councillor Peter Barnes  Councillor Jenny Hollingsworth
Councillor Sandra Barnes  Councillor Meredith Lawrence
Councillor Chris Barnfather  Councillor Viv McCrossen
Councillor Alan Bexon  Councillor Marje Paling
Councillor Tammy Bisset  Councillor John Parr
Councillor Nicki Brooks  Councillor Michael Payne
Councillor Bob Collis  Councillor Carol Pepper
Councillor John Clarke  Councillor Stephen Poole
Councillor Jim Creamer  Councillor Colin Powell
Councillor Kevin Doyle  Councillor Alex Scroggie
Councillor Boyd Elliott  Councillor Paul Stirland
Councillor David Ellis  Councillor John Truscott
Councillor Roxanne Ellis  Councillor Jane Walker
Councillor Andrew Ellwood  Councillor Muriel Weisz
Councillor Paul Feeney  Councillor Henry Wheeler
Councillor Kathryn Fox  Councillor Paul Wilkinson
A meeting of the Borough Council will be held in the Council Chamber, Civic Centre, Arnot Hill Park on Wednesday 30 January 2019 at 6.00 pm to transact the business as set out below.

Karen Bradford
Chief Executive

AGENDA

1 Opening Prayers.

2 Apologies for Absence.

3 Mayor’s Announcements.

4 To approve, as a correct record, the minutes of the meeting held on 21 November 2018.

5 Declaration of Interests.

6 To deal with any petitions received under Standing Order 8a.

7 To answer questions asked by the public under Standing Order 8.

Question from John Flynn

On the Gedling Borough Council website, I saw that in the Infrastructure Delivery Plan for Rail Services at Sections 4.6 and 4.7, it stated that there were 4 rail stations in Gedling Borough and these were at Burton Joyce, Carlton, Hucknall and Newstead. There are 4 rail stations in Gedling Borough, but the list does not name all 4 stations in Gedling Borough. The station at Netherfield, although an operational train station, appears to have been omitted, and the station at Hucknall is outside Gedling in Sutton-in-Ashfield.

I am worried that this failure to recognise Netherfield train station could affect
the accuracy and validity of the Infrastructure Delivery Plan. Certainly, the station at Netherfield is much neglected with very few trains actually stopping there. This is similar to the situation at Burton Joyce train station where a number of trains pass through, but few trains actually stop there. Is it possible to give some reassurance that Netherfield station has not been completely forgotten in the Infrastructure Plan, and, given the projected housing developments in the area around Burton Joyce, Stoke Bardolph, and Carlton, is there any plan to improve services and facilities at Netherfield and Burton Joyce stations?

Question from Sebastian Soar

I would like to know how many people were fined in Gedling Borough in the last year for failing to clear up after their dogs. I would like to know how often the council's 'mobile surveillance units' (reference to dog fouling posters in Gedling) have been deployed and how many people they caught in the last year. Does the council regard the answers to these questions to be a success? And what other measures is the council doing to tackle this issue for local residents?

8 Appointment of Deputy Mayor  


10 Council Tax Empty Property Levy  
Report of the Deputy Chief Executive and Director of Finance.

11 Amendments to Scheme of Polling Places and Polling Stations  

12 Referral from Cabinet: Gedling Gambling Statement of Policy  
Report of the Director of Community Health and Wellbeing.  
Council is recommended to approve the amended Gedling Gambling Statement
of Policy at Appendix 1 to the report which includes the amendments approved for consultation on 21st September 2018 and amendments following the consultation.

13 Referral from the Appointments and Conditions of Service Committee: Pay Policy Statement

Report of the Service Manager, Organisational Development.

Council is recommended to adopt the Pay Policy Statement for publication on the Council's website.

14 Referral from Audit Committee: KPMG Annual Audit Letter 2017/18

Report of the Deputy Chief Executive and Director of Finance.

Council is recommended to receive and note the KPMG Annual Audit Letter 2017/19.

15 To answer questions asked by Members of the Council under Standing Order 9.

16 To receive questions and comments from Members concerning any matter dealt with by the Executive or by a Committee or Sub-Committee (Standing Order 11.1).

a Minutes of meeting Tuesday 6 November 2018 of Licensing Act Committee 141 - 142

b Minutes of meeting Tuesday 6 November 2018 of Environment and Licensing Committee 143 - 146

c Minutes of meeting Wednesday 7 November 2018 of Planning Committee 147 - 172

d Minutes of meeting Thursday 8 November 2018 of Cabinet 173 - 175
To consider comments, of which due notice has been given, under Standing Order 11.03(a).

To consider motions under Standing Order 12.
MINUTES
COUNCIL

Wednesday 21 November 2018

Councillor Barbara Miller (Mayor)

Present:
Councillor Michael Adams
Councillor Peter Barnes
Councillor Sandra Barnes
Councillor Chris Barnfather
Councillor Alan Bexon
Councillor Tammy Bisset
Councillor Nicki Brooks
Councillor Bob Collis
Councillor John Clarke
Councillor Kevin Doyle
Councillor Boyd Elliott
Councillor David Ellis
Councillor Roxanne Ellis
Councillor Andrew Ellwood
Councillor Paul Feeney
Councillor Kathryn Fox
Councillor Gary Gregory
Councillor Helen Greensmith
Councillor Sarah Hewson
Councillor Marje Paling
Councillor John Parr
Councillor Michael Payne
Councillor Carol Pepper
Councillor Stephen Poole
Councillor Colin Powell
Councillor Alex Scroggie
Councillor Paul Stirland
Councillor Jane Walker
Councillor Muriel Weisz
Councillor Henry Wheeler
Councillor Paul Wilkinson

Absent:
Councillor Pauline Allan, Councillor Bruce Andrews, Councillor Emily Bailey Jay, Councillor Denis Beeston MBE, Councillor Jenny Hollingsworth, Councillor Viv McCrossen and Councillor John Truscott

18 OPENING PRAYERS.
Reverend Ogle, the Mayor's Chaplian, had sent his apologies. Members observed a minute of silence in respect of former Councillor and former Mayor of Gedling Arthur Woodward who had sadly passed away.

19 APOLOGIES FOR ABSENCE.
Apologies for absence were received from Councillors Allan, Andrews, Bailey Jay, Beeston, Hollingsworth and Truscott.

20 MAYOR'S ANNOUNCEMENTS.
The Mayor congratulated the legal team who had been ‘highly commended’ at the Lawyers in Local Government Awards event in London. She also congratulated 3 members of staff who had successfully completed the Masters in Public Administration qualification
at Birmingham University. The Mayor informed the Council she had attended Arthur Woodward’s funeral and invited Members to say a few words in remembrance of him. She informed Members of the recent death of Mick Lloyd a member of the Calverton branch of the Royal British Legion.


RESOLVED:

That the minutes of the above meeting, having been circulated, be approved as a correct record subject to including Councillor Fox as being present at the meeting held on 19 September.

Vote: 34 For, 0 Against, 0 Abstentions.

22 DECLARATION OF INTERESTS.

Councillor Wheeler declared a non-pecuniary interest in agenda item 9 as a family member of Councillor Denis Beeston MBE.

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

Question from Alan Dawson.

Mr Dawson did not attend therefore the question was not dealt with.

Question from Sebastian Soar

Could the relevant member please inform us as to why Air Quality Data for key locations in Gedling has not been published on the DEFRA website since 2016, despite the current Gedling Borough webpage stating that it is being published. (https://www.gedling.gov.uk/resident/environmentalhealth/airpollutionmonitoringandreporting/)

Could they also inform us how important that data is when making planning decisions and local policy decisions particularly affecting younger and older people?

Response from Councillor Clarke

The Department for Environment, Food & Rural Affairs website is a national site where local authorities can voluntarily upload air quality data relating to their area, which is publicly accessible. Every year Gedling Borough Council has uploaded air quality data relating to the previous year. It has been identified that air quality figures for 2016 were not uploaded to the DEFRA website; this data has now been uploaded. The data is extremely important and provides the justification for
requesting air quality mitigation measures and attaching future requirements to planning permissions.

24 TO DEAL WITH ANY PETITIONS RECEIVED UNDER STANDING ORDER 8A.

None received.

25 GEDLING STATEMENT OF LICENSING POLICY

Consideration was given to a report of the Director of Health and Community Wellbeing which presented the responses to the consultation on the Authority’s Statement of Licensing Policy and sought Member approval of the amended policy.

RESOLVED:

To approve the revised Statement of Licensing Policy for publication in January 2019.

Vote: 31 For, 0 Against, 3 Abstentions.

26 NON-ATTENDANCE BY A COUNCILLOR FOR SIX MONTHS

Consideration was given to a report of the Service Manager Democratic Services which sought approval for ill health as the reason for the non-attendance of Councillor Dennis Beeston MBE to avoid forfeiture of office.

Vote: 33 For, 0 Against, 1 Abstention.

RESOLVED:

To accept ill health as the reason for non-attendance for Councillor Beeston MBE to avoid forfeiture of office.

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

None received.

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

In accordance with Standing Order 11.1, a number of comments were made and responded to by the appropriate Cabinet Member or Committee Chair.
TO CONSIDER COMMENTS, OF WHICH DUE NOTICE HAS BEEN GIVEN, UNDER STANDING ORDER 11.03(A).

None received.

TO CONSIDER MOTIONS UNDER STANDING ORDER 12.

Upon a notice of motion received in the name of Councillor D Ellis, a proposition was moved by Councillor D Ellis and seconded by Councillor Payne in the following terms:

The Council

1) Notes the conclusion of the Home Affairs Select Committee that “Policing is struggling to cope in the face of changing and rising crimes” and its recommendation that policing funding should be prioritised in the Budget and forthcoming spending review.

2) Notes that since 2010, police numbers have fallen significantly both nationally and locally as a result of Government cuts.

3) Notes that cuts to other services through austerity increases the demand on the police which often acts as the “public service of last resort”

4) Recognises that many residents in Gedling are concerned that the cuts mean that Nottinghamshire Police is no longer visible in our communities, no longer has the capacity to respond on community safety, and that consequently the fear of crime is rising.

5) Endorses the Council’s policy of working in partnership with the police to respond to community safety concerns.

6) Condemns the Conservative Government’s continuing policy of reducing the resources available to the police and transferring the cost to the Council taxpayer which is particularly unfair on more disadvantaged areas such as Nottinghamshire.

7) Agrees that all members of the Council should be invited to sign the letter being sent by the Leader of the Council, alongside Nottinghamshire’s Police and Crime Commissioner, to the Home Secretary calling on the Conservative Government to use the police grant announcement for 2019/20 to begin to reverse the damaging cuts to Policing in Nottinghamshire and make an immediate investment in making our communities safer.

An amendment to the motion was proposed in the name of Councillor Barnfather and seconded by Councillor Doyle in the following terms:

The Council
1) Notes the conclusion of the Home Affairs Select Committee that “Policing is struggling to cope in the face of changing and rising crimes” and its recommendation that policing funding should be prioritised in the Budget and forthcoming spending review.

2) Notes that since 2010, police numbers have fallen significantly both nationally and locally as a result of Governments austerity measures.

3) Notes that cuts to other services through austerity increases the demand on the police which often acts as the “public service of last resort”

4) Recognises that many residents in Gedling are concerned that Nottinghamshire Police is no longer visible in our communities, no longer has the capacity to respond on community safety, and that consequently the fear of crime is rising.

5) Endorses the Council’s policy of working in partnership with the police to respond to community safety concerns.

6) Disagrees with the Government’s continuing policy of reducing the resources available to the police and transferring the cost to the Council taxpayer which is particularly unfair on more disadvantaged areas such as Nottinghamshire.

7) Agrees that all members of the Council should support a letter being sent by the Leader of the Council, alongside Nottinghamshire’s Police and Crime Commissioner, to the Home Secretary calling on the Government to use the police grant announcement for 2019/20 to increase funding for Policing in Nottinghamshire and make an immediate investment in making our communities safer.

The Council meeting was adjourned at 7.10 pm to allow discussion of the amendment. The meeting reconvened at 7.25pm.

The amendment was put to a vote as follows:

Vote: 15 For, 19 Against, 0 Abstentions.

The Mayor declared the amendment lost.

There then followed a debate on the substantive motion and the proposition was put to a named vote as follows

For the substantive motion
Councillors P Barnes, S Barnes, Brooks, Clarke, Collis, Creamer, D Ellis, R Ellis, Ellwood, Feeney, Fox, Gregory, Hewson, Lawrence, Miller, Paling, Payne, Scroggie, Weisz, Wheeler, Wilkinson.

Against the motion:

Councillors: Adams, Barnfather, Bexon, Bisset, Doyle, Elliott, Greensmith, Parr, Pepper, Poole, Powell, Stirland and Walker.

Abstentions 0

The Mayor declared the motion carried and it was

RESOLVED that:

The Council

1) Notes the conclusion of the Home Affairs Select Committee that “Policing is struggling to cope in the face of changing and rising crimes” and its recommendation that policing funding should be prioritised in the Budget and forthcoming spending review.

2) Notes that since 2010, police numbers have fallen significantly both nationally and locally as a result of Government cuts.

3) Notes that cuts to other services through austerity increases the demand on the police which often acts as the “public service of last resort”

4) Recognises that many residents in Gedling are concerned that the cuts mean that Nottinghamshire Police is no longer visible in our communities, no longer has the capacity to respond on community safety, and that consequently the fear of crime is rising.

5) Endorses the Council’s policy of working in partnership with the police to respond to community safety concerns.

6) Condemns the Conservative Government’s continuing policy of reducing the resources available to the police and transferring the cost to the Council taxpayer which is particularly unfair on more disadvantaged areas such as Nottinghamshire.

7) Agrees that all members of the Council should be invited to sign the letter being sent by the Leader of the Council, alongside Nottinghamshire’s Police and Crime Commissioner, to the Home Secretary calling on the Conservative Government to use the police grant announcement for 2019/20 to begin to reverse the damaging cuts to Policing in Nottinghamshire and make an immediate investment in making our communities safer.
The meeting finished at 8.05 pm

Signed by Chair:
Date:
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Report to Council

Subject: Appointment of Deputy Mayor
Date: 30 January 2019
Author: Service Manager Democratic Services

Purpose
For Council to consider the appointment of a second Deputy Mayor to ensure that the Council continues to be represented at civic engagements.

Recommendation
To appoint Councillor Sandra Barnes as a second Deputy Mayor of the Borough of Gedling with immediate effect for the remainder of the 2018/19 municipal year.

1 Background

1.1 The role of Mayor is an extremely demanding one, which is enjoyable and rewarding but can also be both mentally and physically tiring. The mayor has many duties including:

- Promoting the Council as a whole and acting as a focal point for the community
- Promotion of public involvement in the Council’s activities
- Being the conscience of the Council (a reference to the politically impartial nature of the role)
- Attending civic and ceremonial functions
- Promoting and encouraging good citizenship
- Presiding over meetings of the Council, having regard to the rights of councillors and the interests of the community
- Upholding and promoting the Council’s constitution, providing
interpretation where necessary.

1.2 Due to a period of ill health, Councillor Allan has been unable to attend many civic events as Deputy Mayor for a number of months. In addition to this the Mayor has unfortunately been unable to fulfil evening engagements due to unexpected caring responsibilities. This has led to difficulties in ensuring civic representation at events.

The Deputy Mayor’s role is to assist the mayor and represent the Council when the Mayor is unable to.

2 Proposal

2.1 Due to these exceptional circumstances it is proposed that Councillor Sandra Barnes is appointed as an additional Deputy Mayor for the remainder of the municipal year to ensure that the council is represented at civic events where both the Mayor and current Deputy Mayor are unable to attend. Councillor Allan will remain in office and attend events where possible. This arrangement is necessary to ensure that Councillor Barnes has the authority of Council to have Mayoral precedence in the Borough when representing the Mayor.

3 Resource Implications

3.1 The payment of an additional Deputy Mayor special responsibility allowance for the remaining part of the year will cost £588 and can be accommodated from existing budgets.

4 Appendices

4.1 None
Report to Council


Date: 30 January 2019

Author: Service Manager Democratic Services

Purpose

To inform Council of the latest report from the Council’s Independent Remuneration Panel (IRP), relating to member remuneration for 2019/20, and invite Council to consider the recommendations made by the Panel.

Recommendations

1) To consider the report of the Independent Remuneration Panel and whether to accept the recommendations contained in the report;

2) Consequent on those recommendations, to agree the schedule of members’ allowances for 2019/20 as attached at Appendix 2 to this report which will have been uplifted by 2% in line with the pay award to Senior Officers;

3) To agree that the size of the Panel shall reduce from 5 to three members with immediate effect; and

4) To authorise the Monitoring Officer to make appropriate amendments to Part 6 of the Constitution to reflect any changes to members’ allowances agreed.

Background

The Council’s Independent Remuneration Panel met just before Christmas to carry out its annual review of members’ allowances.

Following that meeting, the Panel prepared a report to members with regard to the level of members’ allowances to be payable for 2019/20.
Proposal

The Panel’s report, including associated recommendations, is attached at Appendix 1.

Should Council be minded to accept the Panel’s recommendations, then the level of allowances to be paid to members for 2019/20 will be as set out at Appendix 2.

There is one further recommendation to change the size of the IRP from 5 to 3 members. The reasons for this are explained in the Panel’s report. Regulation 20 of the Local Authorities (Members’ Allowances) (England) Regulations 2003 sets out the composition of the independent Remuneration Panel; which must include three members.

Financial Implications

Should Council accept the Panel’s recommendations, then costs can be accommodated from within existing budgets.

Appendices

Appendix 2 – Indicative schedule of Members Allowances 2019/20
APPENDIX 1


Introduction

1.1 The Independent Remuneration Panel was established under the Local Authorities (Members’ Allowances) (England) Regulations 2003 (as amended) to provide advice and recommendations to the Council on its Members’ Allowances Scheme and amounts to be paid under it.

1.2 The panel received administrative support from the Service Manager, Democratic Services. Also present at the meeting, in an advisory capacity, were the Director of Organisational Development and Democratic Services (Monitoring Officer) and the Deputy Chief Executive (Chief Financial Officer).

1.2 The Panel’s Terms of Reference are as follows:

The Independent Remuneration Panel will review, on an annual basis, the level and extent of allowance payments made to Borough Councillors having particular regard to:

- The role of Councillor and the importance of effective democratically accountable local government and community leadership;
- The scale and complexity of the Council's operations and changes taking place in the various roles Councillors are expected to fulfil and the particular responsibilities attached to the various roles;
- The time commitment required from Councillors to enable both the Council and individual Councillors to be effective in their various roles; and
- The importance of encouraging people from all backgrounds and circumstances to serve in local government without suffering financial loss as a consequence of their membership of the Council.

The Panel will also:

- Consider the level and extent of travel and subsistence allowances including dependent carers’ allowance; and
- Review the payment of allowances and expenses payable in relation to attendance at seminars, conferences and other council business.
The Panel’s operation:

- The Panel is comprised of three Independent Members (subject to council approval).
- Panel members are recruited by public advertisement and should be of good standing in the community either as a resident and/or a stakeholder in the Borough. Ideally members should have sound knowledge of employment and financial matters with an understanding of the operations of a local authority.
- The Panel is advisory in nature and the recommendations it makes are not binding on the authority. However, the Local Authorities (Members’ Allowances) (England) Regulations 2003 (as amended) requires Council to “have regard” to the Panel’s recommendations when setting its allowances.

Process

2.1 A Strategic Review of Members’ Allowances took place in 2015. The Review looked in detail at all allowances paid to Members including the Basic Allowance and all positions attracting a Special Responsibility Allowance. The Review resulted in a completely rewritten scheme of members’ allowances. The Panel made a series of recommendations to Council in March 2016 and a new scheme was agreed by Members. The Panel met at the end of 2016 to review the scheme for the 2017/18 year and aside from the 1% increase in line with the local government pay award, no changes to the scheme were recommended. For the year 2018/19 an uplift was agreed in line with the pay award to senior local government staff which was subsequently set at 2%.

2.2 As is usual practice, all members of the Council were contacted directly and asked for their views on the current levels of allowances paid to members.

2.3 No submissions were received by the Panel.

2.4 Two members of the Panel were present for the meeting (John Flowers, and Paul Mullins) with Ted Mills contributing to the report by email as he was away from Nottingham for an extended period.

Panel’s Deliberations

3.1 The Panel heard from Officers that the operations of the Council and the workload of members had not significantly changed since the last review. The also heard that, in general, satisfaction levels with pay in the
workforce remained broadly the same.

3.2 The Panel next noted that the National Pay Award for senior local government staff had been set for 2%. In previous years that Panel had recommended that Member’ Allowances increase in line with the pay award for Senior Managers and saw no reason not to make this recommendation for the coming year.

**Basic Allowance**

3.3 On the issue of Basic Allowance the Members concluded that their findings and recommendations from the previous review were still relevant. A recommendation to increase the basic allowance in line with the pay award for senior managers was therefore agreed.

**Special Responsibility Allowances (SRAs)**

3.4 As with the Basic Allowance the Panel felt that no new information had come to light since the strategic review and there was no reason to suggest any amendments to the levels of Special Responsibility Allowances that are currently paid. The Panel heard that since their last meeting there had been no material change in any role that attracted an SRA so a recommendation to increase allowances in line with the pay award for senior managers was agreed.

3.8 Finally the Panel considered the allowances paid to co-opted members as well as mileage, subsistence and dependent carers’ allowances. As these had all been reviewed three years ago the panel concluded that no adjustments to this were necessary.

**Composition of the Panel**

3.9 The Panel also considered the membership and size of the IRP. The Panel was currently made up of three members with two vacancies. The Panel had been operating for some years with one vacancy and for two years with two vacancies. Following discussion it was agreed that a further recommendation to Council should be made to formally reduce the level of membership to three. The reasons for this were threefold. Firstly, the panel has been operating effectively with vacancies and it was felt by the panel, and the officers that support it, that there was an adequate number to carry out the functions of the IRP. Secondly an unsuccessful recruitment exercise was carried out 2016. Thirdly with financial difficulties still facing the public sector as a whole, a reduction
in the membership would deliver a small reduction in budget.

Recommendations

1) That all Members' Allowance payable from 1 April 2019 should be increased by 2% in line with the pay award made to local government senior management;

2) That no other changes to the members’ allowances scheme should be made for the 2019/20 year; and

3) That the number of members of the Independent Remuneration Panel should be reduced from 5 to 3 with immediate effect.
APPENDIX 2

From 1 April 2019 until 31 March 2020 inclusive:

<table>
<thead>
<tr>
<th>Position</th>
<th>Percentage of the Leader’s Allowance</th>
<th>Per Annum (£)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Leader of Council</td>
<td>100%</td>
<td>14,391.39</td>
</tr>
<tr>
<td>Deputy Leader of the Council</td>
<td>80%</td>
<td>11,513.11</td>
</tr>
<tr>
<td>Cabinet Members</td>
<td>50%</td>
<td>7,195.70</td>
</tr>
<tr>
<td>Leader of 2nd Group</td>
<td>50%</td>
<td>7,195.70</td>
</tr>
<tr>
<td>Level One Committee Chair (Planning and Environment and Licensing Committees)</td>
<td>35%</td>
<td>5,036.99</td>
</tr>
<tr>
<td>Level Two Committee Chair (Audit and Overview and Scrutiny Committees)</td>
<td>25%</td>
<td>3,597.85</td>
</tr>
<tr>
<td>Level Three Committee Chair (Joint Consultative and Safety and Standards Committee)</td>
<td>10%</td>
<td>1,439.14</td>
</tr>
<tr>
<td>Mayor</td>
<td>37.5%</td>
<td>5,396.77</td>
</tr>
<tr>
<td>Deputy Mayor</td>
<td>12.5%</td>
<td>1,798.92</td>
</tr>
<tr>
<td>Policy Adviser</td>
<td>12.5%</td>
<td>1,798.92</td>
</tr>
</tbody>
</table>

1. From 1 April 2019 until 31 March 2020 the Basic Allowance payable to each Councillor 4,190.04

2. Co-opted Members 500.00

3. Dependent Carers Allowance and Travelling and Subsistence Allowance are payable as appropriate
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Report to Council

Subject: Council Tax | Empty Property Levy

Date: 30th January 2019

Author: Deputy Chief Executive and Director of Finance

Purpose

The purpose of this report is to seek permission to change the amounts of council tax levied on properties in the Borough of Gedling which have been vacant for a period of two years or more.

Recommendation(s)

THAT:

1) the Council adopts an empty property levy of 100% with effect from 1st April 2019 for dwellings which have been vacant for a period of two years or more,

2) the Council adopts an empty property levy of 200% with effect from 1st April 2020 for dwellings which have been vacant for a period of five years or more; and

3) the Council adopts an empty property levy of 300% with effect from 1st April 2021 for dwellings which have been vacant for a period of ten years or more.

1 Background

1.1 Section 12 of the Local Government Finance Act 2012 introduced a new Section 11B into the Local Government Finance Act 1992 Act giving local authorities the power to levy extra council tax of not more that 50% on domestic properties which have been vacant for more than two years, known as the empty property levy.

1.2 The Council has used this power since April 2013 and imposed the maximum empty property levy of 50% on top of the charge that would
apply if a domestic property was occupied.

1.3 The Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Act 2018 received Royal Assent on 1st November 2018. It further amends s 11B of the 1992 Act and allows for incremental changes to be applied to the levy from 1st April each year from 2019 to 2021 (inclusive).

1.4 The Act allows the Council to charge an empty property levy of 100% (an increase from the previously allowed 50%) with effect from 1st April 2019.

1.5 Further, from April 2020 the Council will be able to increase the empty property levy for properties which have been vacant for five years or more to 200%; and from April 2021, the Council will be able to increase the empty property levy for properties which have been vacant for ten years or more to 300%.

1.6 Whilst the changes will generate additional revenue, the primary focus is to bring empty homes back into use and efforts have been made to coordinate the work of the Council’s Revenues Services team with the work of the Council’s Empty Homes team where properties have been vacant for long periods.

1.7 This additional levy will not be applied in all cases where a dwelling is vacant for more than two years as there already exist a number of statutory exemptions from council tax for dwellings left vacant in certain circumstances. e.g. dwellings left vacant by people receiving care or in care homes or dwellings owned by charities. Further, the Council can also apply discretionary discounts as it sees fit in cases such as hardship, fire or flooding. A table detailing the current breakdown of empty properties is attached at Appendix 1.

1.8 The Nottinghamshire Chief Financial Officers (CFOs) discussed this issue at a meeting held on 14th December 2018, and it was acknowledged that a consistent approach to the levy changes across Nottinghamshire would be advisable, and the adoption of the legislative changes at the maximum level would be supported by CFOs, subject to agreement by each respective Council.

1.9 A table illustrating the chronological progression of the charges set out in paragraphs 1.4 and 1.5 above is attached at Appendix 2.

1.10 It is important to note that the adoption of the increased empty property levy will not bring any additional properties within the scope of the levy; it merely increases the amount of council tax charged, and encourages
home owners who do not receive exemptions, to bring empty properties back into use.

2 Proposal

2.1 It is proposed that the Council adopts the maximum allowed empty property levy charging schedule in the financial years 2019/20, 2020/21 and 2021/22 as set out in paragraphs 1.4 and 1.5 of this report and Appendix 2 to this report.

3 Resource Implications

3.1 As at January 2019, there are 107 properties in the Borough where the empty property levy is being charged at the current maximum of 50%. As an annualised amount, this levy raises an additional £82k per year on top of the standard council tax charge.

3.2 Therefore, extrapolating this and assuming the levy does not result in some of these properties becoming occupied, the additional charge raised in 2019/20 would be a further £82k resulting in a total levy amount of £164k for 2019/20.

3.3 Based on the same number of properties remaining vacant and the same assumption that the levy does not result in some of these properties becoming occupied, the introduction of the proposed empty property levy would alter the total levy amount for the financial years 2020/21 and 2021/22 to £230k and £268k respectively. For illustrative purposes, these levy amounts are set out in the table at Appendix 3 to this report.

3.4 It must be recognised that this additional income would be allocated according to the share of council tax raised, and therefore only circa 9% would be taxation income for the Council.

3.5 However, as these changes are intended to bring empty properties back into use, to the extent that this is successful, the amount of additional council tax which will be raised from the levy charge should reduce. Additionally, some of the tax raised in respect of the current 50% empty property levy will be lost.

3.6 Adoption of the proposal in this report is likely to create a combination of additional increase in the levy charged as well as a reduction in the number of properties subject to those increased charges over the next three years. Therefore, attempts to estimate the financial impact any further would be purely speculative.
3.7 No additional resource will be required in the Revenues Services team to implement the recommendations of this report.

4 Appendices

4.1 Appendix 1 - Current Empty Property Breakdown

4.2 Appendix 2 – Chronological Progression of Charges

4.3 Appendix 3 – Levy Charge Projections

4.4 Appendix 4 – Equalities Impact Assessment
### Appendix 1 | Current Empty Property Breakdown

The table below details the number of long term empty properties in the Borough (greater than 2 years) and the number of those properties which are currently exempt, discounted or subject to a 50% levy charge.

<table>
<thead>
<tr>
<th>Number of Years Empty</th>
<th>Empty Properties</th>
<th>Exempted Properties</th>
<th>Discounted Properties*</th>
<th>Properties Subject to 50% Levy</th>
</tr>
</thead>
<tbody>
<tr>
<td>Greater than 2 years but fewer than 5 years</td>
<td>164</td>
<td>47</td>
<td>52</td>
<td>65</td>
</tr>
<tr>
<td>5 – 10 years</td>
<td>63</td>
<td>13</td>
<td>33</td>
<td>17</td>
</tr>
<tr>
<td>Greater than 10 years</td>
<td>68</td>
<td>7</td>
<td>36</td>
<td>25</td>
</tr>
<tr>
<td>Totals</td>
<td>295</td>
<td>67</td>
<td>121</td>
<td>107</td>
</tr>
</tbody>
</table>

* Note

Discounted properties are other empty property classes such as second homes, long term empty properties (those properties which have been vacant for more than six months but not more than two years) and properties considered to be uninhabitable.

These classes of property are either charged a standard council tax charge, or are discounted as detailed below:

- **Discount class B**  
  Second homes (10% discount)

- **Discount C100**  
  Empty property (less than one month) (100% discount)

- **Discount C25**  
  Empty property (less six months) (25% discount)

- **Discount class C**  
  Long term empty (Greater than six months but less than 2 years) (100% charge, not yet in levy)

- **Discount class D**  
  Uninhabitable (25% discount for 12 months)
Appendix 2 | Chronological Progression of Charges

The table below is intended to further explain the changes set out by the Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Act 2018.

<table>
<thead>
<tr>
<th>Scheme Number</th>
<th>Effective Date</th>
<th>Scheme</th>
<th>Levy Value (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>1st April 2019</td>
<td>Greater than 2 years but less than 5 years</td>
<td>100</td>
</tr>
<tr>
<td>2</td>
<td>1st April 2020</td>
<td>5 - 10 years</td>
<td>200</td>
</tr>
<tr>
<td>3</td>
<td>1st April 2021</td>
<td>Greater than 10 years</td>
<td>300</td>
</tr>
</tbody>
</table>

All properties which have been vacant for more than two years will fall into scheme number 1 from 1st April 2019.

From 1st April 2020, those properties which have been vacant for between five and ten years will fall into scheme number 2 and properties which have been vacant for more than two years but fewer than five years will fall into scheme number 1.

From 1st April 2021, those properties which have been vacant for more than ten years will fall into scheme number 3, those properties which have been vacant for between five and ten years will fall into scheme number 2 and properties which have been vacant for more than two years but fewer than five years will fall into scheme number 1.
Appendix 3 | Levy Charge Projections

The table below details the projected levy totals which will be realised in the relevant years based on the adoption of the recommendations of this report and based on the assumption that the levy does not result in some of the currently vacant properties becoming occupied.

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>82,414</td>
<td>164,828</td>
<td>229,804</td>
<td>267,943</td>
</tr>
</tbody>
</table>
Appendix 4 | Equalities Impact Assessment

EQUALITY IMPACT NEEDS ASSESSMENT

<table>
<thead>
<tr>
<th>Policy/Service/Procedure to be assessed</th>
<th>Council tax empty property levy changes April 2019</th>
</tr>
</thead>
<tbody>
<tr>
<td>Assessment completed by:</td>
<td>Andrew Solley</td>
</tr>
</tbody>
</table>

**Aims/objectives of the Policy/Service/Procedure**

From April 2019 the Council will be granted new powers to increase council tax levy on homes left empty and substantially unfurnished for over two years. These new powers are expected to help reduce the number of long-term empty domestic properties and bring them back into use through sale or rent. The Council is looking to implement the following changes to take advantage of these new powers and reduce the number of empty homes in the Borough:

(a) to introduce an increased premium of 100% from 2019/20 for properties which have been vacant for two or more years;

(b) to introduce an increased premium of 200% from 2020/21 for properties which have been vacant for five or more years;

(c) to introduce an increased premium of 300% from 2021/22 for properties which have been vacant for ten or more years.

<table>
<thead>
<tr>
<th>Key Performance Indicator</th>
<th>Current Performance</th>
<th>Target</th>
</tr>
</thead>
<tbody>
<tr>
<td>None</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
**Who are the customers and stakeholders of this service?**

Owners of empty homes will be directly impacted by the changes. Those whose property has been kept empty for a substantial period of time will be most affected as the charge increases over time. This impact could potentially increase their monthly costs significantly and could potentially encourage them to sell the property rather than risk paying the newer premium.

Those actively seeking accommodation, either through buying or renting are likely to be positively impacted by the proposed changes. The new levy charges are designed to encourage property owners to sell or let their empty homes. This change will mean more choice for home seekers and may also lower the price of renting or buying within the Borough as supply increases in relation to demand.

**Detail below what information you already have about the impact this policy/service/procedure has on the following groups including results from consultation, complaints, census:**

<table>
<thead>
<tr>
<th>Category</th>
<th>Information</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Black and minority ethnic people</strong></td>
<td>Office of National Statistics figures show that Gedling has an increasing BME population. Gedling also has a high number of workers registering from A8 countries in the EU. Whilst a number of these workers may not reside within the area and there are no accurate details of languages spoken in the Borough it is possible that there may be a language barrier for some residents.</td>
</tr>
<tr>
<td><strong>Men/women and trans</strong></td>
<td>Gedling’s population is spilt between 49% male and 51% female. There are no figures available on the proportion of transgender people in the Borough.</td>
</tr>
<tr>
<td><strong>Disabled people</strong></td>
<td>State of the Borough (SoB) figures show that around 18% of Gedling’s population consider themselves to have a limiting long-term illness.</td>
</tr>
<tr>
<td><strong>Gay/Lesbian/bisexual</strong></td>
<td>No Office for National Statistics (ONS) data has been collected in any census on sexual</td>
</tr>
</tbody>
</table>
### People

**orientation.**

### People from different faiths

Figures from the ONS suggest that 1.8% of Gedling’s population have stated that their religious belief is one other than Christianity (71.8%), however 7.7% did not state their religion and 18.7% of residents said they did not have a religion. This suggests that at least 2,000 of Gedling’s residents may be affected, for example these residents may be subject to religious festivals and/or holy days not recognised by the Council’s working calendar, which is based on Christian religious festivals.

### People of different ages

Gedling has a higher than national average ageing population (SoB), with a 1.3% higher proportion of 65-74 year olds and a 0.9% higher proportion of over 75s.

<table>
<thead>
<tr>
<th>How will this policy/service/procedure impact on the following groups:</th>
<th>Positive impact</th>
<th>Negative impact</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Different racial groups</strong></td>
<td>The council tax empty property levy is charged based on the status of the property i.e. how long the property in question has remained empty. The person subject to the levy is liable by virtue of their ownership of the property. No consideration as to the owner’s racial group is made when deciding upon liability.</td>
<td>None</td>
</tr>
<tr>
<td><strong>Men/women and trans</strong></td>
<td>The council tax empty property levy is charged based on the status of the property i.e. how long the property in question has remained empty. The person subject to the levy is liable by virtue of their ownership of the property. No consideration as to the owner’s sex or gender identity is made when deciding upon liability.</td>
<td>None</td>
</tr>
</tbody>
</table>
| **Disabled people** | The council tax empty property levy is charged based on the status of the property i.e. how long the property in question has remained empty.  

The person subject to the levy is liable by virtue of their ownership of the property. No consideration as to the owner’s disabilities is made when deciding upon liability.  

Potential exists for the partially sighted to have difficulty with print size on printed demand notices. This is mitigated by the availability digital and large print demand notices. | None |
|---|---|---|
| **Gay/Lesbian/bi-sexual people** | The council tax empty property levy is charged based on the status of the property i.e. how long the property in question has remained empty.  

The person subject to the levy is liable by virtue of their ownership of the property. No consideration as to the owner’s sexual orientation is made when deciding | None |
| People from different faiths | The council tax empty property levy is charged based on the status of the property i.e. how long the property in question has remained empty.  

The person subject to the levy is liable by virtue of their ownership of the property. No consideration as to the owner’s faith is made when deciding upon liability. | None |
| People of different ages | The council tax empty property levy is charged based on the status of the property i.e. how long the property in question has remained empty.  

The person subject to the levy is liable by virtue of their ownership of the property. No consideration as to the owner’s age is made when deciding upon liability.  

An exception to this statement would be where an owner is below the age of 18 and therefore would be exempted from the payment of council tax.  

Note that older persons who leave properties empty in order to move into residential care homes are exempted from council tax payments and therefore | None |
None identified.

Notification received relating to any customers affected by these changes will be monitored and considered.

<table>
<thead>
<tr>
<th>Action</th>
<th>Outcome</th>
<th>Date?</th>
<th>Who?</th>
</tr>
</thead>
<tbody>
<tr>
<td>None</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Are you satisfied that all aspects of this policy/service/procedure have been thoroughly assessed for all the strands of diversity and that no further investigation is required?  

**YES**

If no then a fuller impact assessment is required.

Signed……… (Manager)  Signed…………………………… (Corporate Equality Representative)
Report to Council

Subject: Amendments to Scheme of Polling Places and Polling Stations

Date: 30 January 2019

Author: Service Manager, Democratic Services

Purpose of the Report

To approve amendments to the published scheme of polling places, polling districts and polling stations for Gedling Borough.

Recommendations

Council is RECOMMENDED to:

1) Amend the polling place for polling districts GA3 and SB1 as detailed in the table at paragraph 2.1 of the report.

1. Background

1.1 Following the completion of the Local Government Boundary Commission Review of Gedling in 2014, the Council published a new scheme for polling districts, polling places and polling stations in the Borough. Section 18 of the Representation of the People Act 1983 places an obligation on the Council to keep such schemes under review in order to provide “reasonable facilities for voting.” Minor amendments to the scheme of polling places were approved by Council in April 2016.

1.2 There are two minor amendments that are proposed to the scheme that are intended to improve the facilities that the Council offers to voters.

2. Proposal

2.1 The changes that are proposed are outlined in the table below:

<table>
<thead>
<tr>
<th>Polling Reference and Name</th>
<th>Current Polling Place</th>
<th>Proposed New Polling Place</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>GA3 – Bestwood St Albans 3</td>
<td>Emmanuel Church Hall, Church View Close.</td>
<td>Oakwood Academy, Bewcastle Road.</td>
<td>The Polling Station at the Church Hall is on the edge of the polling district and feedback has been</td>
</tr>
</tbody>
</table>
received from electors that the location is not easily reached. The school site is a well-known site at the centre of the area so will provide a better experience for voters.

| SB1 – Calverton 1 | Calverton Methodist Church Hall, Collyer Road, Calverton (Polling place to be retained for polling districts SB3, SB4 and SB6) | Calverton Village Hall, William Lee Recreation Ground, Park Road, Calverton | The new village hall is conveniently located for voters in the polling district and has more parking facilities. The Methodist Hall will be retained as a polling station for polling districts SB3, SB4 and SB6. The voter experience should also improve at the Methodist Hall as the facility will accommodate fewer voters. |

2.2 For all of the proposals outlined above extra signage will be deployed on upcoming polling days to remind voters of the changes. Each elector will be receiving a poll card including a map with a clear message highlighting any change of polling station. The Council website has an interactive “find my polling station” facility which will be updated with the changes. The Council also works with the Democracy Club to provide specific co-ordinates of polling station to their national look up facility.

3. **Resource Implications**

3.1 The costs of hiring one additional location as a polling place can be contained within existing budgets.
Report to Cabinet

**Subject:** Gedling Gambling Statement of Policy

**Date:** 10 January 2018

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

**Wards Affected**

All wards

**Purpose**

To inform Members of the responses to the consultation on the Authority’s Gambling Statement of Policy and to seek Cabinet support for Council to approve the amended version of the Gambling Statement of Policy which takes into account the consultation responses.

**Key Decision**

This is a key decision.

**Recommendation:**

That Cabinet:

- Notes the responses to the consultation on the amendments to the Gedling Gambling Statement of Policy

- Approve the amended Gedling Gambling Statement of Policy at Appendix 1 (which includes the amendments approved for consultation on 21st September 2018 and amendments following the consultation) to be submitted to Council for approval.
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. However this policy can be reviewed at any time if there are any legislative or other significant changes during that time period.

At the Cabinet meeting on 28 June 2018 Members considered a report informing them of the requirements of the Gambling Act 2005 in relation to the review of the Authority’s Gambling Statement of Policy and proposed amendments to the existing policy. The proposed amendments were suggested by officers after meetings with colleagues across the County who are all members of the Nottinghamshire Authority’s Licensing Group (NALG). The Authorities across Nottinghamshire work together in this way to ensure that policies across the County are as consistent as possible.

At the meeting Members resolved to:

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.

The consultation period ended on 21 September 2018.

1.2 The Authority has received one response to the consultation and this was from Gosschalks Solicitors on behalf of the Association of British Bookmakers. They commented and made suggested amendments to both the proposed amendments to the Gedling Gambling Statement and the existing Statement and the suggested amendments are summarised as follows:

1. To redraft the paragraph on page 9 relating to local risk assessment and in particular the paragraph relating to problem gambling. To state that successive prevalence surveys and health surveys have indicated that problem gambling rates are around 0.6% of the population and are possibly falling. That the figures stated are national figures and that there is no evidence of problem gambling in Gedling. To make it clear that each application will be considered on its merits.

2. To redraft paragraph 1.3 in the existing Statement of Principles to state the principles that are to be applied by the Licensing Authority when exercising its functions and not to address the impact of licensed premises.

3. To redraft the final two paragraphs of paragraph 5.1 to amend the
reference to ‘primary use’ to ‘appropriate gambling environment’ as the phrase ‘primary use’ is no longer used by the Gambling Commission.

4. At paragraph 5.2 to make it clear that the mandatory and default conditions are usually sufficient and that additional conditions will only be considered where there is a clear need for them.

After consideration of the above, and a review of the Gambling Commission’s guidance, officers would recommend the following:

With reference to point:

1. It is not felt necessary to amend this paragraph. The information is provided as a general national estimate of the problem with gambling and states that there are no local estimates available and therefore it is not known if gambling is a problem in Gedling.

2. To amend paragraph 1.3 to include the phrase ‘to state the principles that are to be applied by the Licensing Authority when exercising its functions’ in addition to the existing wording.

3. That the reference to primary use be removed from the policy and that the second paragraph of point 5.1 in the policy be removed and replaced with the following:

   ‘In relation to an application to split existing licensed premises thereby creating multiple premises, each gambling activity in each premises should be linked to the premises described. For example, in a bingo premises, the gambling activity should be bingo with gaming machines as an ancillary offer on the premises. the Act does not permit premises to be licensed for more than one gambling activity, subject to the gaming machine entitlements which various types of licence bring with them except in the case of track’.

4. This is part of the gambling licensing process and is therefore not necessary to include it in the policy and paragraph 5.2 already makes it clear that any conditions would be appropriate to each application.
Proposal

- That Member’s note the consultation response and proposed changes to the policy following consultation.
- That Members approve the draft policy at Appendix 1 which includes the amendments approved for consultation on 21 September 2018 and the additional changes outlined above and that this be submitted to Council for approval.

Alternative Options

3.1 Members could resolve not to approve the further amendment to the policy following the consultation, however, the policy could be misleading in the use of the term ‘primary use’. Members could also suggest alternative amendments to the policy, however the amendments made both prior to and post consultation have been proposed following discussion with Licensing Authorities across the County and following research by the Licensing Officer. Only one consultation response was received by the Council and that response has been fully considered and reflected, where appropriate in the proposed policy at Appendix 1.

To not support the amended policy being referred to Council for approval. However, it is a statutory requirement that the Policy be published every three years.

Financial Implications

4.1 There are no financial implications.

Appendices

5.1 Appendix 1 – The Gedling Gambling Statement of Policy including the proposed changes outlined in the report.

Background Papers

There are no background papers.

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.
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Gambling Act 2005

Statement of Principles

Effective from 31st January 2016 until 31st January 2022
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- Relationship with other legislation
- "Demand" for gaming premises
- Rights of applicants and third parties
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- Equality

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- Temporary use notices
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- Casinos
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- Inspections
  - Policy Four
- Enforcement

Glossary of terms

Appendices

Appendix one - List of bodies and organisations consulted
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 state the principles that are to be applied by the Licensing Authority when exercising its functions and 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
- 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 at the time of publication of this policy 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 2018 and the General Data Protection Regulations 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.

2.45 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.

2.6 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 again.

2.7 The licensing authority have an expectation that all local risk assessments will take into account the local social profile of the area.

2.8 The council will expect the local risk assessment to consider as a minimum:

The location of services for children such as schools, playgrounds, leisure/community centres and other areas where children will gather;

The demographics of the area in relation to vulnerable groups;

Whether the premises is in an area subject to high levels of crime and/or disorder;

Local risk assessments should show how vulnerable people, including people with gambling dependencies are protected.

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:

• ethnic groups
• youth
• low IQ
• substance abuse/misuse
• poor mental health

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 www.gamblingcommission.gov.uk

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.

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. 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.

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:

- Proof of age schemes.
- CCTV
- Supervision of entrances/machine areas
- Physical separation of areas
- Specific opening hours
- Self-barring schemes
- Notices/signage
- 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
- Clear Policies that outline the steps to be taken to protect children from harm
- Provision of information leaflets/helpline numbers for organisations such as GamCare.

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

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, each gambling activity in each premises should be linked to the premises described. For example, in a bingo premises, the gambling activity should be bingo with gaming machines as an ancillary offer on the premises. the Act does not permit premises to be licensed for more than one gambling activity, subject to the gaming machine entitlements which various types of licence bring with them except in the case of track.

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.

- Local risk assessment at 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

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).
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.

 tyranny local risk assessment at the premises

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.

<table>
<thead>
<tr>
<th>Terminology</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>“the Act”</td>
<td>The Gambling Act 2005 (c19)</td>
</tr>
<tr>
<td>“Authority”</td>
<td>This refers to the “Licensing Authority” as defined by section 2 of the Act</td>
</tr>
<tr>
<td>“authorised person”</td>
<td>An officer of a Licensing Authority, and 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</td>
</tr>
<tr>
<td>“authorised local Authority officer”</td>
<td>An officer of a Licensing Authority who is an authorised person for a purpose relating to premises in that Authority’s area</td>
</tr>
<tr>
<td>“gambling commission”</td>
<td>An organisation established under section 20 of the Act that is responsible for regulating gambling in Great Britain</td>
</tr>
<tr>
<td>“interested parties”</td>
<td>Defined at paragraph 2.3 of this statement of licensing principles</td>
</tr>
<tr>
<td>“mandatory condition”</td>
<td>A condition that must be placed on a licence by virtue of regulations</td>
</tr>
<tr>
<td>“regulations”</td>
<td>Refers to regulations made under the Gambling Act 2005</td>
</tr>
<tr>
<td>“responsible authorities”</td>
<td>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.</td>
</tr>
</tbody>
</table>
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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Report to: Appointments and Conditions of Service Committee

Subject: Localism Act: Pay Policy Statement

Date: 19 December 2018

Author: Service Manager; Organisational Development

1. Purpose of the report

The purpose of the report is to ask the Appointments and Conditions of Service Committee to approve the proposed Pay Policy Statement and method of implementation, and also to recommend its referral to, and adoption by Council for subsequent publication on the Council’s website.

Recommendations

The Appointments and Conditions of Service Committee is recommended to:

1) Approve the proposed Pay Policy Statement and method of implementation and

2) Recommend the referral of the Pay Policy Statement to Council for adoption and for subsequent publication on the Council’s website.

2. Background

The purpose of the Statement is to increase accountability in relation to payments made to senior members of local authority staff by enabling public scrutiny.

Section 38 of the Localism Act 2011 requires local authorities to publish a Pay Policy Statement by 31 March each year for the following financial year. Other regulations also require the Council to openly publish certain information and of particular relevance to the Pay Policy Statement is the statutory Local Government Transparency Code 2015. This report presents a proposal for the Gedling Borough Council Pay Policy Statement 2019-20.

A Pay Policy Statement must set out the authority’s policies relating to the:

- remuneration of its Chief Officers
- remuneration of its lowest-paid employees
- relationship between the remuneration of its Chief Officers and the remuneration of its employees who are not Chief Officers.

The Statement must include the definition of lowest-paid employees adopted by the authority and the reasons for adopting that definition.
The Statement must include the authority’s policies relating to the:

- level and elements of remuneration for each Chief Officer
- remuneration of Chief Officers on recruitment
- increases and additions to remuneration for each Chief Officer
- use of performance-related pay for Chief Officers
- use of bonuses for Chief Officers
- approach to the payment of Chief Officers on their ceasing to hold office under or to be employed by the authority
- publication of and access to information relating to remuneration of Chief Officers.

Locally the Statement is also used to publish Gender Pay Gap information required under the Equality Act 2010 (Gender Pay Gap Information) Regulations 2017 and information relating to time spent on support of recognised trade unions as required by the Trade Union (Facility Time Publication Requirements) Regulations 2017.

The Pay Policy Statement may include information relating to the policy on employment terms and conditions for all Chief Officers.

The Statement must be approved by a resolution of the authority before the 31 March immediately before the financial year to which it relates but may also be amended by resolution during the year; it must be published on the authority’s website as soon as possible after approval. Publishing the Pay Policy Statement in the format recommended in Appendix 2 also meets the additional requirements under the statutory elements of the Local Government Transparency Code 2015 in particular relating to information about trade union facilities (time allowed for union duties), senior salaries and the pay multiple. The earlier 2014 Regulations also require that data under the Code is published on the first occasion before 3 February 2015 and annually thereafter. In order to comply with the publication requirement, it is intended that the Pay Policy Statement will be published on the Council’s website straight after the Council resolution.

The term ‘Chief Officer’ referred to above includes:

- The Head of Paid Service designated under section 4(1) of the Local Government and Housing Act 1989 (the Chief Executive)
- The Monitoring Officer designated under section 5(1) of that Act (the Director of Organisational Development and Communications)
- A statutory Chief Officer mentioned in section 2(6) of that Act (the Deputy Chief Executive and Director of Finance (and the Council’s Section 151 Officer))
- A non-statutory Chief Officer mentioned in section 2(7) of that Act (the Director of Health and Community Wellbeing by virtue of reporting directly to the Head of Paid Service);
- A deputy Chief Officer mentioned in section 2(8) of that Act (all Service Managers by virtue of reporting directly to statutory and non-statutory Chief Officers).

Of the above listed posts only the Chief Executive, Deputy Chief Executive, Directors and the Service Managers for Financial and Legal Services are paid a salary above £62,000 per annum which is the value of the Senior Civil Service minimum pay band recommended under the Code of Practice for Data Transparency at which information on roles and remuneration of senior officers is published.

The full statement shows that the Borough Council’s local ratio of highest:lowest pay rates is 6.48:1 - this compares favourably with the ratio of 20:1 suggested as a reasonable maximum figure in the original Hutton review into fair pay, and the many examples found in the private sector where multiples way in excess of this is not uncommon.
Local authorities were already required to publish, under the Accounts and Audit (England) Regulations 2011 (Statutory Instrument 2011/817), both the number of employees whose remuneration in that year was at least £50,000 and details of remuneration and job title of certain senior employees whose salary is at least £50,000.

For each “Chief Officer” as defined above, the Pay Policy Statement must include the following information:

- the Chief Officer's salary,
- any bonuses payable,
- any charges, fees or allowances payable,
- any benefits in kind to which the Chief Officer is entitled,
- any increase or enhancement to the Chief Officer's pension entitlement, and
- any amounts payable to the Chief Officer on the Chief Officer ceasing to hold office under or be employed by the authority.

From 2017, any organisation that has 250 or more employees must publish and report specific figures about their gender pay gap.

The gender pay gap is the difference between the average earnings of men and women, expressed relative to men's earnings.

The data to be collected, relevant at 31 March 2017 and each year thereafter is the:
- Mean gender pay gap
- Median gender pay gap
- Mean gender pay gap in bonus pay
- Median gender pay gap in bonus pay
- Percentage of males and females in each of the four pay quartiles.

Employers must both publish their gender pay gap data and a written statement on their public-facing website and report their data to government online using the gender pay gap reporting service.

Organisations must publish within a year of the snapshot date. This year’s data and the narrative endorsed by Senior Leadership Team as shown in the Pay Policy Statement will be published following adoption of the Statement by Council.

Appendix 1 shows the proposal for the full Pay Policy Statement for Gedling Borough Council for the year 2019-20.

3. Publication of the Pay Policy Statement

The proposed Pay Policy Statement has been drafted to meet the requirements of the Localism Act 2011, the Local Government Transparency Code 2014, the requirements of the Accounts and Audit (England) Regulations 2011, the Equality Act 2010 (Gender Pay Gap Information) Regulations 2017, the Trade Union (Facility Time Publication Requirements) Regulations 2017 and other best practice guidance offered by the Local Government Association and the Association of Local Authority Chief Executives.
The Localism Act in itself does not necessarily require the Authority to publish actual salary band amounts, however, other regulations and best practice do lead us to this position, particularly for Chief Officers. In the spirit of openness and transparency the proposed Pay Policy Statement encapsulates the principles derived from these myriad sources.

In order to meet the deadlines required by the Localism Act and the Transparency Code, the data used in this annual statement is current at 30 November in each year.

Subject to the views of this committee and the adoption at Council, the Pay Policy Statement will be published on the Council’s website immediately after resolution, and annually thereafter and included in the Council’s Publications Scheme. It will be published as a Microsoft Word document which is a “machine-readable” format as required by the Local Government Transparency Code 2014.

During any year, changes to policy approved by Committee and minor amendments to levels of earnings resulting from annual nationally-determined pay awards may be made to the published policy during the year without further referral back to Council. Otherwise, each year a Pay Policy Statement will be brought back to Council for formal approval and adoption.
1. Introduction
Section 38 of the Localism Act 2011 requires local authorities to publish a Pay Policy Statement by 31 March each year. The purpose of the Statement is to increase accountability in relation to payments made to senior members of local authority staff by enabling public scrutiny.

The Pay Policy Statement has been drafted not only to meet the requirements of the Localism Act, but also is designed to reflect the principles of the Code of Recommended Practice for Local Authorities on Data Transparency (updated in 2015), the Accounts and Audit (England) Regulations 2011 and aspects of good practice highlighted by the Local Government Association and the Association of Local Authority Chief Executives. Furthermore, the Statement also has regard to the guidance made available in February 2013 by the Department for Communities and Local Government in respect to “openness and accountability” as described in section 40 of the Localism Act.

The Statement is also used to publish Gender Pay Gap information required under the Equality Act 2010 (Gender Pay Gap Information) Regulations 2017 and information relating to time spent on support of recognised trade unions as required by the Trade Union (Facility Time Publication Requirements) Regulations 2017.

2. Pay Policy Statement; Executive Summary
Details necessary for publication are explored fully in this Pay Policy Statement in sections three and four. The Executive Summary does not reflect all information required or recommended in the legislation and guidance described in the introduction above; however, it is designed to show key information in a simple, digestible format. Unless otherwise stated, data in these tables is current at 30 November 2018.

<table>
<thead>
<tr>
<th>General Council pay data</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Lowest rate of pay (Exc Training Grade)</td>
<td>£8.82 per hour (£17,007 p.a. full time)</td>
</tr>
<tr>
<td>Median rate of pay</td>
<td>£10.08 per hour (£19,446 p.a. full time)</td>
</tr>
<tr>
<td>Mean rate of pay</td>
<td>£12.40 per hour (£23,923 p.a. full time)</td>
</tr>
<tr>
<td>Highest rate of pay</td>
<td>£57.10 per hour (£110,160 p.a. full time)</td>
</tr>
<tr>
<td>Expression (as a multiple) of highest rate of pay</td>
<td></td>
</tr>
<tr>
<td>Lowest pay:</td>
<td>6.47 times greater</td>
</tr>
<tr>
<td>Median pay:</td>
<td>5.66 times greater</td>
</tr>
<tr>
<td>Mean pay:</td>
<td>4.60 times greater</td>
</tr>
</tbody>
</table>
## Job-related information for Chief Officers

<table>
<thead>
<tr>
<th>Job Title of Senior posts</th>
<th>Substantive post-Salary Band p.a. (pay pts in scale)</th>
<th>Enhancement to basic pay or Addition to basic pay (not related to main job)</th>
<th>For Senior Posts: Number of staff reports &amp; total budget (Headcount @01/11/18)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Chief Executive</strong></td>
<td>£110,160 – £112,200 £114,240 Progression is performance-related</td>
<td>Yes- Election fees</td>
<td>34 staff (477 total) £1,830,300</td>
</tr>
<tr>
<td><strong>Directors</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>i) Dep C.E. &amp; Director of Finance</td>
<td>i) £81,720 - £84,057 – £87,558</td>
<td>No</td>
<td>i) 208 staff £35,531,000</td>
</tr>
<tr>
<td>ii) Health &amp; Community Wellbeing</td>
<td>ii) &amp; iii) £74,292 – £76,413 – £79,599</td>
<td></td>
<td>ii) 160 staff £6,436,100</td>
</tr>
<tr>
<td>iii) O.D. &amp; Democratic Services</td>
<td></td>
<td></td>
<td>iii) 75 staff £3,400,000</td>
</tr>
<tr>
<td><strong>Service Managers - Band 4;</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Financial Services</td>
<td>£63,678 - £65,667 - £67,659</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>• Legal Services</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Service Managers – Band 3;</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Public Protection</td>
<td>£55,719 - £57,711 - £59,697</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>• Leisure &amp; Culture</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Organisational Development</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Economic Growth &amp; Regen</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Revenues &amp; Welfare Support</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Service Managers – Band 2;</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Parks &amp; Street Cleansing</td>
<td>£47,760 - £49,749 - £51,738</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>• Customer Services &amp; Comms</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Planning Policy</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Development Services</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Community Relations</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Transport &amp; Waste</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Service Managers – Band 1;</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Democratic Services</td>
<td>£43,779 - £45,771 - £47,760</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>• Property</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

1 As defined in Recommended Code of Practice for Data Transparency
2 Total current gross expenditure budget (2018/19); includes employee costs.
3. Setting the scene

3.1 Pay Strategy
The Council’s Pay Strategy is shown at Appendix iA. This document encapsulates both strategic principles and operational practices; it gives direction and intent and guidance for the practical application of these principles.

3.2 Gender Pay Gap
From 2017, any organisation that has 250 or more employees must publish and report specific figures about their gender pay gap.

The gender pay gap is the difference between the average earnings of men and women, expressed relative to men’s earnings.

The data to be collected, relevant at 31 March 2017 and at that “snapshot date” each year thereafter is the:
- Mean gender pay gap
- Median gender pay gap
- Mean gender pay gap in bonus pay
- Median gender pay gap in bonus pay
- Percentage of males and females in each of the four pay quartiles.

As required in law, both our gender pay gap data and a written statement to add context to the data are available on our public-facing website http://www.gedling.gov.uk/council/aboutus/financeandaccounts/opendata/genderpaygapdata/ and on the government website https://gender-pay-gap.service.gov.uk/

This year’s data and the narrative endorsed by Senior Leadership Team for Gedling Borough Council are shown at Appendix iB.

3.2 Other relevant information
The following additional paragraphs and statements outline the Council’s general position in respect to employment, pay and conditions of service and are pertinent to the requirements of the Localism Act:

1.1.1. As at November 2018, Gedling Borough Council employed 477 people (373.7 full time equivalents).

1.1.2. Of our posts, 19 are governed by the national conditions of service relating to the Joint Negotiating Committees (JNC) for Chief Executives and Chief Officers, these being the Chief Executive, one post of Deputy Chief Executive and Director of Finance, two Directors and 15 Service Managers. All other employees work within the national conditions of service covered by the National Joint Council (NJC) for Local Government Employees.

1.1.3. These national conditions of service are added to, and amended by, local terms and conditions detailed in the Employee Handbook and further modified at an individual level by Statements of Employment (contracts) applying to particular employees or posts.
1.1.4. For the purposes of the Localism Act, report must be made on the pay policies relating specifically to “Chief Officers”. In the Act, included in the definition of what is a “Chief Officer” are any posts, statutory or not statutory, that report direct to the Chief Executive, or to a post that reports immediately to the Chief Officer. The purpose is to ensure that “Deputy Chief Officer” posts are included in the pay policy. Locally, for Gedling Borough Council this means that the Chief Executive, Deputy Chief Executive, Directors and Service Managers are covered in the Pay Policy Statement.

1.1.5. Policies relating to the setting of pay are determined by committee. Currently such decisions fall under the remit of the Appointments and Conditions of Service Committee (ACSC). Historically, all major decisions relating to pay policies have been the subject of consultation with the recognised unions representing employees of the Council, either direct with the unions, or more usually through discussion at the Joint Consultative and Safety Committee (JCSC) which is the recognised forum for formal consultation between employee representatives and the employer.

1.1.6. The Council has embraced the principles of Single Status (a term designed by national employers’ groups and trade unions to describe the equal treatment, in respect to terms and conditions, of all employees) since 2001. Gedling was one of the first local authorities in the region to formally implement the national NJC Job Evaluation Scheme. A pay policy was written at this time to reflect how NJC pay was to be applied within this scheme and this is shown at Appendix i. The NJC Job Evaluation Scheme continues to be used and pay grades are established using this tool for all NJC posts. Job assessment is carried out jointly by both management and union representatives.

1.1.7. The grading of JNC Service Manager posts is undertaken by Senior Leadership Team and is based on a locally-determined scoring matrix. This matrix and the scoring system used to determine grades are shown at Appendix ii. Pay grades for Directors and the Chief Executive are determined by Committee (ACSC).

1.1.8. The filling of, or promotion to all posts, be they governed by NJC or JNC conditions of service are dealt with under the same defined protocols. The general protocol for the filling of vacancies is shown at Appendix iii with a description of how this protocol is applied in a practical context shown at Appendix iv.

1.1.9. Other than in cases where there is a need to prevent redundancy through possible redeployment of existing employees, or where efficiencies or improved working can potentially be realised, all permanent vacancies are advertised externally and all appointments are made on merit as required by the Local Government and Housing Act 1989. There is an additional recognised protocol (appendix v) that allows temporary vacancies for periods of less than one year to be filled internally.

1.1.10. Appointments to the post of Chief Executive, Deputy Chief Executive or Director are made by the Appointments and Conditions of Service Committee, subject to no objections being raised by Cabinet. Appointment to all other posts including Chief Officers defined within the Localism Act is made by officers delegated to act on behalf of the Chief Executive. The Council’s constitution governs this process.
1.1.11. Dismissal of Statutory Officers (Head of Paid Service, Monitoring Officer and Chief Financial (Section 151) Officer) is made through the Appointments and Conditions of Service Committee which will first consider the case and make an initial determination that will be subsequently referred to an Independent Panel charged with making a recommendation to Council at which a decision will be taken to approve or reject the dismissal. Dismissal of Directors that are not Statutory Officers will not be referred to an Independent Panel. Dismissal from all other posts including Chief Officers defined within the Localism Act is made by the Chief Executive or to officers delegated to act on behalf of the Chief Executive. The Council’s constitution sets out the process for dismissal of Statutory Officers and other Chief Officers. Where they exist, model procedures contained within national Chief Officers’ terms and conditions will be used as guidance.

1.1.12. In respect to appointment to any post, where the grade of a post compromises a range of pay points, the general practice is that appointment is made to the bottom pay point other than in cases where the successful candidate can demonstrate that their experience or skill set is of relevant and exceptional nature. In such cases, for officers working under NJC conditions, a Service Manager may agree to commencement at a higher pay point. For a JNC post, the decision about pay on appointment will rest with the appointing officer or committee as appropriate.

1.1.13. For Directors governed by JNC conditions, pay at appointment and subsequent advancement through the pay grade is determined by the Chief Executive following consultation with the Appointments and Conditions of Service Committee as detailed in Appendix vi. The same general principles governing application of pay points apply both to external appointment and internal promotion.

1.1.14. The Council has an established training grade which mirrors the national pay rates for apprentices. The policy relating to the application of this arrangement was adopted in September 2016. Although potentially applicable to a training post of any type, the grade is designed to be applied specifically to apprentices employed directly by the Council.

1.1.15. As a general principle and where business need allows, the Council supports the sharing of posts (job share) between two or more people. Appointments will be made on merit. Appointment for any job share partner will be made within the confines of the pay grade, determined through job evaluation and within the principles as described above in relation to the determination of starting salary.

1.1.16. In 2013 supplementary guidance was offered by the Department for Communities and Local Government under section 40 of the Localism Act 2011 about decisions relating to appointments and dismissal from senior posts where the costs of such decisions are likely to be high. The Secretary of State considers that a salary of £100,000 is the right level for the threshold of such decisions.

In the year 2018/19 the only post at this pay level is that of Chief Executive. This post is defined as “senior” for the purpose of this guidance and consequently decisions relating to appointment and dismissal will be determined by full Council following recommendation made by the Appointments and Conditions of Service Committee. This arrangement is incorporated within the Council’s constitution.
1.1.17. Currently and until March 2019, decisions relating to pension release and standard discretionary payments made at the maximum level under local Council policy will be taken by the Chief Executive under delegated powers. Any recommendation to not release pension or to apply discretionary payments below the maximum level permitted through Council policy would be referred to the Appeals and Retirements Committee, a committee delegated to act on behalf of Council.

1.1.18. Already published elsewhere in this Pay Policy Statement are the Council’s key documents relating to severance policies and discretionary compensation for employees, including senior officers in the event of redundancy.

1.1.19. Access to the full set of local pension discretions required under Regulation 60(5) of the LGPS 2013 are shown on the Council’s website under the “How we work” section at http://www.gedling.gov.uk/media/gedlingboroughcouncil/documents/council/aboutus/policies/Pension%20Discretions%20Policy%20(March%202015).pdf

These discretions were approved as formal policy of the Council by the Appointments and Conditions of Service Committee in March 2015. In accordance with legal requirement the policy statements have been drafted to balance financial, business and employee needs and public interest as well as taking into account the general principle that no policy statement can unduly fetter the employer’s ability to make decisions.

1.1.20. From 1 April 2017 all overtime (voluntary), stand-by and call out payments are enhanced by 7.69% to reflect the need to recognise an average of these payments for a four week holiday period each year (the period for which “normal pay” needs to be maintained). Any contractual overtime will be recognised as normal pay for the purpose of all holidays taken.

1.1.21. As required by the Transparency Code, structure diagrams of the Council showing all posts, including vacant posts, and pay bands are maintained on the Council’s website together with contact details for Chief Officers.

1.1.22. The 2015 Transparency Code required information about trade union facility time to be published and this requirement has subsequently been extended by the Trade Union (Facility Time Publication Requirements) Regulations 2017. This is the amount of time that is allowed by the organisation for the representatives of the recognised trade unions to participate in approved union activities. For this Council the information is as follows:

1.1.22.1. There are nine staff that are recognised as representatives (the Executive). This equates to 8.49 full time equivalents (FTEs).

1.1.22.2. There are no union representatives who devote at least 50% of their time to union duties. The estimated proportion of time spent on trade union facility time is:

<table>
<thead>
<tr>
<th>Proportion of time</th>
<th>Number of union Reps</th>
</tr>
</thead>
<tbody>
<tr>
<td>0% (less than 1%)</td>
<td>0</td>
</tr>
<tr>
<td>1- 50%</td>
<td>9</td>
</tr>
<tr>
<td>51-99%</td>
<td>0</td>
</tr>
<tr>
<td>100%</td>
<td>0</td>
</tr>
</tbody>
</table>
1.1.22.3. It is estimated that the total salary cost of union representatives undertaking union duties and activities over a year is £8,839.50. Of this £8,768.11 was spent on trade union facility time (duties) and £569.83 on trade union activities. The proportion of the cost of trade union activities against facility time cost is 6.5%.

1.1.22.4. It is estimated that the spending on all union business by representatives, as a percentage of the total pay bill, is 0.086%. The percentage for union facility time is also 0.086%.

1.2. This Pay Policy Statement is published on the Council’s website.

4. Other specific reportable issues as defined in the Localism Act

4.1 Chief Officer pay

4.1.1 Basic pay
Pay scales for Chief Officers are shown in the Executive Summary table. These are current up to 30 November 2018.

4.1.2 The setting of basic pay grades and pay rates
There are a number of existing decisions and policies that determine Chief Officers’ overall pay policy.

The Chief Executive’s pay scale, and the pay scales for Directors (including the Deputy Chief Executive) are determined locally by the Appointments and Conditions of Service Committee following formal consultation with recognised unions through the Joint Consultative and Safety Committee. The pay scale for the Chief Executive was last reviewed in early 2018 as part of the recruitment process for a new Chief Executive. In 2016, the pay rate for the new post of Deputy Chief Executive and Director of Finance was determined by the ACSC and implicitly the pay rate for Directors was also confirmed. When setting these pay scales the committee took into account the need to balance affordability with fair pay for the work whilst also recognising pay levels for similar posts within the local market and pay differentials within the organisation.

The ACSC approved a performance-related pay scheme that applies all Directors. This is shown at Appendix vi. This confirms that appointment is generally at the bottom point of the pay scale and that progression through the scale is through satisfactory performance only.

The pay principles applying to the Service Managers as JNC officers were determined by ACSC after consultation through the JCSC process. The basis of these grades, how they relate to the pay of Directors and the matrix used by SLT to place these jobs into the appropriate grade are shown at Appendix ii.

As part of the implementation of the NJC national Job Evaluation Scheme in 2001, a pay policy was adopted by committee in 2001 (Appendix i). Basic job grades are still determined using this scheme and the basic principles set out therein. With the implementation of the job evaluation scheme came the setting of a “pay line” that equates each job’s evaluation points to a job grade. The pay policy for the Council’s NJC staff defines how national spinal column points are associated to local job grades and is shown in Appendix i (and also as part of the Pay Strategy at Appendix iB).
The national pay awards for the period 2018/19 are reflected in the pay information for Gedling Borough Council shown in this Pay Policy Statement. Each year the 30 November is used as the reference period for pay information. For both JNC and NJC employees the national pay award applied from April 2017 equated to a headline figure of 2% for most employees although the lowest pay points in the pay spine achieved a higher percentage increase to reflect the government’s ambition relating to the National Living Wage.

The national pay award for NJC staff for the year 2019/20 also includes the adoption of new spinal column pay points. The council currently bases its local pay grades on those national spinal column pay points. The council will consult on measures to transition its local pay scales to include new national spinal column pay points as appropriate. The target date for implementation of this change is April 2019.

4.1.3 Enhancements to Chief Officers’ basic pay
Following the review of local pay in 2016 pay grades have largely been simplified and are now designed to reflect a fair market rate for the job. Consequently previous policies that allowed additional payments to be applied either to Chief Officer or other NJC employees have now been removed.

Honorarium payments are not made to Chief Officers on JNC conditions of service as salaries are deemed to be inclusive of all job requirements at the most senior level.

4.1.4 Additional payments made to Chief Officers
The only additional payment made to Chief Officers relates to election expenses. The only post formally designated within legislation and to which expenses are paid is that of Chief Executive which is nominated as the Returning Officer. The role of Deputy Returning Officer may be applied to any other post and payment may not be made simply because of this designation.

Payments to the Returning Officer are governed as follows:
For national and European elections, fees are prescribed by the Electoral Commission.

For local elections, fees are determined within a local framework used by other district councils within the County. This framework is applied consistently and is known as “The County Scale”. This is reviewed periodically by lead electoral officers within the boroughs.

4.2 Salary protection
The Council’s Pay Protection Policy was reviewed as part of the 2011 reorganisation arrangements. A full description of the policy is shown at Appendix vii. This Pay Protection Policy applies to all employees of the Council, including Chief Officers as defined in the Localism Act. In essence, should a case of pay protection arise, for example due to redeployment or down-grading of a post, protection between an employee’s salary at that time and the value of their new substantive post will apply in the following way:
- 100% for one year
- 75% for year two
- 50% for years three and four
- No protection thereafter.
Salary protection would not occur in cases where a post holder was down-graded to work of lower pay following disciplinary action.

2.3 Lowest-pay and the relationship with highest pay

4.3.1. Definition; “lowest pay”
The definition of “lowest pay” for the purpose of this Pay Policy Statement is, “The lowest spinal column point in the national pay spine that is used within the local pay and grading structure of the Council for non-training posts. As at November 2018 this is Spinal Column Point 11”.

The Council’s current Pay Strategy is shown at Appendix iA and the general Pay Policy is shown at Appendix i. This policy reflects the decision to adopt the national pay spine to form the basis of our grading structure. Although the national pay points within the national pay spine are still recognised, the decision was taken as part of the local pay review in 2016 to pay at SCP 11 as a minimum rate which is above the lowest rate for national pay points currently set at SCP 6.

The spinal column pay points in the Council’s local pay scales will be reviewed for implementation during 2019/20 in order to reflect the changes in NJC pay points agreed at national level.

4.3.2. Definition; “highest pay”
The definition of “highest pay” for the purpose of this Pay Policy Statement is, “The highest local spinal column point that forms part of the Chief Executive’s pay band”.

4.3.3 Relationship between highest and lowest pay
When expressed as a multiplier of pay, the Chief Executive’s salary is:

6.35 times greater than the lowest pay rate of the Council
4.51 times greater than the mean pay rate of the Council
5.55 times greater than the median pay rate of the Council

Although the Localism Act requires Authorities to publish the data, the original Hutton Review of fair pay in the public sector rejected calls for a fixed limit on pay multiples. However, to give guidance on what might be considered to be a reasonable pay multiple of highest pay against lowest pay, a ratio of 20:1 was suggested as part of the consultation during the review.

The pay ratio of highest to lowest pay in the private sector is variable depending on the size and nature of the business although in 2016 for the FTSE 350 companies, the average ratio between Chief Executives’ pay and the average employee was 57:1. In the voluntary and public sectors then high to low pay ratios are traditionally much lower.

The ratios within the Council’s pay structures are very much in line with other local councils of similar size and are certainly within the ranges outlined as being reasonable in the Hutton Review.

This relationship will be reported annually for comparison purposes.

The rates of for lowest, mean, median and highest pay are included in the Executive Summary table.
2.4 Payments made to Chief Officers on ceasing office

2.4.1 Conduct and Capability Policies
The Council’s policies are stated in the employee handbook and where appropriate, also governed by the Council constitution.

Changes and variation to these policies are made following consultation with recognised unions and formal adoption by the Appointments and Conditions of Service Committee. For each of these policies, the scope of application is defined as follows, “The procedure applies in general terms to all employees of the Authority covered by the terms of the National Joint Council for Local Government Services. This includes full and part-time employees and temporary employees. Employees covered by the Joint Negotiating Committees for Chief Officers and Chief Executives and posts nominated as the Council’s Monitoring and Section 151 Officers will have particular provisions applied to them under the Council’s Standing Orders relating to staff [as detailed in the Council Constitution and available through the Gedling Borough Council web site]. In these cases, this Disciplinary and Capability Procedures will be applied as closely as possible subject to such modification as may be required pursuant to those Standing Orders.”

Subject to the above definition of application, for conduct and capability dismissals all employees will receive only statutory payments due which may, depending on circumstance include notice pay (other than in cases of gross misconduct) and outstanding untaken leave entitlement.

2.4.2 Ill health retirement
All employees who are members of the local government pension scheme (LGPS) shall have applied to them a pension defined within the LGPS Regulations. Obligations under law requiring the payment of an appropriate notice period or outstanding unpaid holidays are honoured. No additional discretionary payments will be made. Authority to dismiss on grounds of ill health and authority for release of pension as determined within statute is delegated to the Chief Executive.

2.4.3 Termination of employment; Redundancy, efficiency and general pension discretions
The Council’s Appeals and Retirements Committee has authority to make payment within the approved Early Retirement and Redundancy Policy (Appendix viii). The scheme of compensatory payment is clearly identified in this policy and is based on the table of compensation defined within the Employment Rights Act 1996. Under this local policy, for redundancy, payment including both statutory and discretionary payments is limited to a maximum of 60 weeks’ pay and 30 weeks’ pay for dismissal for reason of ‘efficiency of service’.

The policies relating to redundancy and ‘efficiency of service’ are formally adopted by the Council and are drafted within the legislative framework of the Local Government (Early Termination of Employment)(Discretionary Payments) (England and Wales) Regulations 2006. Specifically, the policies reflect the need to define “a week’s pay” and to detail the Council’s severance payments. For removal of doubt, the Council currently defines “a week’s pay” for the purpose of calculation of compensatory redundancy payments as “actual pay” rather than the statutory maximum figure.
Access to the full set of local pension discretions required under Regulation 60(5) of the LGPS 2013 are shown on the Council’s website under the “How we work” section at http://www.gedling.gov.uk/media/gedlingboroughcouncil/documents/council/aboutus/policies/Pension%20Discretions%20Policy%20(March%202015).pdf

These discretions were approved as formal policy of the Council by the Appointments and Conditions of Service Committee in March 2015 and detail the full range of policy decisions made that relate to payment of, or limitation to payment of pension benefits applicable to any employee.

The Council’s Flexible Retirement Policy is shown at Appendix viii a.

All employees, including Chief Officers are covered by these general policy arrangements. Sections 3.2.10-11 above detail the special arrangements applying to “senior posts” both in respect to appointment and dismissal.

5. **Review and publication**
This Pay Policy Statement will be reviewed annually and reported to Council for approval.

The Statement will be made available to the public on the Council’s website and will be included in the Council’s Publications’ Scheme in a format that complies with regulations governing transparency.
Appendices
Pay Strategy

Purpose
This strategy identifies the principles by which pay is governed in the organisation and specifies how these principles are embedded in practice.

Pay

Strategic Principles
- We will pay sufficiently well to attract and retain talent in line with our ambitions, priorities and workforce strategy.
- When setting pay we will be sensitive to, and respectful of the need to balance fair pay with public interest.
- We recognise our social responsibility to support in appropriate ways, a commitment to paying our lowest-paid employees fairly.
- We are committed to developing employment opportunities for local residents. Training posts with training pay grades will be supported by the Council.
- We will keep pay under regular review and take action to maintain the ambitions stated in our pay principles.

Operational Practices
- Job grades for staff governed by conditions of the National Joint Council on Pay and Conditions of Service (NJC) are established locally but are based on national spinal column points.
- Job grades for the Chief Executive and Chief Officers are established locally using local pay points. General terms and conditions are governed by the appropriate national bodies, the Joint Negotiating Committees (JNC).
- Pay is linked to performance for NJC employees (Document 1), Senior Leadership Team (Document 2) and Service Managers (Document 3).
- Pay awards made under national pay bargaining are applied to all employees covered by the NJC and JNC conditions of service.
- Market supplements will be applied to basic pay in order to attract first class candidates into our workforce. Such supplements will be applied in the exceptional circumstances described in Document 4.
- Honoraria payments will be used for short periods of time, normally up to one year, to appropriately recognise and reward employees who are required by the Council to perform duties and responsibilities beyond those normally expected in their substantive post for a period exceeding four weeks. The level of payment will be determined by the relevant service manager and the service manager responsible for the human resources function.
Equality

Strategic Principles
- Pay equality within the workforce will be maintained by ensuring that jobs are objectively graded through a job evaluation mechanism appropriate to NJC employees and to Service Managers.
- Pay grades will be designed in line with best practice to ensure that pay is non-discriminatory particularly in respect to gender.
- The Equal Pay Policy Statement sets out the general principles of pay and equality.

Operational Practices
- A “Gender Pay Gap” review of pay will be undertaken annually within Government guidelines. Findings of this review, including any recommendations for action will be reported to Senior Leadership Team and to the Joint Consultative and Safety Committee.
- The NJC job evaluation scheme is used as a framework to determine job scores used as a basis for local pay.
- A locally-determined job evaluation scheme will be applied to service manager posts covered by JNC terms for Chief Offices.
- Job evaluation of new and changed NJC posts will be undertaken by management and union representatives.
- Job evaluation of new and changed JNC service manager posts will be undertaken by Senior Leadership Team.

Benefits and reward

Strategic principles
- We recognise that pay is only one element of reward. Recruitment, retention, engagement and happiness of employees are influenced by a wider package of measures. We will continually review terms, conditions, benefits and ways of working that will make Gedling Borough Council an employer of choice.
- We recognise that good physical and mental health of our employees is essential if employees are to attend work regularly and to give of their best.

Operational practices
- We provide practical support to improve the wellbeing of employees. This is achieved through practical measures such as the “Employee Assistance Programme” available to all employees and designed to support employees through problems relating to mental health and financial and relationship difficulties.
• Adoption of flexible and agile working practices whenever practical to enable employees to deliver first rate service in ways that help them to balance personal and work commitments.

• Access to an employee benefits package, “Gedling Lifestyle” that helps to maximise employees’ earnings.

• Membership of “Our Gedling”, providing access for all employees to a range of events and activities designed to enhance personal wellbeing and health and to support a sense of community and engagement with work colleagues.

• Through active engagement with the workforce, employees’ perception of happiness in the workplace is measured and reported. Issues of common concern are identified and actions developed to improve both employee wellbeing and workplace efficiency.

**Pay protection**

**Strategic principles**
• When possible and appropriate, employees will be redeployed within the organisation if they cannot continue to work in their current job.

**Operational practices**
• Employees redeployed to a lower paid job following service reorganisation will receive pay protection. The nature of this protection will be defined through local policy.

**Redundancy**

**Strategic principles**
• Where possible the Council aims to redeploy employees rather than to declare redundancy.

• When this is not possible the Council will apply redundancy payments that recognise the need to balance support for the employee against the need to exercise appropriate restraint in the use of public money.

**Operational practices**
• The Early Retirement and Redundancy Policy, and the Protocol for Enabling Employee Security documents are used to assist the transition of employees between posts in appropriate circumstances.

• Employees returning to work with the Council following redundancy from either our own organisation or a similar public sector organisation will have applied to them any financial penalty required either by legislation or through national terms and conditions.
Pensions

Strategic principles
- Employees of the Council are eligible to participate in the local government pension scheme (LGPS).
- As required by LGPS Regulations, the Council will maintain a set of local policy decisions relating to discretions available to employers under the scheme.
- Discretions, formulated through appropriate committee of the Council, will recognise the need to balance support for the employee against the need to exercise appropriate restraint in the use of public money.

Operational practices
- The Council will maintain and publish a set of local pension discretions required by LGPS Regulations.

Legislation

Strategic principles
- The Council will ensure that pay and remuneration is treated correctly within relevant legislation.

Operational practices
- Tax and other statutory deductions including national insurance contributions will be made within legislation and under guidance of government agencies for employees, workers and contractors.
Policy statement to link pay to performance; NJC employees

- Usually employees appointed to a new post will start at the bottom incremental point of the grade for the post. Where it can be demonstrated through the selection process that the appointee has relevant experience or qualifications, the Service Manager may elect to appoint at a higher incremental point.

- Employees will progress to the next incremental point on their grade on 1 April of each year except where the employee has been in post less than six months. When an employee has been in post for less than six months at 1 April, they will progress to the next incremental point six months after appointment and thereafter on 1 April each year. This reflects national NJC conditions of service.

- Employees will normally progress automatically through the incremental scale as described above. In the exceptional circumstances that an employee is not meeting standards of performance or behaviour required then the Service Manager, after consultation with a senior HR officer, may withhold an increment. Any such action will be supported by an adverse probation report, extension of probationary service or other formal performance review mechanism.

- The reasons for withholding an increment will be explained to the employee and guidance given about areas for improvement such that incremental progression can continue when standards are met.

- Where an employee is dissatisfied with the reasons for withholding an annual increment, they may appeal in writing to the Chief Executive or other nominated JNC senior officer who will review the decision of the Service Manager. This appeal is final.
Contractual terms to link pay to performance; Chief Executive and Directors

Chief Executive; Pay and Performance Policy

- The ACSC will determine to which point within the scale the appointment will be made taking into account appropriate experience and skill set.

- A formal performance and pay review will be conducted annually prior to the anniversary of appointment.

- The performance and pay review will be conducted by the ACSC.

- Should the ACSC determine that performance meets or exceeds the expected standards then annual progression of pay will be applied until the top pay point of the scale is reached. Once the top pay point is reached pay will remain at this level whilst performance continues to meet or exceed expected standards.

- Should the ACSC determine that performance is unsatisfactory then consideration will be given to applying the following process relating to pay:

  - if the post holder is at the bottom or middle point of the pay scale at the time of the review then there will be no progression to the next pay point until a future review by the ACSC confirms satisfactory performance. This review will normally take place a year later although the ACSC may choose to conduct an interim review at an earlier date if this is appropriate.

  - if the post holder is at the top point of the pay scale at the time of the review then from the anniversary of the appointment date pay will be reduced to the middle point of the pay scale and held at that point until satisfactory performance is confirmed through a future review which will be undertaken as described above.

Director (including Deputy Chief Executive); Pay and Performance Policy

- Appointment to any Director posts will be made at the bottom scale point of a three-point pay scale.

- A formal performance review will be conducted by the Chief Executive to determine suitability to progress to the mid-point of the grade after one year’s service in post and following consultation with the Appointments and Conditions of Service Committee.

- Should the Chief Executive determine that performance is unsatisfactory, pay will remain at the bottom point of the pay grade.

- Payment of the top pay point of the grade to be determined annually by formal performance review conducted by the Chief Executive and following consultation with the Appointments and Conditions of Service Committee. Subject to satisfactory performance, payment of the top pay point will be made following two years’ service in post and, again subject to satisfactory performance, annually thereafter. Should the Chief Executive determine that performance is unsatisfactory, pay will remain at, or be reduced to, the mid-point of the pay grade.

- The detail of the performance review scheme is determined by the Chief Executive.
Contractual terms to link pay to performance; Service Manager

Service Managers’ Pay and Performance Policy

- Service manager posts are based on a three-point pay scale related to the maximum pay of directors.

- Under normal circumstances, at the start of employment as a service manager, pay will be based on the bottom pay point of the grade.

- Progression to the next pay point will follow the general rules applying to NJC officers in respect to timing of awards.

- Directors line-manage service managers and are responsible for setting clear standards of expectation relating to performance or behaviour. Any shortfall against these expectations will be identified to the service manager by a director, normally at the time that the director becomes aware of the issue. Often, improvement will be sought through the introduction of appropriate support or training without further measures being employed. If however the matter is sufficiently serious or an improvement identified as necessary is not initially forthcoming within a timescale required by the director then that director may choose to freeze the service manager on their current pay point (prevent progression to the next pay point when it would otherwise have been made) or to reduce their pay by one or more pay points.

- One month’s notice will be given of the intention to reduce pay.

- Should pay be reduced, this change will be applied for a minimum of six months. The length of reduction will be determined by the director. At the end of the period defined by the director, during which time progress against an improvement plan will be monitored, should improvement be satisfactory then pay will be returned to the previous.

- If pay is frozen then progress against an improvement plan will be monitored. If performance or behaviour does improve sufficiently then from the point at which this determined by the director then progression will be made to the next pay point. If further progression within the grade is possible then the top pay point will be paid one year from the date that the pay had been “un-frozen”.

- The above measures may be applied outside a formal capability procedure. If, however, the measures are applied to a service manager and the measures are applied for a year or more, it is likely that the matter will be dealt with under a formal capability procedure.

- The broad terms and process of the Capability Procedure defined in the Employee Handbook will be used to deal with any serious or persistent problems of capability and the use of this formal procedure may be applied either in conjunction with or separate to the measures relating to pay freezing or reduction.
A final right of appeal exists to a director's decision to freeze or reduce pay, or to the length of time for which this pay detriment is applied. This appeal should be addressed to, and will be dealt with by the Chief Executive or an officer nominated by the Chief Executive.
**Market Supplements**

- The pay and grading structure has been set to reflect the relative values of jobs within this organisation and at pay levels which reflect the general local employment pay levels. This has been achieved through the national job evaluation scheme for NJC officers and a local job evaluation scheme for service managers. However, there may be occasions where it is necessary to enhance the pay levels of specific groups of employees where it is proven that it is difficult to attract and retain employees because of external pay levels. Where such situations are identified, additional market factor supplements may be agreed.

- Payment of market factor supplements will be made taking into account the following factors:
  - Evidence of high levels of turnover in the particular staff group
  - Evidence of difficulties in recruiting to posts ie by low response rates to advertisements or inability to attract suitable candidates
  - Comparison with like jobs in other local authorities and more widely in the sector

- All current employees within the group affected will receive the payment.

- Clear criteria for receiving the payment will be determined such as the possession of specific qualifications and length of experience as examples.

- The supplement will be a number of increments applied to the normal spinal column points associated with the substantive grade. The number of increments awarded will be informed by the evidence supporting the payment of the market factor supplement.

- Payment will be made for a specific time period. The application of a supplement is not open-ended and the timing of a formal review will be identified when the arrangement is proposed.

- At the point of review, the supplement may be extended or removed. Where it is determined that a supplement is to be withdrawn, employees in receipt of these will be given 12 months’ notice of withdrawal. At the end of that time they will revert to the substantive salary for their post.

- Senior Leadership Team will determine whether a supplement should be applied to specific posts, the number of additional pay points to be awarded and over what length of time, and will determine the action to be taken as the result of any review.
Gender Pay Gap data as at 31 March 2018

- Mean gender pay gap; 5.13%
- Median gender pay gap; 0%
- Bonus* payments: Men 0% Women 0.97%
- Mean gender pay gap in bonus* pay; Not applicable- no men receive bonus payments
- Median gender pay gap in bonus* pay; Not applicable- no men receive bonus payments
- Percentage of males and females in each of the four pay quartiles:

<table>
<thead>
<tr>
<th>Quartile</th>
<th>Men</th>
<th>Women</th>
</tr>
</thead>
<tbody>
<tr>
<td>Upper quartile</td>
<td>49.34%</td>
<td>50.66%</td>
</tr>
<tr>
<td>Upper middle quartile</td>
<td>48.68%</td>
<td>51.32%</td>
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<tr>
<td>Lower middle quartile</td>
<td>45.75%</td>
<td>54.25%</td>
</tr>
<tr>
<td>Lower quartile</td>
<td>44.74%</td>
<td>55.26%</td>
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* For the purpose of reporting, market supplement payments are included as “bonus payments”

In summary, the gender pay gap and quartile distribution is not outstanding in terms of comparison against other similar employers and although not a matter of concern, the organisation will continue to work towards a more gender-neutral state in terms of mean pay differential.

The mean gender pay gap is slightly greater this year than last although as the organisation is relatively small a change of only a small number of employees (including casuals) working at the “snapshot” date can have a material effect on the data shown as a percentage.

The outturn showing a mean gender pay gap of five percent and no median gap suggests that over the whole workforce, although the middle pay point in the spread of employee pay is the same between men and women, men do earn proportionately more than women. The quartile data shows that for all quartiles there are proportionately more women than men although the balance is much closer for the upper quartile. The inference drawn when considering the quartile data alongside the mean gender pay gap is that although there are more women in each of these divisions, within the quartiles men hold better-paid jobs than women.

Although the data shows a slightly different picture to last year, there is perhaps a similar message that can be drawn which is that, where possible, one way to reduce the mean pay gap would be to promote women within the organisation or appoint to more senior posts from external selection.

The organisation considers itself to be supportive of development opportunities for women and recognises the complex needs of its employees through the practical application of supportive working practices and policies. Practical measures to support such statements include the adoption of flexible working practices already implemented through change of policy (flexible and agile working) and the delivery of an active apprenticeship programme that already offers training to level three qualifications and linked to this, planned for early 2019, through delivery of a management programme that will have a particular focus on removing barriers to progression.
Pay Policy – Single Status Employees

1. Purpose of Policy
To establish the principles and arrangements for pay for all employees in the Authority linked to the job evaluation of all posts.

2. Objectives
- To ensure all pay arrangements reflect equal pay for work of equal value.
- To establish clear and consistent approaches to pay.
- To reflect how employees develop in skills and knowledge within a job.
- To provide a basis for establishing the grading system in relation to job evaluation.

3. Pay Points
The pay points for all employees covered by the single status agreement will be nationally agreed points 6 to 49. In the final grading structure it is possible that not all of the points will be utilised. If necessary local points will be developed within the single status pay and grading structure in order to meet organisational need.

4. Pay Award
The nationally agreed pay award determined at 1 April each year will be applied to the spinal column points used in the grading structure, including any locally set points.

5. Incremental Progression
a. All jobs will be allocated to a scale consisting of a number of incremental points not exceeding 5. The scales will not overlap and depending on the final grading structure may not be continuous with the national spinal column points.

b. In most cases employees appointed to a new post will start at the bottom incremental point of the grade for the post. Where it can be demonstrated through the selection process that an individual candidate has relevant experience or qualifications, appointment at a higher incremental point may be justified. This should be agreed by the Corporate Director following consultation with personnel to ensure consistency both within Departments and across the Authority.

c. Employees will progress to the next incremental point on their grade on 1 April of each year except where the employee has been in post less than 6 months. Where an employee has been in post less than 6 months at 1 April, they will progress to the next incremental point 6 months after appointment and thereafter on 1 April each year.

d. Employees will progress automatically through the incremental scale in accordance with paragraph c. In the exceptional circumstances that an employee is not meeting output and quality standards expected for a post the Corporate Director, after consultation with the Service Manager; Organisational Development, may withhold an increment. Any such action will be supported by an adverse probation report, extension of probationary service or other formal performance review mechanism.
e. The reasons for withholding an increment will be explained to the employee and guidance given about areas for improvement such that incremental progression can continue when standards are met.

f. Where an individual employee is dissatisfied with the reasons for withholding an annual increment, they may appeal in writing to the Head of Paid Service, who will review the decision of the Corporate Director.

6. Market Factor Supplements

a. The pay and grading structure has been set to reflect the relative values of jobs within this organisation and at pay levels which reflect the general local employment pay levels. However, there may be occasions where it is necessary to enhance the pay levels of specific groups of employees where it is proven that it is difficult to attract and retain employees because of external pay levels. Where such situations are identified, additional market factor supplements may be agreed.

b. Payment of market factor supplements will be made taking into account the following factors:

- Evidence of high levels of turnover in the particular staff group
- Evidence of difficulties in recruiting to posts ie by low response rates to advertisements or inability to attract suitable candidates
- Comparison with like jobs in other local authorities and more widely in the sector
- All current employees within the group affected will receive the payment
- Clear criteria for receiving the payment must be determined ie possession of specific qualifications and length of experience etc.
- Payment will be made for a specific time period. Where it is determined that the supplements can no longer be justified, employees in receipt of these will be given 12 months’ notice of withdrawal. At the end of that time they will revert to the substantive salary for their post.

c. The amount to be awarded will be determined by the evidence gathered to support the need for a market factor supplement that would indicate the appropriate salary levels. The supplement will be a number of increments above the top of the grade, paid on a monthly basis.

d. Senior Leadership Team will determine to which posts a market factor payment will be made and to the value of this payment.

7. Temporary Additional Responsibilities

In some situations employees may carry out a different role from their substantive job. Where such situations occur, the employee will receive the appropriate rate for carrying out these duties for the period they do so. For all other occasions they will be remunerated at the rate for the job undertaken.
8. **Revised grading structure** (updated to April 2016 following implementation of local pay changes)

<table>
<thead>
<tr>
<th>Evaluated points for job</th>
<th>New grade</th>
<th>National Spinal Column Points in new grade</th>
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<tbody>
<tr>
<td>From</td>
<td>To</td>
<td>From</td>
</tr>
<tr>
<td>200</td>
<td>270</td>
<td>Band 1</td>
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<td>696</td>
<td>735</td>
<td>Band 13</td>
</tr>
<tr>
<td>736</td>
<td>800</td>
<td>Band 14</td>
</tr>
</tbody>
</table>

For posts other than training posts, scp 6-10 are not used following the local pay policy changes in 2014 and 2016 that related to minimum pay levels.
## Service Manager- assessment model

The assessment grid places each Service Manager post into one of three levels against five factors.

<table>
<thead>
<tr>
<th></th>
<th>High (level 1)</th>
<th>Higher (level 2)</th>
<th>Highest (level 3)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>General impact</strong></td>
<td>Decision-making is not often likely to be potentially contentious. Decisions made are important to the operational aspects of service delivery but are mainly likely to have short-term or limited internal or external impact. Limited or infrequent requirement to create or review substantial policies or processes.</td>
<td>There is a frequent need to take decisions that will potentially have substantial and long-term impact on the service area that have financial, operational or consequence.</td>
<td>There is a frequent need to take decisions that will potentially have substantial and long-term impact on the organisation (not just the service) that have financial, operational or consequence.</td>
</tr>
<tr>
<td><strong>Customer &amp; organisational impact</strong></td>
<td>There is a requirement to contribute to corporate policies or procedures in respect of the service area only.</td>
<td>There is some requirement to contribute to corporate policies or procedures. The job has significant political/reputational impact.</td>
<td>There is a strong focus on the contribution to corporate policies or The job has major political/reputational impact procedures.</td>
</tr>
<tr>
<td><strong>Complexity</strong></td>
<td>The delivery of the service is largely operational and routine. There is a need to work with other services or agencies but the work is largely routine or transactional in nature. Policy/strategy work is generally for the service area only.</td>
<td>The delivery of the service is generally operational and routine although some aspects of the service need to frequently deliver solutions to problems or case management issues that are not straightforward and can have multiple outcomes.</td>
<td>The delivery of most aspects of the service is not easily determined by established guidance, procedures and process. The service is likely to have an emphasis on case management, problem solving, partnering (internal or external) or project working. Strategy work is complex and impacts on a substantial range of council services.</td>
</tr>
<tr>
<td><strong>Market</strong></td>
<td>Determined by market analytics (comparator jobs, Hay data etc.) as being a post that may be comparatively easy to fill. The service area may be limited in breadth. The local market would readily provide a number of good quality applicants for any vacancy advertised.</td>
<td>Reasonable prospect of some (perhaps few only) acceptable quality of applicants for any vacancy advertised.</td>
<td>A post that due to market conditions may be relatively difficult to recruit into. This may be due to the mix of skills required or the high value that the local market places on particular professional qualifications or experience.</td>
</tr>
<tr>
<td><strong>Resources</strong></td>
<td>There is scope for influence on the organisation’s employees, finance, assets in respect of the service area only.</td>
<td>There is some scope for influence on the organisation’s employees, finance, assets.</td>
<td>There is considerable scope for influence on the organisation’s employees, finance, assets across the Council.</td>
</tr>
</tbody>
</table>
General Principles

Service Manager posts have been placed into one of four pay bands based on the above conventions and the scoring model shown below. The following general guidelines are also proposed:

- Each factor is scored in accordance with the table below and total scores determine the pay band to be applied to each Service Manager post.
- The determination of placing will be undertaken by SLT.
- Appeal against placing will be to the Chief Executive in consultation with an HR officer and a union representative. The Chief Executive may agree that the banding of a post is reconsidered by SLT.
- An Equality Impact Assessment will be maintained to ensure that grading is not gender-biased. This will be reviewed periodically.
- The assessment of job scores may be reviewed periodically at the request of an employee or SLT particularly if a job changes or there is evidence that the market may treat the job differently to its initial assessment.
- Pay Bands are based on the following scoring matrix:

<table>
<thead>
<tr>
<th>Pay Band</th>
<th>% of Directors maximum pay</th>
<th>Evaluated points total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Band 1</td>
<td>55-60%</td>
<td>5-7</td>
</tr>
<tr>
<td>Band 2</td>
<td>60-65%</td>
<td>8-10</td>
</tr>
<tr>
<td>Band 3</td>
<td>70-75%</td>
<td>11-13</td>
</tr>
<tr>
<td>Band 4</td>
<td>80-85%</td>
<td>14-15</td>
</tr>
</tbody>
</table>

Service Managers; linkage of pay to performance

- Service manager posts are based on a three-point pay scale related to the maximum pay of directors.
- Under normal circumstances, at the start of employment as a service manager, pay will be based on the bottom pay point of the grade.
- Progression to the next pay point will follow the general rules applying to NJC officers in respect to timing of awards.
- Directors line-manage service managers and are responsible for setting clear standards of expectation relating to performance or behaviour. Any shortfall against these expectations will be identified to the service manager by a director, normally at the time that the director becomes aware of the issue. Often, improvement will be sought through the introduction of appropriate support or training without further measures being employed. If however the matter is sufficiently serious or an improvement identified as necessary is not initially forthcoming within a timescale required by the director then that director may choose to freeze the service manager on their current pay point (prevent progression to the next pay point when it would otherwise have been made) or to reduce their pay by one or more pay points.
- One month's notice will be given of the intention to reduce pay.
Should pay be reduced, this change will be applied for a minimum of six months. The length of reduction will be determined by the director. At the end of the period defined by the director, during which time progress against an improvement plan will be monitored, should improvement be satisfactory then pay will be returned to the previous pay point.

If pay is frozen then progress against an improvement plan will be monitored. If performance or behaviour does improve sufficiently then from the point at which this determined by the director then progression will be made to the next pay point. If further progression within the grade is possible then the top pay point will be paid one year from the date that the pay had been “un-frozen”.

The above measures may be applied outside a formal capability procedure. If, however, the measures are applied to a service manager and the measures are applied for a year or more, it is likely that the matter will be dealt with under a formal capability procedure.

The broad terms and process of the Capability Procedure defined in the Employee Handbook will be used to deal with any serious or persistent problems of capability and the use of this formal procedure may be applied either in conjunction with or separate to the measures relating to pay freezing or reduction.

A final right of appeal exists to a director’s decision to freeze or reduce pay, or to the length of time for which this pay detriment is applied. This appeal should be addressed to, and will be dealt with by the Chief Executive or an officer nominated by the Chief Executive.
Enabling employment security - Protocol for managing changes in posts throughout the Council

Updated December 2016

1. Background

As with most public sector organisations, the Council will be required to make budgetary savings for the foreseeable future. It is expected that these savings will not be able to be met by efficiencies alone and that some services may have to be significantly reduced or to cease.

This has implications for our workforce and as a good employer with a track record of working to avoid compulsory redundancy this protocol is intended to provide a supportive mechanism for managing change.

2. Aim

The aim of this protocol is to:

- give as much employment security as possible to existing employees
- utilise the existing skills and knowledge of employees for the overall benefit of the Council
- avoid redundancies as far as possible
- operate a fair process for retaining employees, where workload is changing
- offer personal development opportunities on a fair basis

3. Vacancy Management

In cases when employees are at potential risk of redundancy, the following protocol is observed:

- Confirmation by Senior Leadership Team that a vacant post can be filled.

- Consider, in liaison with Personnel Services, whether there are redeployees/ secondees identified across the Council for whom this post is suitable, or with some adjustment to the requirements it would be suitable. If so then redeployees/ secondees will be placed in the post. (see section 4.1 below).

- If there are no suitable candidates from posts at risk, then the post will initially be advertised internally. Managers will take a flexible approach to the requirements in the person specification such that existing employees can more easily be considered for the post. This may mean that the grade is reduced and/or there is a training period required before the individual can be placed on the full grade.

- Internally advertised posts might be on a permanent or temporary basis (where for example it is dependent on funding). Existing employees who take a temporary post will not lose their employment rights and at the end of the temporary appointment the aim will be for them to revert to either their existing job or an equivalent.
• Posts that are not filled internally will be advertised externally; however they will be on a temporary (less than) 12 month basis unless the Chief Executive determines that there are exceptional circumstances that justify the offer of a permanent position.

• New employees will be employed for a temporary period of less than 12 months. At the end of the temporary contract the post should be filled with an existing permanent employee or frozen. Extensions of employment for a new employee in any job, beyond 12 months will not be permitted, without the approval of the Chief Executive.

4. Identification of Posts ‘at risk’

To facilitate the filling of vacancies by existing employees it is necessary to be clear where there are likely to be reduced services and/or efficiencies which ultimately will mean a reduced number of posts. This exercise was first carried out as part of the overall budget planning for 2011/12.

Where it has been identified that a reduction in posts is required, this should be detailed by Directors in terms of the numbers and types of posts. Essentially this is a potential redundancy situation. However, the aim of this protocol is to avoid redundancies. Such situations need to be managed with care and avoiding unnecessary concern.

Once identified, there will be consultation with the affected employees and Trade Unions on the proposed reductions, allowing the employees affected to propose alternatives, for example reduced hours working, career breaks etc. Since these proposals will be driven by financial constraints, it is unlikely that suggestions of additional work to be carried out, unless income generating will be suitable solutions.

At the conclusion of the consultation on the changes, the appropriate formal decisions will be made to put the changes into effect. The impact on the individual employee will be managed using the appropriate policies of the Council.

4.1 Same or Lower Graded Redeployments

The people occupying posts that have been identified as at risk will be placed into posts which might be suitable to their skills and knowledge. Where possible, alternative redeployments may be offered. These posts will not be advertised across the organisation. These posts may not be within the professional area of the affected post-holders, but it will be considered that their existing skills and knowledge can be applied to these posts. The posts offered may be on a lower grade than the post-holders currently occupy. The Council’s protection policy will apply.

Where there are a number of people identified in an at risk group, all will be expected to give serious consideration to undertaking the redeployment. If the available post cannot be filled through voluntary application, then an assessment process will be undertaken to identify the most suitable person. (This is likely to be similar to the approved protocol for selection into posts following structural review).

If for any reason it is not appropriate to assess employees ‘at risk’ for redeployment, then a selection for redundancy exercise will be undertaken using criteria determined in consultation with the Trade Unions, and the Council’s redundancy and redeployment policy will be followed. This will lead to identification of redeployment opportunities and
employees are required within the context of national employment law, to consider all reasonable offers of redeployment.

5. Secondments

In some situations the full definition of a redundancy situation may not apply – as described above. An opportunity may present itself within a team for a short term reduction in staffing requirements and therefore a requirement to place employees into temporary arrangements. Equally there may be vacancies within the organisation that are critical to fill and it is desirable that this is done internally, but not necessarily on a permanent basis.

It is also possible that vacant posts could be filled internally on a temporary basis by employees moving from lower priority service areas giving rise to savings. Such situations will be dealt with by a secondment arrangement.

Secondments agreed in this way will only be temporary arrangements, the employee who undertakes the secondment post will be entitled to return to their substantive post either at the end of a fixed term arrangement or when the need for the post becomes sustainable again, or another post becomes vacant for which they wish to be considered for redeployment.

If during the period of secondment, the individual’s substantive post is identified for deletion, the individual will be treated as a redeployee, and the protocol described in Section 4 above will apply.

Before a post is released for secondment/redeployment, there will be a review of the requirements of the post, to enable successful appointment from employees who might otherwise have not met the minimum criteria. This may lead to a review of the post grade to ensure that the substantive grade of the post fully reflects the duties being carried out. If this situation arises, the grading of the post will be reviewed through the job evaluation scheme in consultation with the Trade Unions.

The protocol in such situations is as follows:

5.1 Same or lower Grade Secondments Identified

The protocol for placing people into same or lower graded secondments will be as above for posts at risk.

6. Higher Graded Secondment or Redeployment Identified

Where a secondment or redeployment post is identified at a higher grade than people requiring redeployment then there will be an internal advertisement for the post. This will enable all employees to be considered for this post – and may result in the person(s) at risk not being successful. However it will release another post within the organisation that may then be available for the secondee/redeployee.

If the higher graded post is within the contained professional area where there is an identified reduction then the applicants can be restricted to the group of employees ‘at risk’. Appointment to the post will be on merit.
Redeployment at a higher grade may be a temporary or permanent arrangement depending on the circumstances. If the arrangement is temporary, at the end the individual is placed back into being ‘at risk’ and this protocol will continue to apply.

If no suitable secondee/redeployee is identified, then the process for vacancy management Section 3 above will be followed.

7. Equality and Diversity Implications

Using this protocol for dealing with the medium term difficulties can bring potential for conflict with the Council’s commitment to equality and diversity. In terms of recruitment and employment, the Council has previously advertised all jobs either externally or internally for all employees. This protocol is a departure from this. In terms of the workforce profile, it will not help in ensuring that the employees of the Council are representative of the population. Currently our minority ethnic make-up is below that of the area, and by retaining recruitment internally, there are limited opportunities to address this.

However, for maintaining the morale and commitment of existing employees to achieve high performance in difficult times, it is necessary to balance these conflicting demands. Appointment to any vacancies, particularly where there is an increase in grade will be on merit, and if no internal candidates can meet the criteria, appointments will not be made. All employees within a group ‘at risk’ or faced with other change will be treated fairly and given equal chance for any secondments or redeployments.

8. Training and Development

Using this protocol should offer protection to existing employees, and will retain within the organisation valuable skills and expertise. However it has to be recognised that whether there is a secondment or a redeployment arrangement it is possible that posts might be filled by employees without relevant training or knowledge.

In such situations there is a commitment to provide this training to enable the employee to deliver the requirements of the post within a relatively short time (12 - 18 months). The grade of the post might be adjusted during this training time to reflect this and to ensure equity with comparable post holders.

If an employee at risk expresses a desire to fully retrain to a different professional area, and this requires considerable investment in qualifications etc; this will be considered. However this can only be agreed to if there is an ongoing demand for that skill, and if there is significant cost to the training (eg a degree) this can be met from existing budgets. The usual requirements of the PETs scheme will apply.

(P&R Committee September 2010; minor wording update December 2016)
Further guidance for managing changes in posts throughout the council

Further to the general protocol adopted by the Council to support organisational change, for most structural change further guidance is offered that places the terms of the protocol into a practical context. The text below describes the normal process that will be adopted to bring about structural change.

When proposals might lead to potential redundancies, in order to mitigate against compulsory redundancy situations the Council will use its general protocol (Appendix iii) to help ensure that, where possible, current employees are not displaced. In particular, new posts created in the proposals will be ring-fenced for competition from potentially displaced employees in the first instance. Should there be any displaced employees remaining following such a redeployment exercise, any remaining vacancies will then be advertised on an open, internal-only basis in order to try to create other suitable vacancies that might be suitable for redeployment. Throughout these processes, however, there is no guarantee of appointment as applicants will need to demonstrate the necessary skills and competency through the application and selection process.

At the “internal-only” stage, should there be no other internal applicants other than the “at risk” candidates, then these employees would not be re-interviewed at this stage without competition and such vacancies would be put out for external advertisement. Internal candidates, including those potentially at risk would then again be eligible to apply for these vacancies.

If there are employees that remain unplaced at the conclusion of this exercise, or if there are no posts suitable for redeployment through the above process at the time when an occupied post is deleted from the establishment, then the issue of redundancy notices may be necessary at that point, or earlier in if the council deems it appropriate and necessary in order to achieve business objectives.
Procedure for filling temporary vacancies

In order to recognise the current business climate as one of change and to help respond to the issues identified in the workforce development plan such as the need for succession planning, the Council will adopt the recruitment practice as follows:

**Temporary Recruitment**

- For all temporary posts of up to one year, where there is a likely prospect (determined jointly by the operational service manager and Service Manager for Organisational Development) that the temporary vacancy could be filled with a suitably qualified and experienced, high-calibre internal candidate, then the post will be advertised openly but internally in the first instance.

Normal recruitment processes will apply. However, there may be occasions where “expressions of interest” are invited through advertisement; the purpose of this is to speed up the process where the vacancy is particularly specialist and only a small number of people may be suitably qualified. In effect, it is a quick method of testing the internal market. Where this method is used and there is only one interested person, it will be sufficient to assess their suitability through a “targeted- question” interview; an application form may be unnecessary. If more than one person expresses an interest, all people will be required to complete an application form and a full selection process will be followed.

- Traineeships of up to a year are excluded from this arrangement to only advertise internally; all such vacancies will be advertised externally.

- Where a post becomes permanent after being occupied for a temporary period of any length, the vacancy will be advertised externally.

- Normally, where a short-term vacancy is identified, it will be filled by the above methods. In certain circumstances, particularly those where a reduced (partial) set of tasks or responsibilities need to be picked up within a team, the vacancy is specific and technical in nature, or the need to fill is exceptionally urgent, then an honorarium arrangement may be appropriate.

**Honoraria**

- A manager may seek, in conjunction with Service Manager for Organisational Development, to apply an honorarium in the following circumstances:

  - A vacancy exists in the existing team and it is decided jointly by the service manager and Service Manager for Organisational Development that the vacancy should be filled on a short-term basis, but that there is not a need to fill the post at its full grade; the range of duties and level of responsibilities are reduced. OR

  - In the short-term, additional duties and responsibilities are required of one or more post holders to recognise particular business needs even though there is no specific vacancy at a more senior level.

- “Principal Officers” (those posts graded at pay band 10 and above) have certain restrictions placed on them as to their inclusion in the honorarium scheme; although it will often be the case that simply working at a level beyond normal expectation for the grade will be covered by the Performance Incentive Scheme for Principal Officers, there may be occasions where a Principal Officer formally covers some or all of the duties of a more senior post for a period of more than four weeks. In such cases, it may be appropriate to apply an honorarium arrangement as for other posts.

- Honoraria payments will not normally go on beyond one year.
The level of payment will normally be set at a fixed spinal column point or salary figure to represent the additional duties and responsibilities to be carried out by the employee.

The level of payment will be agreed between the service manager and Service Manager for Organisational Development. This may be done by establishing a “felt-fair” spinal column point between the employee’s current pay point and the level of duties and responsibilities expected. Where it is difficult or contentious to identify a point in this way, job evaluation may be used to identify an appropriate pay band and then a point to be applied within this band will be agreed by the service manager and Service Manager for Organisational Development.

Selection for honoraria may take place in a number of ways:

- Where particular, specific skills are required and it is reasonable to expect that only one post holder will meet the criteria at a particular work base (for example, Civic Centre, specified Leisure Centre), the service manager may, following consultation with, and agreement by, Service Manager for Organisational Development, identify a particular individual to whom they wish to offer an honorarium.

- Where a number of people within a team might be expected to be able to work up to a higher level, but people outside the team would not be expected to have the current skill-set required, the service manager would be expected, with appropriate assistance from Personnel Services to identify if there would be interest from a number of people to act up into a more senior role. If this were the case, the service manager would need either to offer the opportunity to all interested parties on some fair rota basis or decide on a single candidate following some formal assessment process similar to a recruitment exercise, such as a targeted interview (although this would not necessarily require application form). This exercise might be site-specific if there was a business or operational need to not alter or change staffing arrangements between work sites (for example; opportunity to act up to a duty manager role at a leisure centre may only be offered to employees currently working at that site).

- In cases where there is potential for a particular vacant role to be filled by employees from other teams, locations or services within the Council, unless there was a specific urgent need to find someone to carry out a particular role for a short length of time in which case either of the two above scenarios might apply, then the process to identify suitable candidates would mirror the steps for temporary employment above, including appropriate advertisement (in effect, it would be a recruitment exercise rather than an honorarium arrangement).

- Where a decision is taken to fill a post on a permanent basis that has been occupied at part or full duties by someone on an honorarium basis, the vacancy will be advertised externally.
Pay policy governing Directors’ pay (including Deputy Chief Executive);

Appointment to any Director posts will be made at the bottom scale point of a three-point pay scale.

A formal performance review will be conducted by the Chief Executive to determine suitability to progress to the mid-point of the grade after one year’s service in post and following consultation with the Appointments and Conditions of Service Committee.

Should the Chief Executive determine that performance is unsatisfactory, pay will remain at the bottom point of the pay grade.

Payment of the top pay point of the grade to be determined annually by formal performance review conducted by the Chief Executive and following consultation with the Appointments and Conditions of Service Committee. Subject to satisfactory performance, payment of the top pay point will be made following two years’ service in post and, again subject to satisfactory performance, annually thereafter. Should the Chief Executive determine that performance is unsatisfactory, pay will remain at, or be reduced to, the mid-point of the pay grade.

The detail of the performance review scheme is determined by the Chief Executive.
Pay Protection Policy

The general policy of the Council is that pay protection is applied over a four year period at a protected rate of 100% in the first 12 months, 75% in the second 12 months and 50% for a further 24 months from the date of commencing a post at a lower grade.
Early Retirement and Redundancy Policy

Aim
To establish fair and consistent criteria for the application of terms for early retirement and redundancy for all employees.

Objectives
To determine a policy for the management of early retirement, flexible retirement and redundancy.

To establish the various steps which would be taken to avoid early retirement and redundancy situations.

To determine a policy for enhancement of pension benefits where there are early retirement and redundancy situations.

To protect the ongoing viability of the pension fund through monitoring of pension enhancements and early release of pension benefits.

1. General Background

1.1 The Audit Commission’s report ‘Retiring Nature’ published in 1997 on the planning and control of early retirement, recommended that Authorities establish greater controls on the enhancements and early release of pension benefits particularly to tackle the ‘culture of expectation’ that had built up around early retirement. They expressed concern that Authorities were not stating clearly the costs of individual decisions in terms of the actuarial strain arising from the early release of pension benefits. As a consequence Authorities were recommended to identify these costs to Members to inform the decisions being made.

1.2 In a report to Policy and Resources Committee on 20th July 1998 it was agreed that the actuarial strain for all early retirements would be calculated and would be paid into the pension fund over a three-year period to protect Gedling’s part of the fund. It was also agreed that a subcommittee be established to consider all early retirement, ill health and redundancy situations, along with the relevant costs and savings in order to make a decision to release the employee. Following constitutional change the appropriate committee is now the Appeals and Retirements Committee.

1.3 As part of their Value for Money reviews, District Audit has also carried out a review of recent early retirement, ill health and redundancy decisions within Gedling. Generally, the pattern of early releases has been satisfactory meeting the requirements of good practice, however their recommendation, in line with those contained in ‘Retiring Nature’ is that a policy for determining the circumstances and enhancements given to employees should be agreed.
Managing early retirement and redundancy situations requires a proactive approach to minimise distress to individuals and ensure continuity of service provision. There can be no prescribed time limits to resolve any situations but there should be every effort made to avoid excessive waiting and uncertainty. Although there is a requirement for greater transparency about the costs of early retirement in terms of the strain on the superannuation fund, costs and affordability are not the only factors in resolving situations that arise. At all times the needs of the individual and the organisation must be carefully balanced.

New Discretionary Compensation Regulations arrangements were published on 6 November 2006 under which the Government withdrew the existing regulations which allowed the payment of additional discretionary compensation to employees whose employment was being terminated on grounds of redundancy or in the interests of the efficiency of the service and replaced them with a new set of regulations in response to the Age Discrimination legislation, effective from 1 October 2006.

2. Discretions
2.1 In accordance with the requirements of Regulation 7(1) of the Local Government (Early Termination Of Employment) (Discretionary Compensation) (England And Wales) Regulations 2006, Gedling Borough Council has agreed the following policy statement in respect of the discretions available under Regulations 5 and 6 of the same Regulations. Regulation 8 removes a previous discretion available to the Council.

2.1.1 Regulation 5

Redundancy payments will be calculated on the employee’s actual week’s pay.

2.1.2 Regulation 8

The Council no longer has discretion to waive or reduce contributions of employees who have completed 40 years membership of the Scheme. No repayment of waived contribution will be required from current or ex-employees in cases where payment “holidays” were granted.

3. Redeployment
3.1 When any potential early retirement situation arises consistent with ill-health, redundancy or efficiency of the service, every possible action will be taken to avoid termination of employment. Redeployment is an option that will always be considered.

3.2 In looking for possible redeployment opportunities, every effort will be made to match the employee’s existing duties and terms and conditions. It will be necessary for both the individual employee and management to be as flexible as possible in making redeployments suitable.
3.3 Responsibilities of Management

- To make reasonable adjustments to duties and workplace to accommodate the employees needs
- To offer training and development where appropriate to enable the employee to undertake the duties of the redeployment
- To take steps to release vacancies for redeployment
- To offer career counselling to employees to enable them to take full advantage of opportunities offered: including trial interviews, training in completing application forms etc
- To offer trial periods of 4 weeks as required in the Employment Protection (Consolidation) Act and to extend this if it will assist in securing a redeployment
- To notify and consult with the Trade Unions as required by legislation.

3.4 Responsibilities of Employees

- To be flexible in their approach to considering redeployment opportunities
- To undertake training and development in order to undertake the duties of redeployments
- To make every effort to mitigate the requirement for redeployment by actively seeking alternative employment
- To undertake trial periods with a positive approach to ensuring the redeployment will be successful

3.5 Protection

In any redeployment situation, the provisions of the Authority’s protection policy will apply. Consideration will be given to assistance with excess travelling expenses should there be a change of base. Reimbursement will be made on the basis of additional expenditure incurred by using public transport. An allowance may also be considered for excess travelling time incurred by a move of base. Both excess travelling expenses and additional travelling time will in any event only be awarded for a maximum period of three years.

3.6 Procedure

When a situation of potential redeployment arises, personnel should be advised immediately. The individual will be offered a personal counselling interview with a personnel officer to identify their own needs and interests.

It may be appropriate to freeze vacancies for redeployment and trial period options that will require the co-operation of management and other employees.
4. Policies and Procedures

The approved policies and procedures of the council are as follows:

4.1. Ill-health Retirement

4.1.1 Definition
This arises when an employee is no longer able to carry out the duties of their post, or comparable due to ill health. This will always be supported by advice from the Authority’s recognised occupational health physician who will issue a certificate of permanent incapacity if in their opinion they meet this criterion. The LGPS 2008 Regulations amended the rules of how ill-health retirement is defined and treated.

4.1.2 General issues
Currently, if a certificate of permanent incapacity is issued and the employee is a member of the (Local Government Pension Scheme) LGPS then there are regulations within the scheme that determine the levels of enhancement offered. The Authority cannot alter these and the costs of the enhancement and early release are borne by the pension fund.

Should a certificate of permanent incapacity be issued then a recommendation will be put to the Chief Executive that the employee is dismissed on the grounds of capability due to their ill-health and that if they are a member of the superannuation scheme the appropriate mandatory enhancements and early release are actioned.

4.1.3 Procedure
When ill-health retirement situations arise, they will be identified by management in liaison with Personnel Services. Through counselling and welfare visits the individual’s personal situation will be considered and a referral made to the Occupational Health Physician. The advice given will determine whether a recommendation is made for the individual to be given retirement on the grounds of ill health.

No recommendation will be made to the Chief Executive without the clear support of the Occupational Health Physician through the issuing of a certificate of permanent incapacity. In the absence of clear advice supporting ill health retirement and the employee continues to be absent through ill health, alternative courses of action may be considered including redeployment, flexible retirement, early retirement on the grounds of efficiency of the service and dismissal on the grounds of incapacity. The appropriate routes for any course of action will be followed in the interests of both the employee and the Authority.
4.1.4 Release of Pension Benefits
The requirements for release and enhancement of pension benefits on ill health retirement are specified in the Local Government Pension Scheme Regulations.

4.2 Flexible Retirement

4.2.1 Background
The Local Government Pension Scheme Regulations (LGPS) were amended so that from 1 April 2006, scheme members can, with their employer’s consent, take a reduction in grade or hours and opt to receive the immediate payment of their pension benefits. In those cases where this is before the age of 60 the benefits are reduced to reflect the fact that payment is made earlier and for longer. The 2014 Regulations extend voluntary retirement age down to age 55. Potentially this means that flexible retirement is an option by request of the employee, however, there will be direct costs to the employer associated with this due to pension strain.

4.2.2 The Local Policy
The local Flexible Retirement Policy is shown at Appendix viii) a).

Where an employee makes a request to retire flexibly, they must first gain support for the reduction in working hours or job duties (and grade) from their Service Manager and Corporate Director. Where the early release of pension would result in a pension strain cost to the authority, approval for the reduction and release of pension will be subject to permission from the Council through the Appeals and Retirements Committee. Permission will only be granted where a business case is produced showing how the cost of the flexible retirement can be recouped over a period of three years.

4.3 Redundancy

4.3.1 Definition
This is defined within the Employment Rights Act as a dismissal which is attributable wholly or mainly to the fact that:

The employer has ceased or intends to cease:

a. to carry on the business for the purposes of which the employee was employed;
or
b. to carry on the business in the place where the employee was so employed;

or

ii. The requirements of the business for employees:

a. to carry out work of a particular kind;
or
b. to carry out work or a particular kind in the place where the employee was employed;

have ceased or diminished, or are expected to cease or diminish

For the purposes of the interpretation of local policy, there is no differentiation between voluntary or compulsory redundancy except where relevant to the facts of the situation.

4.3.2 General Procedure
Where a potential redundancy situation arises there will be consultation with the Trade Unions as
required by the Trade Union and Labour Relations (Consolidation) Act. A minimum of 90 days consultation will be given where the numbers of affected employees is greater than 100 otherwise consultation will begin at least 30 days before the first of the dismissals take effect.

In order for a redundancy to be justified it will be necessary for a post to be deleted from the establishment, which would demonstrate that there has been a cessation or diminution of the requirement for that type of work. This loss of a post should provide the financial saving necessary to offset the costs of the redundancy. Every effort will be taken to avoid redundancies, whether voluntary or compulsory through the following steps:

Release any temporary employees with less than one year’s service to provide vacancies for employees at risk

Identify existing vacancies either for deletion to make the necessary saving or for redeployment for employees at risk

Search for volunteers for redundancy where their release would provide redeployment for an employee at risk

Freeze of relevant vacancies to ensure redeployment opportunities are maximised

Personal counselling and retraining offered to employees at risk to maximise opportunities for redeployment

If it is likely that a process of selection for redundancy is necessary then a fair and equitable set of criteria will be established. These will be different depending on the circumstances of the redundancy situation and will be subject to consultation with employees and trade Unions.

4.3.3 Release of Pension Benefits
Such cases are covered by the Council’s approved policy, required under Regulation 6 of the Local Government (Early Termination of Employment)(Discretionary Compensation) (England and Wales) Regulations 2006. This is detailed in Appendix viii) b).

For the purposes of this policy, and as required under Regulation 5 of the Discretionary Compensation Regulations 2006, the Council has determined that redundancy payments will be calculated on actual week’s pay. This applies also to compensatory payments made under the Council’s scheme of payments defined in Appendix vii) b).
4.4 Efficiency of the Service

4.4.1 General Principles
Early retirement and release of pension, together with compensatory lump sum payments may be granted in cases where there is demonstrable business benefit to the Council (this may be financial or related to improvement in performance or quality of service delivery) arising from the payment.

4.4.2 Release of Pension Benefits
Such cases are covered by the Council’s approved policy, required under Regulation 6 of the Local Government (Early Termination of Employment)(Discretionary Compensation) (England and Wales) Regulations 2006. This is detailed in Appendix vii) b).

For the purposes of this policy, the Council has determined that compensatory payments made under the Council’s scheme of payments defined in Appendix viii) b) will be calculated on actual week’s pay.

5. Financial Implications
5.1 Employing departments are required to identify how the costs of early retirement will be met prior to a recommendation to the Appeals and Retirements Committee. For ill health retirements, this will not be necessary as the individual’s situation is such that it is not appropriate to only release employees where costs can be met. The regular actuarial revaluations, which take place for all pension scheme members, take into account the costs of ill health retirement up to an assumed level and consequently the costs are spread over time and across Departments.

5.2 For Early Retirement cases proposed on grounds of efficiency of the service, the Department will identify where savings can be made both by the release of the employee and from other areas of their budgets subject to the approval of the Appeals and Retirements Committee. It may not be necessary for savings to be fully identified in order for there to be agreement; an overall business case will be considered.

5.3 For Redundancy cases there will be an immediate saving from the disestablishment of a post, this will normally be sufficient to fund the redundancy payment and additional compensatory lump sum payment over a period of between one year and eighteen months. The reduction in the salary budget from the loss of the post should then be identified for meeting the costs of any actuarial. Normally these savings should be fully identified before a recommendation will be put to the committee.

5.4 In cases where early release of pension is requested through flexible retirement, a decision will be made taking into account both the financial business case and issues of service improvement, in a similar way to decision taken for cases of efficiency of the service.
6. Procedure

6.1 Following a referral to Personnel Services, when a redeployment situation is identified, all options will be explored by the Service Manager in conjunction with the Service Manager-Organisational Development. It is important that managers take responsibility for managing situations as they arise and that they take early action to prevent individual distress and to avoid excessive costs arising. It is recognised that each situation relates to an individual and their own personal circumstances. People will be treated with respect and with compassion to achieve an outcome which it satisfactory to them and to the Authority.

6.2 Taking into account the individual’s preferences and requirements of the Authority a report will be taken to the Appeals and Retirements Committee by the Service Manager-Organisational Development and the Head of Paid Service, including financial comments by the relevant Corporate Director. The Committee will also be advised of developing situations as they arise prior to final recommendations being made.

6.3 Reports to the Appeals and Retirements Committee will be in a standard format and an annual monitoring report will also be presented to the committee with information on all retirements over the previous twelve months.

6.4 For the period up to 2016-17 the Chief Executive has delegated powers to release pension in cases of redundancy and to authorise the payment of maximum discretionary payment under the local scheme. Where a recommendation is made that a compensatory payment is to be made below this maximum, the decision will be referred back to the Appeals and Retirements Committee.

7. Monitoring

7.1 In accordance with Regulations 7 (2) and (3), any changes to the policy relating to retirement and its application, will not be made until one month after a statement setting out the intended changes has been published. There will be a review of this policy and associated procedures after twelve months of its approval.
FLEXIBLE RETIREMENT POLICY

1. The Scheme
With effect from 1 April 2006, changes to the Inland Revenue tax rules made it possible for employees who are aged 50 or over to draw their pension benefits whilst continuing in employment on reduced hours (or on a reduced grade) with the consent of the Gedling Borough Council – a form of ‘flexible retirement’. (Subsequently this age restriction has been raised to age 55.) Employees who take up this option may continue to pay into the Local Government Pension Scheme to build up further benefits in the Scheme up to the age of 75.

There will be a pension strain (the cost to the employer as a result of the pension being drawn early) if the employee is under 60 without sufficient pensionable service and, in these cases, permission to take flexible retirement will depend on whether there is a business case showing how the costs of the pension strain can be recouped over a maximum period of three years.

Discretionary decisions will be taken by the Appeals and Retirements Committee in all appropriate cases. A report setting out the business case will be needed to obtain permission for the employee to take flexible retirement.

Where an employee is under 65 and does not meet the 85-year rule, the Council may choose to waive, in whole or in part, any actuarial reduction to benefits as a result of them being drawn early. Reductions will usually only be waived in exceptional circumstances where there is a strong business case.

Where a request to voluntarily reduce hours with pension is made, managers must consult with Personnel Services before any decision is communicated to the employee. Personnel Services will request the necessary information from the County Council Pensions Team to enable the manager to construct the business case.

Where an employee voluntarily reduces their hours with pension, a trial period is not possible and therefore the change will form a permanent variation to their contract of employment.

An alternative option to reduction in hours with pension is reduction in grade with pension. Where an employee wishes to draw their pension linked to a reduction in their grade this will be subject as before to a business case for the early release of pension. There is no automatic right to be transferred into a lower-graded post, or for the duties within an existing post to be reduced or diminished, and an employee wishing to take this option will normally be expected to apply for the post in the normal manner and demonstrate competency via an appropriate process. Paragraphs 2-7 of this Scheme apply to reductions in grade with pensions in the same way as reductions in hours with pension. Successfully securing a lower-graded post, or a post with fewer hours through voluntary competition will not mean that the Council will automatically agree to a pension release; a sound business case will need to be made by the employee and their manager prior to the employee taking up “reduced” duties.
2. Appeal
2.1 A right of appeal exists against any recommendation made to the Appeals and Retirements Committee by the Head of Paid Service.

2.2 Prior to a report being made to the Appeals and Retirements Committee, the person who is the subject of the report will be notified of the recommendation to be made. If they do not agree with this recommendation, they will be allowed to submit a written appeal against this. The written appeal will be considered by the Appeals and Retirements Committee as part of its decision in regard to the report submitted. Where the committee may wish to ask the appellant for additional information, they may request that the appellant attends the meeting. Also, if the appellant wishes to make a personal statement of case, they may attend the committee meeting to do this. In either circumstance, the appellant will not be allowed to be present whilst the decision is discussed. If the appellant does attend the meeting, a union representative or work colleague may accompany them.
 EARLY RETIREMENT POLICY

1. Early Retirement on Grounds of Redundancy

1.1 For all employees with two or more years' continuous local government service, including service covered by the Redundancy Payments Modification Order, (RPMO) who are dismissed by reason of redundancy, lump sum compensation will normally be payable (inclusive of any statutory redundancy payment) at a level of twice the statutory payment (as defined in compensation rules under the Employment Relations Act 1996) but based on an actual week's pay. This means that the maximum award normally made within the local scheme would be limited to 60 weeks' pay. Under exceptional circumstances, the Committee may agree variation to the normal payment scheme, but still within the 60 week maximum.

1.2 The service that will be taken into account when calculating entitlement to a redundancy payment under this policy will be continuous service with an organisation covered by the RPMO.

2. Early Retirement on Grounds of Efficiency of the Service

2.1 For an employee with two or more years’ continuous local government service, (including service covered by the Redundancy Payments Modification Order), who is dismissed in the interests of the efficient exercise of the Council's functions, the Council shall have discretion to make a payment to the employee up to a maximum of 30 weeks’ pay in circumstances where there is a demonstrable business benefit to the Council (this may be financial or related to improvement in performance or quality of service delivery) arising from the payment. Payment normally will be based on an amount equivalent to the number of weeks’ payable (with no multiplier rate applying) under the ERA 1996 used in redundancy compensation calculations. Under exceptional circumstances, the Committee may vary the payment made, but still within the 30 week maximum.

3. Discretions

3.1 Discretions under this policy shall be applied by the Appeals and Retirements Committee.

3.2 In all cases, redundancy and compensatory lump sum payments covered within this policy will be based on actual week’s pay.
4. Additional Membership of the Local Government Pension Scheme
4.1 Employees who are members of the LGPS and are either made redundant or dismissed in the efficient exercise of the Council’s functions will have the option of being able to request that the Council converts their lump sum compensation (over and above the statutory minimum) into additional membership of the Local Government Pension Scheme (LGPS). The total amount of membership that can be purchased by the excess lump sum cannot exceed the shorter of:

- 6 2/3 years or;
- By the period by which the employee’s total membership falls short of the total membership s/he would have had if s/he continued in the scheme until age 65.

4.2 The request by the employee to convert any of the lump sum into pension must be made at the time the case is brought to the Appeals and Retirements Committee, before the employee leaves the employment of the Council.

5. Appeal
5.1 A right of appeal exists against any recommendation made to the Appeals and Retirements Committee by the Head of Paid Service.

5.2 Prior to a report being made to Appeals and Retirements Committee, the person who is the subject of the report will be notified of the recommendation to be made. If they do not agree with this recommendation, they will be allowed to submit a written appeal against this. The written appeal will be considered by the Appeals and Retirements Committee as part of its decision in regard to the report submitted. Where the committee may wish to ask the appellant for additional information, they may request that the appellant attends the meeting. Also, if the appellant wishes to make a personal statement of case, they may attend the committee meeting to do this. In either circumstance, the appellant will not be allowed to be present whilst the decision is discussed. If the appellant does attend the meeting, a union representative or work colleague may accompany them.

6. Changes to this policy
In accordance with Regulations 7 (2) and (3), any changes to this policy and its application will not be made until one month after a statement setting out the intended changes has been published. The policy will be reviewed after one year to review its effectiveness.

7. Potential employment related claims
In those cases where there is a prospect of an employment related claim, a condition of the Council exercising its discretions under Regulations 5 and 6 may be that the employee agree to sign a compromise agreement under the Employment Rights Act 1996, by which the employee will agree not to pursue any legal claims, including unfair dismissal claims, against the Council. Where an employee unreasonably refuses to enter into such an agreement, the employee will be entitled only to the statutory minimum compensation (if any).
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Report to Audit Committee

Subject: KPMG Annual Audit Letter 2017/18
Date: 18 December 2018
Author: Deputy Chief Executive and Director of Finance

1. Purpose of the Report

To inform Members of the outcome of the external audit work in respect of 2017/18.

Recommendations:

That Members:

- accept the KPMG Annual Audit Letter for 2017/18 (Appendix A) and recommend the report to full Council on 30 January 2019.

2. Background

The external auditor’s Annual Audit Letter summarises the outcomes from the audit work at Gedling Borough Council in relation to the 2017/18 audit year. Although it is addressed to Members of the Authority, it is also intended to communicate these key messages to key external stakeholders, including members of the public, and will be placed on the Authority’s website.

3. Proposal

As external auditors, KPMG have concluded their audit work for 2017/18 and outcomes are summarised in the Annual Audit Letter attached at Appendix A. The letter confirms that an unqualified audit opinion was issued in respect of both the Council’s Financial Statements and the Value for Money arrangements. In addition, it confirms that they did not have to issue a public interest report and did not have to exercise any other audit powers under the
Local Audit & Accountability Act 2014 during the course of the audit.

Appendix 2 to the Annual Audit Letter summaries the audit fees for the audit work. The final fee for the 2017-18 audit of the Authority was £42,570 plus an additional fee for work relating to building valuations which was agreed at £5,446. The additional work was required to corroborate the basis of the building valuations and the comparable evidence used to support those valuations. Following this further work the property valuations were accepted by the auditor and no changes were required to the accounts.

It is proposed that the letter is accepted and be recommended to Full Council.

4. Resource Implications

There are no specific resource implications arising from this report.

5. Recommendation

That Members accept the KPMG Annual Audit Letter for 2017/18 (Appendix A) and recommends the report to full Council on 30 January 2019.

6. Appendices

Annual Audit Letter 2017/18

Gedling Borough Council

August 2018
Section one:

Summary for Audit Committee

This Annual Audit Letter summarises the outcome from our audit work at Gedling Borough Council ("the Authority") in relation to the 2017-18 audit year.

Although it is addressed to Members of the Authority, it is also intended to communicate these key messages to key external stakeholders, including members of the public, and will be placed on the Authority’s website.

Audit opinion

We issued an unqualified opinion on the Authority’s financial statements on 31 July 2018. This means that we believe the financial statements give a true and fair view of the financial position of the Authority and of its expenditure and income for the year.

Financial statements audit

Our audit procedures are designed to identify misstatements which are material to our opinion on the financial statements as a whole. Materiality for the Authority’s accounts was set at £0.8 million which equates to around 1.5 percent of gross expenditure. We design our procedures to detect errors in specific accounts at a lower level of precision.

We report to the Audit Committee any misstatements of lesser amounts, other than those that are “clearly trivial”, to the extent that these are identified by our audit work. In the context of the Authority, an individual difference is considered to be clearly trivial if it is less than £40k for the Authority.

We have identified no audit adjustments. The statutory deadlines for both the unaudited and audited accounts moved forward by one and two months respectively this year and officers recognised the additional pressures that this would bring and took appropriate action.

Officers also provided good quality working papers with clear management trails for the information despite the shorter timescale, and as in previous years they responded promptly to our audit queries.

Our audit work was designed to specifically address the following significant risks:

— Management Override of Controls – our audit methodology incorporates the risk of management override as a default significant risk. We did not identify any specific additional risks of management override relating to the audit;

— Valuation of PPE – The Authority operates a cyclical revaluation approach, and the Authority is required to ensure that land and buildings are held at fair value unless specified otherwise. We considered the way in which the Authority ensures that assets not subject to in-year revaluation are not materially misstated. We also reviewed the instructions and source of the information provided to, and used by, the valuer to inform the Authority’s valuation, and made use of a KPMG valuer to help us assess the figures and methodologies employed;

— Pensions Liabilities – The valuation of the Authority’s pension liability, as calculated by the Actuary, is dependent upon both the accuracy and completeness of the data provided and the assumptions adopted. We reviewed the processes in place to ensure accuracy of data provided to the Actuary and considered the assumptions used in determining the valuation;

— Faster Close – the bringing forward of the national year-end timetable represented a risk to the completion of the audit by the 31 July deadline.

We did not identify any evidence of material misstatement as a result of our audit work on these significant risk areas.
Section one:

Summary for Audit Committee (cont.)

Other information accompanying the financial statements

Whilst not explicitly covered by our audit opinion, we review other information that accompanies the financial statements to consider its material consistency with the audited accounts. This year we reviewed the Annual Governance Statement and Narrative Report. We concluded that they were consistent with our understanding and did not identify any issues.

Whole of Government Accounts

The Authority prepares a consolidation pack to support the production of Whole of Government Accounts by HM Treasury. We are not required to review your pack in detail as the Authority falls below the threshold where an audit is required. As required by the guidance we have confirmed this with the National Audit Office.

Value for Money conclusion

We issued an unqualified conclusion on the Authority's arrangements to secure value for money (VFM conclusion) for 2017-18 on 31 July 2018. This means we are satisfied that during the year the Authority had appropriate arrangements for securing economy, efficiency and effectiveness in the use of its resources.

Value for Money risk areas

We undertook a risk assessment as part of our VFM audit work to identify the key areas impacting on our VFM conclusion and considered the arrangements you have put in place to mitigate these risks.

Our work identified the following significant matters:

— **Delivery of Budgets** – The Authority reported an overall underspend on its net council budget of £42k against its quarter 3 estimate. This is after a transfer to earmarked reserves of £1.2m, and a further £49k transfer to the General Fund balance. This enables the General Fund balance to continue to remain at an acceptable level per the Authority's policy (above 7.5% of net council budget) at £5.9m.

We have reviewed the arrangements the Authority has in place to ensure financial resilience. We were satisfied that there were adequate arrangements in place during 2017/18 and there were no significant matters relating to these risk areas which prevented us from giving an unqualified VFM conclusion. We have set out our findings in more detail in our report to the Audit Committee on 31 July.

Recommendations

We raised one medium priority recommendation as a result of our 2017-18 work:

— **Property valuations** – we recommended that the Authority take steps to improve the quality of working papers that are maintained in respect of property valuations, and introduce a process for quality assuring the work. We also recommended that given the significance of the Civic Centre building, in line with good practice, that the Authority obtain an external valuation of the Civic Centre from an appropriately qualified and experienced RICS Registered Valuer.

Certificate

We issued our certificate on 31 August 2018. The certificate confirms that we have concluded the audit for 2017-18 in accordance with the requirements of the Local Audit & Accountability Act 2014 and the Code of Audit Practice.

Audit fee

Our fee for 2017-18 was £42,570 plus additional fee for further work required on building valuations, which we are finalising with officers (2017: £43,364). Further detail is contained in Appendix 2.
Section one:
Summary for Audit Committee (cont.)

Exercising of audit powers

We have a duty to consider whether to issue a report in the public interest about something we believe the Authority should consider, or if the public should know about.

We have not identified any matters that would require us to issue a public interest report.

In addition, we have not had to exercise any other audit powers under the Local Audit & Accountability Act 2014 or provide details of any powers exercised.
Appendix 1:

Summary of reports issued

This appendix summarises the reports we issued since our last Annual Audit Letter. These reports can be accessed via the Audit Committee pages on the Authority’s website at www.gedling.gov.uk.

Certification of Grants and Returns
This letter summarised the outcome of our certification work on the Authority’s 2016-17 grants and returns.

External Audit Plan
The External Audit Plan set out our approach to the audit of the Authority’s financial statements and to support the VFM conclusion.

Report to Those Charged with Governance
The Report to Those Charged with Governance summarised the results of our audit work for 2017-18 including key issues and recommendations raised as a result of our observations.

We also provided the mandatory declarations required under auditing standards as part of this report.

Auditor’s Report
The Auditor’s Report included our audit opinion on the financial statements along with our VFM conclusion and our certificate.

Annual Audit Letter
This Annual Audit Letter provides a summary of the results of our audit for 2017-18.
Appendix 2: Audit fees

This appendix provides information on our final fees for the 2017-18 audit.

External audit

Our final fee for the 2017-18 audit of the Authority was £42,570 plus additional fee for work relating to building valuations which we are finalising with Officers. The planned fee was £42,570.

The reason for the additional fee is a result of audit work relating to building valuations. Specifically, during the audit we encountered some difficulties in corroborating the basis of valuation used in a sample of valuations reviewed. The quality of working papers provided to us in support of the valuations lacked detail regarding the property condition and rationale for why the comparable evidence used to support the valuation was appropriate. The fee variation is being finalised with Officers and is subject to final determination by Public Sector Audit Appointments.

Certification of grants and returns

Under our terms of engagement with Public Sector Audit Appointments we undertake prescribed work in order to certify the Authority’s housing benefit grant claim. This certification work is still ongoing. The planned fee for this work is £10,562 and the final fee will be confirmed through our reporting on the outcome of that work in.

Other services

We did not charge any additional fees for other services.
The key contacts in relation to our audit are:

**Andrew Bush**  
Director  
T: +44 (0) 115 93 5 3560  
E: andrew.bush@kpmg.co.uk

**Thomas Tandy**  
Manager  
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E: thomas.tandy@kpmg.co.uk

**Arvinder Khela**  
Assistant Manager  
T: +44 (0) 121 6 09 5880  
E: arvinder.khela@kpmg.co.uk

This report is addressed to the Authority and has been prepared for the sole use of the Authority. We take no responsibility to any member of staff acting in their individual capacities, or to third parties. We draw your attention to the Statement of Responsibilities of auditors and audited bodies, which is available on Public Sector Audit Appointment’s website (www.psaa.co.uk).

External auditors do not act as a substitute for the audited body’s own responsibility for putting in place proper arrangements to ensure that public business is conducted in accordance with the law and proper standards, and that public money is safeguarded and properly accounted for, and used economically, efficiently and effectively.

We are committed to providing you with a high quality service. If you have any concerns or are dissatisfied with any part of KPMG’s work, in the first instance you should contact Andrew Bush, the engagement lead to the Authority, who will try to resolve your complaint. If you are dissatisfied with your response please contact the national lead partner for all of KPMG’s work under our contract with Public Sector Audit Appointments Limited, Andrew Sayers, by email to Andrew.Sayers@kpmg.co.uk. After this, if you are still dissatisfied with how your complaint has been handled you can access PSAA’s complaints procedure by emailing generalenquiries@psaa.co.uk by telephoning 020 7072 7445 or by writing to Public Sector Audit Appointments Limited, 3rd Floor, Local Government House, Smith Square, London, SW1P 3HZ.

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MINUTES
LICENSING ACT COMMITTEE

Tuesday 6 November 2018

Councillor Marje Paling (Chair)

Councillor Nicki Brooks    Councillor Paul Stirland
Councillor Bruce Andrews   Councillor John Truscott
Councillor Sandra Barnes   Councillor Paul Wilkinson
Councillor Alex Scroggie

Apologies for absence:  Councillor Tammy Bisset, Councillor Roxanne Ellis
and Councillor Carol Pepper

Officers in Attendance:  R Pentlow, L Chaplin, K Nealon and H Lee

48 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.

Apologies for absence were received from Councillors Bisset, Ellis and Pepper.


RESOLVED:

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

50 DECLARATION OF INTEREST.

None.

51 GEDLING STATEMENT OF LICENSING POLICY

RESOLVED:

To approve the proposed changes to the draft Statement of Licensing Policy, as detailed in the report, prior to referral to full Council for final approval before publication in January 2019.

52 ANY OTHER ITEM WHICH THE CHAIR CONSIDERS URGENT.

None.
The meeting finished at 4.15 pm

Signed by Chair:
Date:
MINUTES
ENVIRONMENT AND LICENSING COMMITTEE

Tuesday 6 November 2018

Councillor Marje Paling (Chair)

Present: Councillor Nicki Brooks Councillor Alex Scroggie
Councillor Bruce Andrews Councillor Paul Stirland
Councillor Sandra Barnes Councillor John Truscott
Councillor Tammy Bisset Councillor Paul Wilkinson

Absent: Councillor Roxanne Ellis and Councillor Carol Pepper

Officers in Attendance: R Pentlow, L Chaplin, C Allcock, K Nealon and H Lee

51 APologies for ABsence and SubstitutioNs.

Apologies for absence were received from Councillors R Ellis and C Pepper.

52 To Approve, as a Correct Record, the Minutes of the Meeting Held on 2 October 2018.

RESOLVED:

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

53 Declaration of Interests.

None.

54 The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018

Consideration was given to a report by the Service Manager, Public Protection, which had been circulated prior to the meeting, regarding The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018.

RESOLVED:

1) To note the contents of the report and the procedural changes being made by the Council to administer the new animal activities licencing regime.
2) Approve the application and licence fees for the new animal licensing process.

3) Delegate authority to the Director of Health and Community Wellbeing to exercise all functions under The Animal Welfare (Licensing of Activities involving Animals) (England) Regulations 2018.

55 ANY OTHER ITEM WHICH THE CHAIR CONSIDERS URGENT.

None.

56 EXCLUSION OF THE PRESS AND PUBLIC.

RESOLVED:

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

57 CHANGE OF CIRCUMSTANCES OF JOINT HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE - WS

Consideration was given to a report by the Director of Health and Community Wellbeing, which had been circulated prior to the meeting, regarding the application for a Joint Hackney Carriage/Private Hire Driver’s Licence for WS.

WS attended the meeting with a colleague and addressed the Committee.

In making a decision the Committee considered the Council’s approved Policy and Guidelines. On the basis of what it heard, the Committee was satisfied on balance that WS was no longer a fit and proper person to hold a licence.

RESOLVED:

To revoke the Hackney Carriage/Private Hire Driver’s Licence held by WS giving WS 21 days to surrender the licence.

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

58 CHANGE OF CIRCUMSTANCE OF JOINT HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE - MG
Consideration was given to a report by the Director of Health and Community Wellbeing, which had been circulated prior to the meeting, regarding the application for a Joint Hackney Carriage/Private Hire Driver’s Licence for MG.

MG attended the meeting with a colleague and addressed the Committee.

In making a decision the Committee considered the Council’s approved Policy and Guidelines. On the basis of what it heard, the Committee was satisfied on balance that MG was still fit and proper but that his behaviour fell below the standards required.

RESOLVED:

To suspend the Hackney Carriage/Private Hire Driver’s Licence held by MG for 28 days giving MG 21 days to surrender the licence.

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

APPLICATION FOR A JOINT HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE - AI

Consideration was given to a report by the Director of Health and Community Wellbeing, which had been circulated prior to the meeting, regarding the reapplication for a Joint Hackney Carriage/Private Hire Driver’s Licence for AI.

AI attended the meeting and addressed the Committee.

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

RESOLVED:

To approve AI’s application for a Joint Hackney Carriage/Private Hire Drivers’ licence for a period of 1 year.

The meeting finished at 6.25 pm
MINUTES
PLANNING COMMITTEE

Wednesday 7 November 2018

Councillor John Truscott (Chair)

In Attendance: Councillor Paul Wilkinson  Councillor Meredith Lawrence
Councillor Michael Adams  Councillor Marje Paling
Councillor Peter Barnes  Councillor Colin Powell
Councillor Chris Barnfather  Councillor Alex Scroggie
Councillor Alan Bexon  Councillor Jane Walker
Councillor Kevin Doyle  Councillor Muriel Weisz
Councillor David Ellis  Councillor Henry Wheeler

Absent: Councillor Pauline Allan and Councillor Barbara Miller

Officers in Attendance: M Avery, C Goodall, D Gray and F Whyley

73  APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.

Apologies for absence were received from Councillors Allan and Miller. Councillor Weisz attended as a substitute.

74  TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 3 OCTOBER 2018

RESOLVED:

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

75  DECLARATION OF INTERESTS

The Chair declared a collective non-pecuniary interest on behalf of all Members of the committee in item 7 on the agenda, as the land was in the ownership of Gedling Borough Council.

76  APPLICATION NO. 2018/0115 - LAKESIDE, MANSFIELD ROAD BESTWOOD

Proposed hotel.

The Service Manager – Development Services introduced the report.
During the debate, the Service Manager – Development Services suggested an additional condition requiring the proposed hotel to be ancillary to the leisure use in the former pumping station on site.

Members then proposed an amendment to the recommendation to include an additional condition and delegated authority to the Service Manager – Development Services to provide the appropriate wording.

RESOLVED to agree the additional condition and delegate authority to the Service Manager – Development Services to provide the appropriate wording.

RESOLVED: Following referral to the Secretary of State Case Work Unit. That the Borough Council GRANTS FULL PLANNING PERMISSION, subject to the following conditions:

Conditions

1 The development must be begun not later than three years beginning with the date of this permission.

2 The development hereby permitted shall be constructed strictly in accordance with the Application Forms and the following approved plans submitted with the application: Heritage Statement (February 2018 - ref: PP1109); Planning Design and Access Statement (February 2018 - ref: PPS1109); Lakeside Eaves Detail (rec'd: 06.02.18); Site Location Plan; Floor Plans (ref: 970 - 1); Site Plan (ref: 970 - 3); Elevations (ref: 970 - 2); Sections (ref: 970 - 4); Streetscene (rec'd: 06.02.18); Preliminary Ecology Report (dated: 10th May 2018); Preliminary Ecological Appraisal (ref: OXF10939); Additional Information: Heritage Assets (Date: July 2018 - ref: PPS1109); and Flood Risk Assessment (ref: RCEF64439-002 R).

3 Prior to the first use of the hereby approved Hotel details of the proposed improvements to the access on the A60 Mansfield Road, as shown for indicative purposes on drawing number 970-3 shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall include construction specification of the access, together with the relocation of street lighting column and signage near the entrance point. The works shall be implemented strictly in accordance with the approved details prior to the hotel being first brought into use.

4 The Hotel shall not become operational until the parking, turning and servicing areas are surfaced in a bound material with the parking bays clearly delineated in accordance with drawing number 970-3. The parking, turning and servicing areas shall be maintained in the bound material for the life of the development.
and shall not be used for any purpose other than the parking, turning and loading and unloading of vehicles.

5 Before development is commenced there shall be submitted into and approved in writing by the Local Planning Authority, (1) A tree protection plan to graphically show the locations of any tree and root protection barriers; (2) Arboricultural impact assessment identifying what impacts might arise from the proposed works; (3) Arboricultural Method Statement to give guidance on aspects of proposed works which were identified within the Arboricultural impact assessment. The AMS provides guidance as to how works might be mitigated or compensated for; (4) Details of any special engineering works and surfacing required near trees. The approved measures of protection shall be implemented strictly in accordance with the approved details for the duration of the construction period.

6 Prior to any above ground works commencing on site there shall be submitted to and approved in writing by the Local Planning Authority full details of both soft and hard landscape works. The detailed landscape plans and particulars shall include: (a) details of size, species, positions and densities of all trees, hedges and shrubs to be planted; (b) precise details of the feature garden, rose border and trellis to the booster station; (c) the proposed means of surfacing access roads, car parking areas, roadways, and footpaths (d) a programme of implementation. (e) a landscape management plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscape areas, and (f) details of any proposed external lighting to car parking areas and walkways. The development shall be implemented in accordance with the approved details, which shall be retained for the lifetime of the development.

7 No above ground construction works shall commence until samples of the proposed materials to be used in the external construction of the development have been submitted to, and approved in writing by, the Local Planning Authority and the development shall only be undertaken in accordance with the materials so approved and shall be retained as such thereafter.

8 Unless otherwise agreed by the Local Planning Authority, development must not commence until the following has been complied with: Site Characterisation: An assessment of the nature and extent of any potential contamination has been submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site. Moreover, it must include; a survey of the extent, scale and nature of contamination and; and assessment of
the potential risks to: human health, property, adjoining land, controlled waters, ecological systems, archaeological sites and ancient monuments. Submission of Remediation Scheme: Where required, a detailed remediation scheme (to bring the condition suitable for the intended use by removing unacceptable risks to critical receptors) should be submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures.

9 In the event that remediation identified in the Remediation Scheme is required to render the development suitable for use, the agreed remediation scheme shall be implemented in accordance with the approved timetable of works. Prior to occupation of any building(s) a Verification Report (that demonstrates the effectiveness of the remediation carried out) must be submitted and approved in writing by the Local Planning Authority.

10 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority and once the Local Planning Authority has identified the part of the site affected by the unexpected contamination development must be halted on that part of the site. Prior to the first occupation of the development an Assessment must be undertaken in accordance with the requirements above, and where remediation is necessary a remediation scheme, together with a timetable for its implementation and verification reporting, must be submitted to and approved in writing by the Local Planning Authority.

11 Before development commences details of reveals to be introduced within the brickwork of the building and to window openings shall be submitted to and approved in writing by the Local Planning Authority. The depth of reveals on the former Pumping Station shall be used for reference. The building shall be constructed in accordance with the approved details for the brickwork and window opening reveals.

12 Before above ground works commence a sample panel of the proposed brickwork, stonework and eaves details showing the proposed bond, mortar and joints to be used within these aspects and details of proposed downpipes and guttering shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken strictly in accordance with the approved details.
13 The development hereby permitted shall not commence until such time as a hydrogeological risk assessment has been submitted to, and approved in writing by the Local Planning Authority. The risk assessment should cover all aspects of the construction and operation of the development. The assessment must demonstrate how the integrity of the source will not be compromised by the foundation design and loading of the development. It should show how during construction site run off will not contaminate the boreholes and any fuel will be stored and transferred in such a way where it is not possible for contamination to enter the aquifer. The risk assessment will need to show that foul and surface water drainage will be managed in such a way that it is not possible for contamination to enter the aquifer and impact the source. The risk assessment should include a site management plan to identify how site personnel will manage the risk and any mitigation action that will be taken.

14 The development hereby permitted shall not commence until such time as a scheme for foundation design has been submitted to, and approved in writing by the Local Planning Authority. The scheme shall be implemented strictly in accordance with the approved details.

15 The development hereby permitted may not commence until a foul water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved and completed prior to the development being brought into use. Any foul drainage design must use best available technology to ensure that there is no risk of contamination entering the public drinking water system. Any discharge of effluent will require an environmental permit.

16 Prior to the commencement of development there shall be submitted to and approved in writing by the Local Planning Authority, details of a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development. The surface water drainage scheme shall subsequently be implemented in accordance with the approved details and shall be retained for the lifetime of the development. No infiltration of surface water drainage into the ground is permitted other than with the written consent of the Local Planning Authority. Any proposed infiltrating drainage must adequately demonstrate that contaminated water will not enter the aquifer.

17 Before development has commenced there shall be submitted to and approved in writing a Bat Scoping Survey and Mitigation Strategy for the tree marked T4 on Appendix 1: Phase 1 Habitat Plan. Once approved the development shall be carried out strictly
in accordance with the approved Bat Scoping Survey and Method Statement.

18 Before development has commenced there shall be submitted to and approved in writing an ecological mitigation and enhancement plan which accords with the recommendations of Section 5 - Preliminary Ecological Appraisal (Dated: April 2018). Once approved the development shall be constructed strictly in accordance with the approved details.

19 No development shall take place until a Construction Environmental Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for: (i) the parking of vehicles of site operatives and visitors; (ii) loading and unloading of plant and materials; (iii) storage of plant and materials used in constructing the development; (iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate; (v) wheel washing facilities; (vi) measures to control the emission of dust and dirt during construction; (vii) a scheme for recycling/disposing of waste resulting from demolition and construction works.

20 Before development is commenced there shall be submitted to and approved in writing by the Borough Council details of a Local Employment Agreement to cover the construction of the development hereby permitted and the creation of new jobs in the local area. The Local Employment Agreement shall be implemented strictly in accordance with the approved details, unless otherwise prior agreed in writing by the Local Planning Authority.

Reasons

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

2 For the avoidance of doubt.

3 To ensure works are carried out on the public highway prior to the Hotel opening.

4 To ensure that adequate off-street parking provision is made to reduce the possibilities of the proposed development leading to on-street parking in the area.

5 To minimise any potential impacts on biodiversity and the landscape in accordance with Section 11 of the National Planning

6 To ensure a satisfactory development and that the landscaping of the development accords with the requirements of Policy 17 of the Aligned Core Strategy.

7 To ensure a satisfactory standard of external appearance.

8 To ensure that practicable and effective measures are taken to treat, contain or control any contamination and to protect controlled waters in accordance with the aims of LPD7 and LPD10.

9 To ensure that practicable and effective measures are taken to treat, contain or control any contamination and to protect controlled waters in accordance with the aims of LPD7.

10 To ensure that practicable and effective measures are taken to treat, contain or control any contamination and to protect controlled waters in accordance with the aims of LPD7.

11 To ensure a satisfactory development that accords with Policy 10 of the Aligned Core Strategy.

12 To ensure a satisfactory development that accords with Policy 10 of the Aligned Core Strategy.

13 To protect controlled waters, the adjacent public water supply source, bore holes and underlying adit system in accordance with LPD7.

14 To ensure that the proposed development does damage the underlying drinking water supply source. The use of piled foundations will pose a much greater risk to the integrity of the underlying adit system and nearby borehole.

15 To protect controlled waters, the adjacent public water supply source, bore holes and underlying adit system in accordance with LPD7.

16 To protect controlled waters, the adjacent public water supply source, bore holes and underlying adit system in accordance with LPD7. Infiltration drainage inherently increases the risk of contamination entering the aquifer and water supply source.

17 To ensure that practicable and effective measures are taken to protect bats and their roosts during the construction of the development in accordance with LPD18.
18 To ensure that practicable and effective measures are taken to protect and mitigate against impacts on biodiversity and ecology in accordance with LPD18.

19 To protect the residential amenity of the area in accordance with the aims of Section 11 of the National Planning Policy Framework and Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014).

20 To seek to ensure that the development provides appropriate employment and training opportunities, in accordance with Policy 4 of the Aligned Core Strategy for Gedling Borough (September 2014).

Reasons for Decision

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

Notes to Applicant

Your attention is drawn to an informal planning guidance document which has been produced to try and define what sustainable development means in the context of air quality, and how to decrease levels by incorporating mitigation measures into scheme design as standard. (see: http://gedling.gov.uk/planningbuildingcontrol/planningpolicy/emerginglocalplan/supplementaryplanningdocuments/). It is therefore requested commitment to incorporate provision for an EV (electrical vehicle) charging point per dwelling; to allow future residents to charge electrical/hybrid vehicles into the future. Reference can be made to guidance produced by IET 'Code of Practice for EV Charging Equipment Installation' for details of charging points and plugs specifications.

The applicant is advised that all planning permissions granted on or after 16th October 2015 may be subject to the Community Infrastructure Levy (CIL). Full details of CIL are available on the Council’s website. The proposed development has been assessed and it is the Council’s view that CIL is not payable on the development hereby approved as the development type proposed is zero rated in this location.
No removal of hedgerows, trees or shrubs which have the potential to support nesting birds shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check for active birds' nests immediately before clearance works commence and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority. As you will be aware all birds, their nests and eggs (except pest species) are protected by the Wildlife and Countryside Act 1981 (and as amended).

Planning Statement - The Borough Council has worked positively and proactively with the applicant in accordance with paragraph 38 of the National Planning Policy Framework (2018). Negotiations have taken place during the determination of the application to address adverse impacts identified by officers. Amendments have subsequently been made to the proposal, addressing the identified adverse impacts, thereby resulting in a more acceptable scheme and a favourable recommendation.

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

APPLICATION NO. 2017/1571 - DEVELOPMENT SITE CHASE FARM ARNOLD LANE GEDLING

Erection of employment units (Class B1c/B2/B8 Use), Pub/Restaurant (Class A3/A4 Use) and Drive Thru (Class A3 Use), together with associated parking, servicing and landscaping.

Stuart Ashworth, Head of Planning at Harworth Group (the applicant), spoke in support of the application.

The Service Manager – Development Services introduced the report.

RESOLVED that the Borough Council GRANTS OUTLINE PLANNING PERMISSION with matters relating to Appearance, Landscaping, Scale, and Layout reserved for subsequent approval; subject to the applicant entering into a Section 106 Agreement with the Borough Council as local planning authority and with the County Council as local highway authority for the provision of, or financial contributions towards a Management Company,
Integrated Transport Facilities, Translocation of Habitat and a Local Employment Agreement (in accordance with Section 14.0 of the report), and subject to the following conditions:

Conditions

1. Approval of the details of Appearance, Landscaping, Layout and Scale (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority before the commencement of any development.

2. Application for the approval of reserved matters must be made not later than five years from the date of the outline permission and the development to which this permission relates must be begun within two years from the date of final approval of reserved matters.

3. The submission of all reserved matters and the implementation of the development shall be carried out in accordance with the plans and documents received on the 22nd December 2017: - Application Forms; Extended Phase 1 Habitat Survey; Bat Survey Report; Breeding Bird Surveys; Design and Access Statement (P17-1794_200); Drainage Strategy (P15-157 - 202A); Planning Statement (Dec 2017 - SLR/ST - P17-1794); Overall Proposed Site Plan (14005-102); Overall Proposed Site Plan (14005-103); Existing Location Plan (14005-100); Existing Location Plan (14005-101); Framework Travel Plan (ADC1616-B); Indicative Zoning Plan (14005-105); and Indicative Design Site Section (14005-104).

4. No part of the development hereby permitted shall be occupied until a Full Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall set out proposals (including targets, a timetable and enforcement mechanism) to promote travel by sustainable modes which are acceptable to the local planning authority and shall include arrangements for monitoring of progress of the proposals. The Travel Plan shall be implemented in accordance with the timetable set out in that plan.

5. No part of the development hereby permitted shall be brought into use until all drives and any parking or turning areas are surfaced in a hard bound material (not loose gravel). The surfaced drives and any parking areas shall then be maintained in such hard bound material for the life of the development.

6. No part of the development hereby permitted shall be brought into use until the Gedling Access Road is built and open to traffic in its entirety.
7 No development shall take place until a Construction Environmental Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for: (i) the parking of vehicles of site operatives and visitors; (ii) loading and unloading of plant and materials; (iii) storage of plant and materials used in constructing the development; (iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate; (v) wheel washing facilities; (vi) measures to control the emission of dust and dirt during construction; (vii) a scheme for recycling/disposing of waste resulting from demolition and construction works.

8 Before development is commenced there shall be submitted to and approved in writing by the Borough Council, details of a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development. The surface water drainage scheme shall subsequently be implemented in accordance with the approved details before the development is completed and shall be retained for the lifetime of the development.

9 Before development is commenced there shall be submitted into and approved in writing by the Local Planning Authority, (1) A tree / hedge protection plan to graphically show the locations of any tree / hedge and root protection barriers. A tree protection plan should be overlaid to graphically show root protection areas in accordance with BS 5837:2012; (2) Arboricultural impact assessment identifying what impacts might arise from the proposed works; (3) Arboricultural Method Statement (AMS). The AMS provides guidance as to how works might be mitigated or compensated for; (4) Details of any special engineering works and surfacing required near trees / hedges. The approved measures of protection shall be implemented in accordance with the approved details for the duration of the construction period.

10 Before development is commenced, there shall be submitted to and approved in writing by the Local Planning Authority a Desktop Study for Existing Ecological Information, to include: (1) Consultation with the Nottinghamshire Biological and Geological Records Centre (NBGRC); (2) An Extended phase 1 Habitat Survey; (3) Details of avoidance, mitigation and compensation measures, and opportunities for enhancements (4) Further surveys and/or assessment in relation to badger, common toad, grass snake and butterflies, and (5) Further information in relation to the loss of Open Mosaic Habitat, including mitigation and/or compensation measures and quantification of losses/gains using
an ecological accounting approach. The development shall be
implemented strictly in accordance with the approved details.

11 The detailed plans and particulars to be submitted as reserved
matters in relation to landscaping shall include: (a) details of the
size, species, positions and density of all trees and shrubs to be
planted (in accordance with BS 8545:2014 Trees: from nursery to
independence in the landscape), which shall consist of native
species, ideally of local provenance, where possible; (b) details of
the boundary treatments, including those to individual plot
boundaries; (c) the proposed means of surfacing access roads,
car parking areas, roadways and the frontages of properties (d)
details of the mitigation and compensation for the loss of Open
Mosaic Habitat (e) details of the mitigation and landscaping
proposals in relation to dingy skipper (butterflies) and (f) a
programme of implementation. The development shall be
implemented in accordance with the approved details, which shall
be retained for the lifetime of the development.

12 If within a period of five years beginning with the date of the
planting of any tree or shrub, approved as reserved matters in
relation to landscaping, that tree or shrub, or any tree or shrub
that is planted in replacement of it, is removed, uprooted or
destroyed or dies, or becomes in the opinion of the Local
Planning Authority seriously damaged or defective, another tree
or shrub of the same species and size as that originally planted
shall be planted at the same place.

13 The detailed plans and particulars to be submitted as reserved
matters in relation to scale shall include details of existing and
proposed site levels in relation to adjacent properties. The
development shall be implemented in accordance with the
approved details.

14 The detailed plans and particulars to be submitted as reserved
matters in relation to appearance shall include details of the
materials to be used in the external elevations and roofs of the
proposed buildings. The development shall be carried out in
accordance with the approved details, which shall be retained for
the lifetime of the development.

15 Unless otherwise agreed by the Local Planning Authority,
development must not commence until the following has been
compiled with: Site Characterisation: An assessment of the nature
and extent of any potential contamination has been submitted to
and approved in writing by the Local Planning Authority. This
assessment must be undertaken by a competent person, and
shall assess any contamination on the site, whether or not it
originates on the site. Moreover, it must include; a survey of the
extent, scale and nature of contamination and; an assessment of
the potential risks to: human health, property, adjoining land, controlled waters, ecological systems, archaeological sites and ancient monuments. Submission of Remediation Scheme: Where required, a detailed remediation scheme (to bring the condition suitable for the intended use by removing unacceptable risks to critical receptors) should be submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures.

16 In the event that remediation identified in the Remediation Scheme is required to render the development suitable for use, the agreed remediation scheme shall be implemented in accordance with the approved timetable of works. Prior to occupation of any building(s) a Verification Report (that demonstrates the effectiveness of the remediation carried out) must be submitted and approved in writing by the Local Planning Authority.

17 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority and once the Local Planning Authority has identified the part of the site affected by the unexpected contamination development must be halted on that part of the site. Prior to the first occupation of the development an Assessment must be undertaken in accordance with the requirements above, and where remediation is necessary a remediation scheme, together with a timetable for its implementation and verification reporting, must be submitted to and approved in writing by the Local Planning Authority.

Reasons

1 To comply with the requirements of Section 92 of the Town and Country Planning Act 1990. The application is expressed to be in outline only in accordance with Article 5 of the Town and Country Planning (Development Management Procedure)(England) Order 2015.

2 To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.

3 For the avoidance of doubt.

4 To promote sustainable travel.
In the interest of Highway safety.

There is no alternative access from the highway.

To protect the residential amenity of the area in accordance with the aims of Section 11 of the National Planning Policy Framework and Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014).

To prevent the increased risk of flooding; to improve and protect water quality; to improve habitat and amenity; and to ensure the future maintenance of the sustainable drainage structures, in accordance with the National Planning Policy Framework and Policies 1 and 17 of the Aligned Core Strategy Submission Documents.

To minimise any potential impacts on biodiversity and the landscape in accordance with Section 11 of the National Planning Policy Framework, Policy 17 of the Aligned Core Strategy for Gedling Borough (September 2014) and Policy LPD18 (July 2018).

To minimise any potential impacts on biodiversity in accordance with Section 11 of the National Planning Policy Framework, Policy 17 of the Aligned Core Strategy for Gedling (September 2014) and Policy LPD18.

To ensure that the landscaping of the proposed development accords with Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014).

To ensure that the landscaping of the proposed development accords with Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014).

To ensure a satisfactory development in accordance with the aims of Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014).

To ensure a satisfactory development in accordance with the aims of Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014).

To ensure that practicable and effective measures are taken to treat, contain or control any contamination and to protect controlled waters in accordance with the aims of LPD7 and LPD10.

To ensure that practicable and effective measures are taken to treat, contain or control any contamination and to protect controlled waters in accordance with the aims of LPD7 and LPD10.
controlled waters in accordance with the aims of LPD7 and LPD10.

17 To ensure that practicable and effective measures are taken to treat, contain or control any contamination and to protect controlled waters in accordance with the aims of LPD7.

Reasons for Decision

The development has been considered in accordance with the National Planning Policy Framework, the Aligned Core Strategy for Gedling Borough (September 2014) and the Local Planning Document 2017, where appropriate. In the opinion of the Borough Council, the proposed development largely accords with the relevant policies of these frameworks and plans. Where the development conflicts with the Development Plan, it is the opinion of the Borough Council that other material considerations indicate that permission should be granted.

Notes to Applicant

The detailed surface water drainage scheme to be submitted shall: - require all flows to be attenuated to Qbar for the entire site; - include provision for the entire site to be drained to the surface water drainage system with appropriate run-off coefficients or other factors used to represent the differing run off characteristics of the various parts of the site; - include an exceedance check using microdrainage software to simulate the drainage system for the 100 year + 30% climate change event for a range of durations from 15 minutes to 24 hours to assess where the drainage system may flood. If this occurs, provision must be made for the accumulated volumes and flows to be directed to the surface water attenuation areas; - demonstrate that the surface water drainage system is designed in accordance with CIRIA C635 and C753, and the National SUDS Standards; - demonstrate detailed design (plans, network details and calculations) in support of any surface water drainage scheme, including details of any attenuation system, and outfall arrangements. Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 2 year, 1 in 30 year, 1 in 100 year plus climate change return periods; - confirm how on-site surface water drainage systems will be adopted and maintained in perpetuity to ensure long term operation at the designed parameters.

The attached permission is for development which will involve building up to, or close to, the boundary of the site. Your attention is drawn to the fact that if you should need access to neighbouring land in another ownership in order to facilitate the construction of the building and its future maintenance you are advised to obtain permission from the owner of the land for such access before beginning your development.
Your attention is drawn to an informal planning guidance document which has been produced to try and define what sustainable development means in the context of air quality, and how to decrease levels by incorporating mitigation measures into scheme design as standard. (see: http://gedling.gov.uk/planningbuildingcontrol/planningpolicy/emerginglocalplan/supplementaryplanningdocuments/). It is therefore requested commitment to incorporate provision for an EV (electrical vehicle) charging point per dwelling; to allow future residents to charge electrical/hybrid vehicles into the future. Reference can be made to guidance produced by IET 'Code of Practice for EV Charging Equipment Installation' for details of charging points and plugs specifications.

No removal of hedgerows, trees or shrubs shall take place on site during the bird nesting season (1st March to 31st August inclusive in any given year), unless pre-commencement checks for nesting birds have been undertaken by an appropriately qualified ecologist and the outcome reported to the Borough Council.

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

Planning Statement - The Borough Council has worked positively and proactively with the applicant in accordance with paragraph 38 of the National Planning Policy Framework (2018). Negotiations have taken place during the determination of the application to address adverse impacts identified by officers. Amendments have subsequently been made to the proposal, addressing the identified adverse impacts, thereby resulting in a more acceptable scheme and a favourable recommendation.

The applicant is advised that all planning permissions granted on or after 16th October 2015 may be subject to the Community Infrastructure Levy (CIL). Full details of CIL are available on the Council's website. The proposed development has been assessed and it is the Council's view that CIL IS PAYABLE on the development hereby approved. The actual amount of CIL payable will be calculated when a decision is made on the subsequent reserved matters application.
APPLICATION NO. 2018/0926 - LAND ON THE NORTH SIDE OF BRIARBANK AVENUE, CARLTON

Erect 12 No. apartments (resubmission of 2018/0365).

The Service Manager – Development Services introduced the report.

RESOLVED to Grant planning permission subject to the following conditions:

Conditions

1  The development must be begun not later than three years beginning with the date of this permission.

2  This permission shall be read in accordance with the following plans and details submitted to the Local Planning Authority: application form, site location plan and drawing numbers 217:38:11, 217:38:12 and 217:38:14 all received on 17th September 2018 and drawing number 217:38:13B received on 22nd October 2018. The development shall thereafter be undertaken in accordance with these plans unless otherwise agreed in writing by the Local Planning Authority.

3  No above ground construction works shall commence until samples of the proposed external facing materials to be used in the construction of the development have been submitted to, and approved in writing by, the Local Planning Authority and the development shall only be undertaken in accordance with the materials so approved and shall be retained as such thereafter.

4  No building shall be occupied until a detailed scheme for the boundary treatment of the site, including the position, design and materials, and to include all boundaries or divisions within the site, has been submitted to and approved in writing by the local planning authority. The approved scheme shall be completed before the buildings are first occupied and shall be retained thereafter.

5  Prior to the erection of any external lighting there shall be submitted to and approved in writing by the Local Planning Authority details of all such lighting, including levels of illumination and a lux plot of the estimated luminance, to be provided on the approved buildings or elsewhere within the site. Any security lighting/floodlighting to be installed, shall be designed, located and installed so as not to cause a nuisance to users of the highway or adjacent properties. The external lighting shall be
provided in accordance with the approved details and shall be retained for the lifetime of the development.

6 Prior to the first occupation of the building hereby approved there shall be submitted to and approved by the Local Planning Authority a landscape plan of the site showing the position, type and planting size of all trees, hedges, shrubs or seeded areas proposed to be planted. The approved landscape plan shall be carried out in the first planting season following the first occupation of the development. If within a period of five years beginning with the date of the planting of any tree, hedge, shrub or seeded area, that tree, shrub, hedge or seeded area, or any tree, hedge, shrub or seeded area that is planted in replacement of it, is removed, uprooted or destroyed or dies, or becomes in the opinion of the Local Planning Authority seriously damaged or defective, another tree, shrub or seeded area of the same species and size as that originally planted shall be planted at the same place.

7 Before development is commenced there shall be submitted to and approved in writing by the Borough Council details of a Local Employment Agreement to cover the construction of the development hereby permitted. The Local Employment Agreement shall be implemented in accordance with the approved details.

8 No part of the development hereby permitted shall be brought into use until the parking and turning areas are surfaced in a bound material with the parking bays clearly delineated in accordance with drawing number 217:38:13B. The parking and turning areas shall be maintained in the bound material for the life of the development and shall not be used for any purpose other than the parking, turning and loading and unloading of vehicles.

9 No part of the development hereby permitted shall be brought into use until the bin collection area is constructed in the location shown on approved drawing number 217.38.13B.

10 No part of the development hereby permitted shall be brought into use until the secure cycle storage as indicated on drawing 217:38:13B has been provided and that area shall not thereafter be used for any purpose other than the parking of cycles.

11 Unless otherwise agreed by the Local Planning Authority, development must not commence until the following has been complied with:

Site Characterisation
An assessment of the nature and extent of any potential contamination has been submitted to and approved in writing by
the Local Planning Authority. This assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site. Moreover, it must include; a survey of the extent, scale and nature of contamination and; an assessment of the potential risks to: human health, property, adjoining land, controlled waters, ecological systems, archaeological sites and ancient monuments.

Submission of Remediation Scheme.
Where required following the site characterisation assessment, a detailed remediation scheme (to bring the site to a condition suitable for the intended use by removing unacceptable risks to critical receptors) shall be submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures. In the event that remediation is required to render the development suitable for use, the agreed remediation scheme shall be implemented in accordance with the approved timetable of works. Prior to occupation of any building(s) a Verification Report (that demonstrates the effectiveness of the remediation carried out) must be submitted and approved in writing by the Local Planning Authority.

12 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority and once the Local Planning Authority has identified the part of the site affected by the unexpected contamination development must be halted on that part of the site. An assessment must be undertaken in accordance with the requirements set out in Condition 12 above, and where remediation is necessary a remediation scheme, together with a timetable for its implementation and verification reporting, must be submitted to and approved in writing by the Local Planning Authority.

13 No development shall commence on site in connection with the development thereby approved (including demolition works, tree works, fires, soil moving, temporary access construction and / or widening or any operations involving the use of motorised vehicles or construction machinery) until a detailed Arboricultural Method Statement (AMS) in accordance with BS5837:2012Trees in relation to design, demolition and construction - Recommendations has been submitted to and approved in writing by the Local Planning Authority and any protective fencing is erected as required by the AMS. The AMS shall include full details of the following:
a) Timing and phasing of Arboricultural works in relation to the approved development.
b) Details of a tree protection scheme in accordance with BS5837:2012: which provides for the retention and protection of trees, shrubs and hedges on and adjacent to the site.
c) Details of any construction works required within the root protection area of trees, hedges or shrubs on and adjacent to the site, as defined by BS5837:2012.
d) Details of the arrangements for the implementation, supervision and monitoring of works required to comply with the arboricultural method statement.

14 Prior to commencement of the development a Construction Emission Management Plan (CEMP) for minimising the emission of dust and other emissions to air during the site preparation and construction shall be submitted to and approved in writing by the Local Planning Authority. The CEMP must be prepared with due regard to the guidance set out in the IAQM Guidance on the assessment of dust from demolition and construction and include a site specific dust risk assessment. All works on site shall be undertaken in accordance with the approved CEMP unless otherwise agreed in writing by the Local Planning Authority.

15 Prior to the erection of any bin store structure, details shall first be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be undertaken in accordance with the approved details.

16 No above ground construction works shall commence until details of bat and bird boxes to be incorporated within the fabric of the buildings and/or within the site have been submitted to and approved in writing by the Local Planning Authority. The bat and bird boxes shall thereafter be provided prior to the first occupation of the development hereby approved.

Reasons

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

2 For the avoidance of doubt and to define the terms of this permission.

3 To ensure a satisfactory standard of external appearance.

4 To ensure a satisfactory standard of external appearance and in the interests of residential amenity.

5 In the interests of residential amenity.
6 In the interests of visual amenity.

7 To ensure that the construction of the development provides appropriate employment and training opportunities.

8 To ensure that adequate off-street parking provision is made to reduce the possibilities of the proposed development leading to on-street parking in the area.

9 For ease of collection by the refuse team, and located within the 25m pulling distance.

10 To promote sustainable transport.

11 To ensure that land contamination matters are fully addressed.

12 To ensure that land contamination matters are fully addressed.

13 To ensure that existing trees are adequately protected.

14 To ensure the development is constructed in an appropriate sustainable manner which takes into consideration air quality with in the Borough.

15 In the interests of visual and residential amenity.

16 In the interests of enhancing ecological provision on the site.

Reasons for Decision

The development would be of height that is acceptable within the context of the surrounding area and would not have an adverse impact upon visual amenity, residential amenity or highway safety. The proposal is therefore considered to meet with the objectives of the National Planning Policy Framework, Aligned Core Strategy Policies, A, 1, 8 and 10 and Local Planning Document Policies 11, 20, 32, 33, 35, 37, 40, 48, 57, 61.

Notes to Applicant

The applicant is advised that all planning permissions granted on or after 16th October 2015 may be subject to the Community Infrastructure Levy (CIL). Full details of CIL are available on the Council's website. The proposed development has been assessed and it is the Council's view that CIL IS PAYABLE on the development hereby approved as is detailed below. Full details about the CIL Charge including, amount and process for payment will be set out in the Regulation 65 Liability Notice which will be sent to you as soon as possible after this decision notice has been issued. If the development hereby approved is for a self-build dwelling, residential extension or residential annex you may be able to
apply for relief from CIL. Further details about CIL are available on the Council's website or from the Planning Portal: www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil

The Borough Council has worked positively and proactively with the applicant in accordance with paragraph 38 of the National Planning Policy Framework (2018). No amendments were considered to be necessary to the proposal as originally submitted.

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

In order to carry out the off-site works required you will be undertaking work in the public highway which is land subject to the provisions of the Highways Act 1980 (as amended) and therefore land over which you have no control. In order to undertake the works you will need to enter into an agreement under Section 278 of the Act. Please contact Daniel Sullivan 01159 773991 for details.

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

When considering carrying out any work to trees it is important to consider the provisions made in the Wildlife and Countryside Act 1981, Conservation (natural habitats) Regulations 1994 and the Countryside Rights of Way Act 2000, which mean it is an offence to intentionally or recklessly kill, injure or take a bat, Intentionally or recklessly damage, destroy or obstruct access to any structure or place used for shelter or protection by a bat, Intentionally or recklessly disturb a bat while it is occupying a structure or place that it uses for shelter or protection, damage, destroy or block access to the resting place of any bat, Intentionally or recklessly kill, injure or take a wild bird, Intentionally or recklessly take, damage or destroy the nest of any wild bird when it is in use or being built, Intentionally or recklessly take, damage or destroy the egg of any wild bird. These points outline the main parts of the above legislation. If you are unsure about these issues, it would be advisable to contact an ecological consultant before undertaking any tree work operations.

Consideration should be given to providing suitable electrical sockets to allow for the charging of electric vehicles on the site.
APPLICATION NO. 2018/0838 - 33 RICHEY CLOSE, ARNOLD, NOTTINGHAMSHIRE

Change of use to residential garden land.

RESOLVED to GRANT PLANNING PERMISSION subject to conditions:

Conditions

1  The development must be begun not later than three years beginning with the date of this permission.

2  This permission shall be read in accordance with the application form and drawing received on 13th August 2018, Certificate B received on 31st August 2018, site location plan received on 4th September 2018, and e-mail regarding the proposed fence received on 24th October 2018. The development shall thereafter be undertaken in accordance with these plans/details.

Reasons

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

2  For the avoidance of doubt.

Reasons for Decision

In the opinion of the Borough Council the proposed development would result in no significant undue impact on the safety of pedestrians and accessibility of the public footpath and it would have no undue impact on neighbouring residential amenity. The proposal therefore accords with the guidance set out in the National Planning Policy Framework (July 2018), policy 10 of the Aligned Core Strategy (2014) and policies LPD 32, LPD 35 and LPD 58 of the Local Planning Document (July 2018).

Notes to Applicant

Positive and Proactive Statement - The Borough Council has worked positively and proactively with the applicant in accordance with paragraph 38 of the National Planning Policy Framework. During the processing of the application there were no problems for which the Local Planning Authority had to seek a solution in relation to this application.

The footpath should remain open, unobstructed and be kept on its legal alignment at all times. Vehicles should not be parked on the RoW or
materials unloaded or stored on the RoW so as to obstruct the path. There should be no disturbance to the surface of the footpath without prior authorisation the Rights of Way team. The safety of the public using the path should be observed at all times. A Temporary Closure of the Footpath may be granted to facilitate public safety during the construction phase subject to certain conditions. Further information and costs may be obtained by contacting the Rights of Way section. The applicant should be made aware that at least 5 weeks' notice is required to process the closure and an alternative route on should be provided if possible. If the route is to be fenced, ensure that the appropriate width is given to the path and that the fence is low level and open aspect to meet good design principles. If a structure is to be built adjacent to the public footpath, the width of the right of way is not to be encroached upon. Structures cannot be constructed on the line of the right of way without the prior authorisation of the Rights of Way team. It should be noted that structures can only be authorised under certain criteria and such permission is not guaranteed. The existing boundary hedge/tree line directly bordering the development/boundary etc is the responsibility of the current owner/occupier of the land. On the assumption that this boundary is to be retained it should be made clear to all new property owners that they are responsible for the maintenance of that boundary, including the hedge/tree line ensuing that it is cut back so as not to interfere with right of way. Should scaffold be required on or over the RoW then the applicant should apply for a license and ensure that the scaffold is constructed so as to allow the public use without interruption. http://www.nottinghamshire.gov.uk/transport/licences-and-permits/scaffolding-hoarding-and-advertising-boardsIf this is not possible then an application to temporarily close the path for the duration should also be applied for (6 weeks' notice is required), email countryside.access@nottscc.gov.uk If a skip is required and is sited on a highway, which includes a RoW then the company supplying the skip must apply for a permit. http://www.nottinghamshire.gov.uk/transport/licences-and-permits/skip-permit and also ensure that the RoW can still be accessed appropriately by the users permitted by its status i.e. equestrians if on a bridleway, motorised vehicles if on a byway open to all traffic.

The applicant is advised that all planning permissions granted on or after 16th October 2015 may be subject to the Community Infrastructure Levy (CIL). Full details of CIL are available on the Council's website at www.gedling.gov.uk/cil. The proposed development has been assessed and it is the Council's view that the development hereby approved is not CIL Liable as the development is for a use that is not chargeable on Gedling Borough Council's Community Infrastructure Levy Charging Schedule.

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

80  TREE PRESERVATION ORDER 000118 - LAND AT MILE END ROAD, COLWICK

Protection of a group of 10 trees by a Tree Preservation Order (TPO).

RESOLVED that the Service Manager, Development Services, be authorised to make a Tree Preservation Order in respect of the identified trees situated at Park House, Mile End Road.

81  TREE PRESERVATION ORDER 000119 - LAND ADJACENT TO 27 THETFORD CLOSE, ARNOLD

Protection of an Ash tree by a Tree Preservation Order (TPO).

RESOLVED that the Service Manager, Development Services, be authorised to make a Tree Preservation Order in respect of the identified tree situated on land at 27 Thetford Close, Arnold.

82  PLANNING DELEGATION PANEL ACTION SHEETS

RESOLVED:

To note the information.

83  FUTURE APPLICATIONS

RESOLVED:

To note the information.

84  ANY OTHER ITEMS WHICH THE CHAIR CONSIDERS URGENT.

None.

The meeting finished at 7.00 pm

Signed by Chair:
MINUTES
CABINET
Thursday 8 November 2018

Councillor John Clarke (Chair)

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

Observers:  Councillor Chris Barnfather

Officers in Attendance:  K Bradford,  H Barrington,  A Dubberley,  M Hill and D Wakelin

57  APOLOGIES FOR ABSENCE.
None received.

58  DECLARATION OF INTERESTS.
None.


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

60  PRUDENTIAL CODE INDICATOR MONITORING 2018/19 AND QUARTERLY TREASURY ACTIVITY REPORT

The Deputy Chief Executive and Director of Finance introduced a report, which had been circulated prior to the meeting, informing Members of the performance monitoring of the 2018/19 Prudential Code Indicators, and advising Members of the quarterly treasury activity, as required by the Treasury Management Strategy.

RESOLVED:
To note the report, together with the Treasury Activity Report 2018/19 for Quarter 2, at Appendix 1, and the Prudential and Treasury Indicator Monitoring 2018/19 for Quarter 2, at Appendix 3 to the report.
CONSULTATION ON LOCAL GOVERNMENT REORGANISATION IN NOTTINGHAMSHIRE

The Director of Organisational Development and Democratic Services presented a report, which was circulated in advance of the meeting, seeking approval to conduct a consultation exercise to obtain the views from residents and businesses in the Borough on the appropriate local government structure in Nottinghamshire.

A draft copy of the proposed consultation document was circulated to members.

RESOLVED:

To approve, subject to budget approval, a specific consultation exercise to obtain the views of residents and businesses in the borough on the appropriate local government structure in Nottinghamshire.

QUARTERLY BUDGET MONITORING, PERFORMANCE DIGEST & VIREMENT REPORT

The Deputy Chief Executive and Director of Finance introduced a report providing details of the likely year end financial position as at the end of quarter 2 of the 2018/19 financial year. The Director of Organisational Development and Democratic Services provided some details of performance during the same period.

RESOLVED to:

1) Note the progress against Improvement Actions and Performance Indicators in the 2018/19 Gedling Plan;

2) Agree the amendments to the performance indicator targets set out in paragraph 2.1.7 of the report;

3) Approve the General Fund Revenue Budget virements included in Appendix 1 to the report;

4) Note the use of reserves and funds during quarter one as detailed in Appendix 2 to the report; and

5) Approve the changes to the capital programme included in paragraph 2.2.3 of the report.

FORWARD PLAN

Consideration was given to a report of the Service Manager Democratic Services, which had been circulated prior to the meeting, detailing the Executive’s draft Forward Plan for the next four month period.
RESOLVED:

To note the report.

ANY OTHER ITEMS THE CHAIR CONSIDERS URGENT.

None.

The meeting finished at 1.20 pm

Signed by Chair:

Date:
Minutes
Overview and Scrutiny Committee
Monday 12 November 2018

Councillor Viv McCrossen (Chair)

Councillor Paul Feeney  Councillor Kathryn Fox
Councillor Sandra Barnes  Councillor Marje Paling
Councillor Jim Creamer  Councillor Stephen Poole
Councillor Kevin Doyle  Councillor Muriel Weisz
Councillor Roxanne Ellis

Apologies for absence:  Councillor Helen Greensmith, Councillor John Parr
and Councillor John Truscott

Officers in Attendance:  D Wakelin, D Jayne and H Lee

Guests in Attendance  Councillor D Ellis

18 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.

Apologies for absence were received from Councillors Greensmith, Parr
and Truscott.

19 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE
MEETING HELD ON 24 SEPTEMBER 2018.

RESOLVED:

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

20 DECLARATION OF INTERESTS.

None.

21 PROGRAMME OF PORTFOLIO HOLDER ATTENDANCE

The Committee welcomed Councillor David Ellis to discuss matters
relating to his Public Protection Portfolio. David Wakelin, Director of
Health and Community Wellbeing and David Jayne, Community Safety
and Safeguarding Manager also attended the meeting.
Councillor Ellis gave a presentation that updated members on crime and antisocial behaviour levels in Nottinghamshire and which answered many of the questions that he had received in advance.

He explained that data taken from the draft Nottinghamshire Police and Crime Commissioners Annual Report for 2017-18 (published in July) indicated overall crime levels remained constant although there had been a real increase in digital, acquisitive (burglary, shop theft, vehicle crime) and violent crime. Levels of antisocial behaviour (ASB) had decreased and there was an ever present threat of terrorism and domestic extremism. He explained that there is no one reliable measure for crime statistics, recorded crime and the Crime Survey of England and Wales are used to draw together the data. After a steady decline in crime between 2003/4 and 2014/15 the reduction has levelled off and recorded crimes are increasing. Some of this is due to more rigorous application of reporting standards.

Drivers for crime locally include drugs and alcohol, and organised crime groups carrying out drug trafficking and modern slavery.

Recorded crime for Quarter 2 2018 / 19 shows a decrease of 152 incidents compared to the previous quarter, but an overall increase of 6.6% compared to the period April to September 2017. However, this increase is less than South Notts. Community Partnership as a whole, which has an overall increase of 9.1% compared to the same period last year.

Recorded anti-social behaviour for Quarter 2 2018 / 19 shows a decrease of 19 incidents compared to the previous quarter but reflects an increase of 7.5% (74 incidents) when compared to April - September 2017 the previous year. The Community Safety Partnership have put in place, with police and community colleagues, targeted plans to address arising issues and concerns in Arnold Town Centre. Additional youth work continues to help divert young people from committing anti-social behaviour. There are increasing concerns that the changes in the operating procedures of Jigsaw and Gedling Homes may result in fewer operational staff based locally to tackle ASB cases. Cases therefore may not be dealt with as effectively has previously.

Recorded Crime in Gedling 6 months to September 2018 compared to September 2017
<table>
<thead>
<tr>
<th>Offence type</th>
<th>Current</th>
<th>Previous</th>
<th>Change</th>
<th>% Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>All Crime</td>
<td>3298</td>
<td>3094</td>
<td>+207</td>
<td>+6.6</td>
</tr>
<tr>
<td>Victim-based crime</td>
<td>2913</td>
<td>2743</td>
<td>+170</td>
<td>+6.2</td>
</tr>
<tr>
<td>VAP</td>
<td>1108</td>
<td>873</td>
<td>+235</td>
<td>+26.9</td>
</tr>
<tr>
<td>Violence with injury</td>
<td>469</td>
<td>354</td>
<td>+115</td>
<td>+32.5</td>
</tr>
<tr>
<td>Violence without injury</td>
<td>305</td>
<td>313</td>
<td>-8</td>
<td>-2.6</td>
</tr>
<tr>
<td>Stalking and harassment</td>
<td>333</td>
<td>205</td>
<td>+128</td>
<td>+62.4</td>
</tr>
<tr>
<td>Burglary</td>
<td>210</td>
<td>246</td>
<td>-36</td>
<td>-14.6</td>
</tr>
<tr>
<td>Burglary residential</td>
<td>162</td>
<td>184</td>
<td>-22</td>
<td>-12.0</td>
</tr>
<tr>
<td>Residential non-dwelling</td>
<td>26</td>
<td>34</td>
<td>-8</td>
<td>-23.5</td>
</tr>
<tr>
<td>Residential not classified</td>
<td>15</td>
<td>6</td>
<td>+9</td>
<td>+150.0</td>
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<tr>
<td>Business and Community</td>
<td>48</td>
<td>62</td>
<td>-14</td>
<td>-22.6</td>
</tr>
<tr>
<td>Shoplifting</td>
<td>277</td>
<td>278</td>
<td>-1</td>
<td>-0.4</td>
</tr>
<tr>
<td>Vehicle Offences</td>
<td>311</td>
<td>339</td>
<td>-28</td>
<td>-8.3</td>
</tr>
<tr>
<td>Theft from Motor Vehicle</td>
<td>178</td>
<td>234</td>
<td>-56</td>
<td>-23.9</td>
</tr>
<tr>
<td>Theft of Motor Vehicle</td>
<td>102</td>
<td>75</td>
<td>+27</td>
<td>+36.0</td>
</tr>
<tr>
<td>ASB</td>
<td>1065</td>
<td>991</td>
<td>+74</td>
<td>+7.5</td>
</tr>
</tbody>
</table>

Recorded crime in the borough, over the last 12 months, does show an increase in crimes however the increase is the lowest of the local authority areas in Nottinghamshire at 4%. There are some crime / offence types that show more significant increases in percentage terms. Robbery shows a 27.1% increase for the 12 months to September 2018 compared to the 12 months to September 2017. This is an increase of 13 offences. Sexual offences show an increase of 20.8%, 47 more offences, however, much of this continues to be reports of historical incidents, the reporting of recent and historical offences is encouraged, the same applies to the increase in hate crime reports. Although there were increases in burglary and vehicle crime offences current figures are reflecting a general downward trend in these offences.

The South Nottinghamshire Community Safety Partnership action plans in place focus on local resources, for burglary, vehicle crime, shop theft and violence and are reviewed by the Operational Delivery Group. Issues that arise are escalated to the Local Operations Meeting between the borough, police and other key partners, held every 2 weeks. This assists in managing the overall performance and deployment options, for example wardens and CCTV monitoring. There are also plans for awareness campaigns to tackle priority crimes, much of it seasonal, for
example the festive period and darker nights with regard to vehicle crime.

Ward level crime statistic provided by Nottinghamshire Police locally are recorded by Beat Area rather than ward level and monthly crime statistics are provided at a borough level. The Management Information Unit at Nottinghamshire Police provide a more detailed data set on a monthly basis providing offence / crime type by ward however despite the new wards having been sent to the Police these are not reflected in the data set provided. It is not anticipated that this will change any time soon.

Knife Crime is a very visible risk and something the Safer Notts. Board is taking seriously. David Wakelin chairs the Partnership Group that is developing a strategy and action plan. First quarter of 2018/19 (April-June) Gedling was low risk in terms of possession but high risk of violent knife crime offences.

ASB in open space has long been a concern. CCTV is in place in key identified locations including Arnot Hill Park, King George V Park and Newstead. The authority works closely with the Police to respond to incidents reported to put in place joint patrols in identified locations of concern. Additionally, work within schools plays an important role raising awareness of the consequences of being involved in ASB / criminality.

Drugs are seen as driver of violent crime as well as other crime.

'County lines' is the term used to describe the situation where a group supplies drugs from an urban hub to a county location (typically a market or coastal town) within a different police force boundary. Young and vulnerable people are often exploited by the group to carry and sell the drugs, or for their homes to be used as a base for drug dealing activity, it crosses police boundaries and requires high level police response.

Fly tipping prosecutions can take place if evidence can be found.

There has been a significant amount of work to increase reporting of domestic abuse both in Gedling and across Nottinghamshire as a whole. The Domestic & Sexual Abuse Executive (sub group of the Safer Nottinghamshire Board, SNB) have a strategic plan that has a Gedling action plan resulting that is monitored locally by the community safety team. The picture across Nottinghamshire shows that over 40,000 adults are likely to have experienced some form of domestic violence or abuse in the last year while over 134,000 are likely to have experienced domestic abuse in their adult lifetime. The number of victims of domestic
abuse (5,917) identified by the police increased by 3.4% in 2016/17, reflecting a further 5% increase in domestic abuse-related crimes and incidents recorded (16,650). This is reflected in Gedling and also reflects a rising trend nationally over the last year this has also been a result of improvements in crime recording standards, the introduction of new 'coercive control' offences and a likely increase in the proportion of victims coming forward to report these crimes. On average, around a third (33%) of victims presenting to the police are repeat victims.

Locally there are close working relations with Police agreeing priorities and sharing intelligence. The Police response team based at Jubilee House enables the Gedling response team to be deployed more effectively. Neighbourhood wardens have been given additional powers, including access to police radios.

The Pythian project has been commissioned to reduce knife crime and has held a knife crime amnesty, initiated police targeted stop and search and police officers in schools.

Since 2015 there has been increased CCTV, at Newstead, Calverton, King George V Park and Smithy Crescent. It is hard to demonstrate its cost effectiveness. CCTV can be used proactively for example around Arnold Carnival, when dispersal powers are in place. Research indicates CCTV is most effective in areas where it increases surveillance – for example car parks.

Neighbourhood Watch Groups are not directly supported by the authority or by Nottinghamshire Police, however officers regularly attend local meetings. Neighbourhood teams are voluntary and there is a need to increase the number of watch schemes in the Carlton /Porchester area of the borough.

Currently the Arnold shop watch radio system is being upgraded to increase communication between businesses and partnership organisations. This system is designed to prevent crime and enables shops to communicate with each other. Members were concerned about other areas in the borough which were not participating in this scheme.

Gedling is the lead for the Safer Nottinghamshire Board for Modern Slavery. One of the former Chief Executive John Robinson’s, last acts was to agree Modern Slavery Policy through Cabinet. The authority has three roles, identification and referral of victims, support for victims,
through safeguarding and housing provision, and community safety and enforcement.

The Borough’s and Police responsibilities overlap and there is a danger that the authority’s resources get stretched due to Police resource pressures and the higher profile of their issues. One example is that by deploying Neighbourhood Wardens to patrol Arnold to deal with knife crime issues Fixed Penalty Notices for littering have reduced.

Selective Licensing, out of approximately 635 properties 317 around 50% are registered with the scheme, currently work is taking place with another 50 landlords.

Taxi regulation there is now a cross authority protocol in place relating to plying for hire.

Staff is managing the programme of food premise inspections and the food hygiene rating scheme was explained.

The streamlined removal of fly tipping system has resulted in a reduction in number of fly tips, it is worth noting that even though City has free bulk waste collection they still have problem.

There have been three incidents of unlawful encampments by travellers this year. Common law powers can be used to move on but there is a need to balance the rights of community and the rights of travellers with a proportionate response.

The Council contributes to the South Nottinghamshire Community Safety Partnership (SNCP), playing an active role at officer and political level. Delivery is through partners at a local level. In past CSPs had access to money, however is now having to make considerably less money go further and it is important to keep agencies tied in to agenda. It receives performance reports and is able to compare trends across South Notts.

Members were concerned that reductions in budget for the youth service, mental health provision, court services and the police would have a cumulative effect on levels of crime and antisocial behaviour, resulting longer term increases.

Following concern from member additional information relating to domestic violence statistics was requested. Members also agreed that they would like a 6 month update on the roll out of the shop radio scheme.
RESOLVED to:

I. Thank Councillor Ellis and the officers attending and providing such full answers to members

II. Request additional information relating to figures for domestic violence in Gedling

III. Request a six moth update on the roll out of the shop radios scheme

IV. Note the report; and

V. Note that Councillor Wheeler will be attending the next meeting to discuss the Health Housing and Wellbeing Portfolio.

22 SCRUTINY WORK PROGRAMME

Members received information about items in the current work programme.

Obesity Review Update.

Members were informed that Changepoint, the Notts. County Council commissioned weight management service would be attending the Committee in February to inform members about the support they can offer and the success of the scheme.

Scrutiny Working Groups

Wellbeing of Young People
Waste Management and Recycling.

Members were updated on the progress of the scrutiny working groups, the dates of the next meetings and were informed that additional members would be welcome. They were advised that representatives from the Gedling Climate Change Group and the Youth Council were making valuable contributions to both reviews.

23 REPORTS AND NOTICES RECEIVED BY THE CHAIR OF OVERVIEW AND SCRUTINY COMMITTEE AS REQUIRED UNDER THE CONSTITUTION OR LAW.

Members considered a report, which had been circulated in advance of the meeting, which included information on items referred to the Chair as required by the Constitution.
Members had a number of questions relating the report and asked for clarification of their role when they receive this information.

**RESOLVED:**

To request that the Director of Organisational Development and Democratic Services attend the next meeting to explain to the committee their responsibility when receiving this report.

**ANY OTHER ITEM WHICH THE CHAIR CONSIDERS URGENT.**

None.

The meeting finished at 7.20 pm

Signed by Chair:
Date:
MINUTES
JOINT CONSULTATIVE AND SAFETY COMMITTEE

Tuesday 27 November 2018

Councillor Alex Scroggie (Chair)

Present: Councillor Paul Feeney Councillor Muriel Weisz
Councillor Helen Greensmith Councillor Paul Wilkinson
Councillor Gary Gregory

Unison: Susan Buchanan Alison Hunt

Absent: Councillor Emily Bailey Jay, Councillor Tammy Bisset and Councillor John Parr

Officers in Attendance: D Archer and A Dubberley

9 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.

Apologies for absence were received from Councillor Bailey Jay, Bisset and Parr. Councillors Greensmith and Gregory attended as substitutes.

10 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 28 AUGUST 2018

RESOLVED:

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

11 DECLARATION OF INTERESTS.

None.

12 NJC PAY AWARD 2019-20

The Service Manager Organisational Development introduced a report, which had been circulated prior to the meeting, proposing to formally close the consultation on the proposed implementation methods of local pay scales that incorporate changes to nationally-agreed spinal column points. The Committee was also asked to make any recommendations, if appropriate, for consideration by the Appointments and Conditions of Service Committee on the proposals.

RESOLVED to:

1) Close the consultation on the proposals to apply new national spinal column pay points to the Council’s local pay scales; and
2) Recommend to the Appointment and Conditions of Service Committee that the proposals should be implemented as set out in the report subject to supporting the proposal made by trade unions in respect of the transition between pay bands two and three.

13 GENDER PAY GAP

The Service Manager Organisational Development introduced a report which had been circulated in advance of the meeting, presenting the latest information about the gender pay gap.

RESOLVED:

To note the report.

14 SICKNESS ABSENCE

The Service Manager Organisational Development introduced a report which had been circulated in advance of the meeting, giving information about current levels of sickness absence in the organisation.

RESOLVED:

To note the report.

15 CURRENT STAFFING ISSUES

The Service Manager Organisational Development introduced a report which had been circulated in advance of the meeting, giving information of interest about issues relating the Council’s workforce.

RESOLVED:

To note the report.

16 MINOR ESTABLISHMENT CHANGES

The Service Manager Organisational Development introduced a report which had been circulated in advance of the meeting, informing the Committee that there had been no minor changes to the establishment agreed since the last meeting.

RESOLVED:

To note the report.

17 ANY OTHER ITEM WHICH THE CHAIR CONSIDERS URGENT.

None.
The meeting finished at 6.25 pm

Signed by Chair:
Date:
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60 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.

Apologies for absence were received from Councillors Bisset and Scroggie. Councillors Gregory and Poole attended as substitutes.


RESOLVED:

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

62 DECLARATION OF INTERESTS.

None.

63 REVISION TO THE AIR QUALITY ACTION PLAN

Consideration was given to a report by the Scientific Officer, Public Protection Service, which had been circulated prior to the meeting, regarding the revised Air Quality Plan, which had been produced as a result of excessive air pollution levels along the A60 Mansfield Road.

RESOLVED:

1) To approve the revised Air Quality Action Plan in Appendix A to go out to an 8 week consultation in the manner set out in section 4 of the Air Quality Action Plan.
2) To delegate authority to the Service Manager for Public Protection in consultation with Nottinghamshire County Council (the Highways Authority) and the Chair of the Environment and Licensing Committee, to assess responses from the consultation to determine whether the Plan needs to be referred back to the Environment and Licensing Committee prior to adoption.

3) To delegate authority to the Service Manager for Public Protection, in consultation with the Chair of the Environment and Licensing Committee, to make any minor amendments to the Plan following consultation and prior to adoption; and

4) That subject to the results of the consultation, to approve the Air Quality Action Plan in Appendix A, with any minor amendments necessary.

64 ANY OTHER ITEM WHICH THE CHAIR CONSIDERS URGENT.

None.

65 EXCLUSION OF THE PRESS AND PUBLIC.

RESOLVED:

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

66 CHANGE OF CIRCUMSTANCE OF JOINT HACKNEY CARRIAGE / PRIVATE HIRE DRIVERS LICENCE - MAK

MAK attended the meeting with a friend.

RESOLVED:

To defer consideration of the change of circumstances for a Joint Hackney Carriage/Private Hire Driver’s Licence from MAK to a future meeting of the Committee.

67 CHANGE OF CIRCUMSTANCE OF JOINT HACKNEY CARRIAGE / PRIVATE HIRE DRIVERS LICENCE - TUR

Consideration was given to a report by Director of Health and Community Wellbeing, which had been circulated prior to the meeting, regarding an application for a change of circumstances of a Joint Hackney Carriage/Private Hire Driver’s Licence for TUR.
TUR attended the meeting along with a friend and both addressed the Committee.

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

RESOLVED:

To revoke the Hackney Carriage/Private Hire Driver’s Licence held by TUR, on the grounds that he is not a fit and proper person, giving TUR 21 days to surrender the licence.

TUR was advised of his right to appeal against the decision of the Committee

APPLICATION FOR A ONE YEAR JOINT HACKNEY CARRIAGE / PRIVATE HIRE DRIVERS LICENCE - AMS

Consideration was given to a report by the Director of Health and Community Wellbeing, which had been circulated prior to the meeting, regarding the reapplication for a Joint Hackney Carriage/Private Hire Driver’s Licence for AMS.

AMS attended the meeting and addressed the Committee.

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

RESOLVED:

To approve AMS’s application for a Joint Hackney Carriage/Private Hire Drivers’ licence for a period of 1 year. And issue with a warning to notify the Council in writing of any future incidents and subsequent convictions.

The meeting finished at 6.10 pm

Signed by Chair:
Date:
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MINUTES
PLANNING COMMITTEE

Wednesday 5 December 2018

Councillor John Truscott (Chair)

In Attendance:
Councillor Paul Wilkinson
Councillor Michael Adams
Councillor Chris Barnfather
Councillor Tammy Bisset
Councillor Jim Creamer
Councillor Kevin Doyle
Councillor David Ellis

Councillor Meredith Lawrence
Councillor Marje Paling
Councillor Colin Powell
Councillor Alex Scroggie
Councillor Muriel Weisz
Councillor Henry Wheeler

Absent:
Councillor Pauline Allan, Councillor Peter Barnes, Councillor Alan Bexon, Councillor Barbara Miller and Councillor Jane Walker

Officers in Attendance:
M Avery, C Goodall, F Whyley and G Wraight

85 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.

Apologies for absence were received from Councillors Allan, Barnes, Bexon, Miller and Walker. Councillors Bisset, Creamer and Weisz attended as substitutes.

86 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 07 NOVEMBER 2018.

RESOLVED:

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

87 DECLARATION OF INTERESTS

Councillor Lawrence declared a non-pecuniary interest in item 6 on the agenda as a member of Colwick Parish Council.

88 APPLICATION NO. 2018/0228 - LAND ADJACENT OAKDENE, GEORGES LANE, CALVERTON

The change of use of agricultural land to a mixed traditional, natural and woodland burial ground, erection of facilities building and associated car parking, landscaping and new access arrangements onto Georges Lane.
Linda Reynolds, a local resident, spoke in objection to the application.

The Service Manager – Development Services introduced the report.

**RESOLVED to Grant planning permission subject to conditions:**

**Conditions**

1. The development must be begun not later than three years beginning with the date of this permission.

2. This permission shall be read in accordance with the following plans and details submitted to the Local Planning Authority: Site location plan received on 23rd August 2018, Drawing no. PRI 20524 10 J received on 23rd August 2018 and Drawing no. PL-01 Rev B received on 2nd March 2018. The development shall thereafter be undertaken in accordance with these plans.

3. No part of the development hereby permitted shall be brought into use until the existing site access onto Georges Lane has been permanently closed and reinstated to verge, in accordance with details first submitted to and approved in writing by the Borough Council.

4. No part of the development hereby permitted shall be brought into use until the new access to Georges Lane and car parking area, as shown indicatively on drawing PRI 20524 10 J, has been provided and made available for use, in accordance with technical details that have been first submitted to and approved in writing by the Local Planning Authority.

5. No part of the development hereby permitted shall be brought into use until the footway improvements along Georges Lane, as shown indicatively on drawing PRI 20524 10 J, has been provided and made available for use, in accordance with technical details that have been first submitted to and approved in writing by the Local Planning Authority.

6. No part of the development hereby permitted shall take place until visibility splays of 2.4m x 120m have been provided at the site access.

7. All burials shall be:
   - a minimum of 250 m from a potable groundwater supply source;
   - a minimum of 30 m from a water course or spring;
   - a minimum of 10 m distance from field drains;
   - no burial into standing water and the base of the grave must be above the local water table
Prior to the development hereby approved being first brought into use, there shall be submitted to and approved by the Local Planning Authority a landscape plan of the site showing the position, type and planting size of all trees, hedges, shrubs or seeded areas proposed to be planted together with a management plan for the long term retention of the landscaping. The approved landscape plan shall be carried out in the first planting season following the development first being brought into use and shall be managed in perpetuity in accordance with the approved management plan.

Prior to the erection of any external lighting there shall be submitted to and approved in writing by the Local Planning Authority details of all such lighting, including levels of illumination and a lux plot of the estimated luminance, to be provided on the approved buildings or elsewhere within the site. Any security lighting/floodlighting to be installed, shall be designed, located and installed so as not to cause disturbance to ecological interests on and adjacent to the site. The external lighting shall be provided in accordance with the approved details and shall be retained as such for the lifetime of the development.

The internal access roads within the site shall not be installed until precise details of their widths and the proposed materials to be used in their construction have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be undertaken in accordance with the approved details and retained as such in perpetuity.

No development shall commence on site in connection with the approved car park, facilities building or woodland walk through the Woodland Burial Area (including, tree works, fires, soil moving, temporary access construction and / or widening or any operations involving the use of motorised vehicles or construction machinery) until a detailed Arboricultural Method Statement (AMS) in accordance with BS5837:2012 Trees in relation to design, demolition and construction - Recommendations has been submitted to and approved in writing by the Local Planning Authority and any protective fencing is erected as required by the AMS. The AMS shall include full details of the following:

a) Timing and phasing of Arboricultural works in relation to the approved development.

b) Details of a tree protection scheme in accordance with BS5837:2012 which provides for the retention and protection of trees, shrubs and hedges adjacent to the site.

c) Details of any construction works required within the root protection area of trees, hedges or shrubs adjacent to the site, as defined by BS5837:2012.
d) Details of the arrangements for the implementation, supervision and monitoring of works required to comply with the arboricultural method statement

e) Details and construction details of any pathways and other development to take place within the Woodland Burial Area.

The development shall thereafter be undertaken in accordance with the approved Arboricultural Method Statement.

12 The Woodland Burial area shall be used for the scattering of cremated remains only and not for ground burials, in accordance with the email received from the Agent on 1st October 2018.

Reasons

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

2  For the avoidance of doubt and to define the terms of this permission.

3  In the interest of highway safety.

4  In the interest of highway safety.

5  To promote sustainable travel, in the interest of pedestrian safety.

6  In the interest of highway safety.

7  To protect the quality of controlled waters in the local area.

8  In the interests of visual amenity and landscape character.

9  To protect ecological interests on and adjacent to the site.

10 In the interests of visual amenity and landscape character.

11 To ensure that existing trees are adequately protected.

12 To ensure that the woodland is retained and to define the permission, for the avoidance of doubt.

Reasons for Decision

The proposed development would represent appropriate development in the Green Belt and would not cause harm to openness or to the purposes of including land within the Green Belt. It is not considered that there would be an undue impact upon visual amenity or landscape
character, residential amenity, highway safety, designated heritage assets, ecological considerations or ground water. The proposal therefore accords with the objectives of the National Planning Policy Framework, Aligned Core Strategy Policies A, 1, 3, 10, and 11, Local Planning Document Policies 6, 19, 26, 32, 57 and 61 and Calverton Neighbourhood Plan Policies ISF1, ISF2, ISF3, BE1, BE5, NE3, NE4 and NE5. Whilst it is noted that a departure is taken from the Aligned Core Strategy Policy 17 in that the prospective Special Protection Area is not being treated as confirmed European Site, the reason for this is set out in detail in the Officer report to Planning Committee.

Notes to Applicant

The applicant is advised that all planning permissions granted on or after 16th October 2015 may be subject to the Community Infrastructure Levy (CIL). Full details of CIL are available on the Council’s website. The proposed development has been assessed and it is the Council’s view that CIL is not payable on the development hereby approved as the development type proposed is zero rated in this location.

The off-site works associated to this consent will require you to undertake works within the public highway which is land subject to the provisions of the Highways Act 1980 (as amended) and therefore land over which you have no control. In order to undertake the work you will need to enter into an Agreement under Section 278 of the Act. Please contact hdc.south@nottscc.gov.uk for details.

The applicant should make themselves familiar with the Environment Agency’s guidance on cemeteries and burials, which can be found at: https://www.gov.uk/guidance/cemeteries-and-burials-prevent-groundwater-pollution

When considering carrying out any work to trees it is important to consider the provisions made in the Wildlife and Countryside Act 1981, Conservation (natural habitats) Regulations 1994 and the Countryside Rights of Way Act 2000, which mean it is an offence to intentionally or recklessly kill, injure or take a bat, Intentionally or recklessly damage, destroy or obstruct access to any structure or place used for shelter or protection by a bat, Intentionally or recklessly disturb a bat while it is occupying a structure or place that it uses for shelter or protection, damage, destroy or block access to the resting place of any bat, Intentionally or recklessly kill, injure or take a wild bird, Intentionally or recklessly take, damage or destroy the nest of any wild bird when it is in use or being built, Intentionally or recklessly take, damage or destroy the egg of any wild bird. These points outline the main parts of the above legislation. If you are unsure about these issues, it would be advisable to contact an ecological consultant before undertaking any tree work operations.
The Borough Council has worked positively and proactively with the applicant in accordance with paragraph 38 of the National Planning Policy Framework (2018). Amendments were secured to address matters arising with respect to highway safety and heritage assets.

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

89 APPLICATION NO. 2018/0613 - MILL FIELD CLOSE, BURTON JOYCE

Application for the approval of the reserved matters of access, layout, scale, appearance and landscaping following outline approval 2015/0424 - residential development of 14 units with associated parking and garages.

Sally-Anne Johnson, a local resident, spoke in objection to the application.

The Service Manager – Development Services introduced the report.

RESOLVED to Grant approval of reserved matters subject to the following conditions:

Conditions

1. This permission shall be read in accordance with the following plans: BRL-PL201 received on 19th June 2018, 13, 14A, 15, 16, 17, 18, 19A, 20, 21, 22, 31, 32, 33, 36, 37, 39, 023C, 024A, 025A, 026A, 027A, 028A, 029A and 038 received on 4th September 2018 and the S278 works drawing received on 22nd October 2018. The development shall thereafter be undertaken in accordance with these plans.

2. The development shall be undertaken in accordance with the recommendations of the Arboricultural Survey dated July 2015.

3. No part of the development hereby permitted shall be brought into use until the verge frontage of the development has been hard surfaced as footway, together with the kerbs dropped for the 3no accesses as shown for indicative purposes only on the approved
S278 works drawing and constructed under s278 agreement in accordance with the Highway Authority specification to the satisfaction of the Local Planning Authority.

4 No part of the development hereby permitted shall be brought into use until the visibility splays are provided in accordance with the approved S278 works drawing. The area within the visibility splays referred to in this condition shall thereafter be kept free of all obstructions.

5 No part of the development hereby permitted shall be brought into use until all drives and parking areas are surfaced in a bound material (not loose gravel). The surfaced drives and parking areas shall then be maintained in such bound material for the life of the development.

6 No part of the development hereby permitted shall be brought into use until the access driveways and parking areas are constructed with provision to prevent the unregulated discharge of surface water from the driveways and parking areas to the public highway. The provision to prevent the unregulated discharge of surface water to the public highway shall then be retained for the life of the development.

7 The approved landscape plan shown on drawing BRL-PL201 shall be carried out in the first planting season following the first occupation of the development. If within a period of five years beginning with the date of the planting of any tree, hedge, shrub or seeded area, that tree, shrub, hedge or seeded area, or any tree, hedge, shrub or seeded area that is planted in replacement of it, is removed, uprooted or destroyed or dies, or becomes in the opinion of the Local Planning Authority seriously damaged or defective, another tree, shrub or seeded area of the same species and size as that originally planted shall be planted at the same place, unless otherwise prior agreed in writing by the Local Planning Authority.

8 No dwelling shall be occupied until details of the maintenance arrangements for all landscaped areas, drainage features and other areas not falling within the residential curtilages of the approved dwellings have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be maintained in accordance with the approved details in perpetuity.

Reasons

1 To define the permission, for the avoidance of doubt.
2 To ensure that existing trees are adequate protected.

3 To provide suitable sustainable access facilities for pedestrians.

4 To maintain the visibility splays throughout the life of the development and in the interests of general Highway safety.

5 To reduce the possibility of deleterious material being deposited on the public highway (loose stones etc).

6 To ensure surface water from the site is not deposited on the public highway causing dangers to road users.

7 In the interests of visual amenity.

8 To ensure that these areas are adequately maintained, in the interests of visual amenity.

Reasons for Decision

The proposed development would be of a scale, layout and appearance that would be appropriate in the context of the surrounding area and would not have an adverse impact upon visual amenity or residential amenity. The proposed access and landscaping arrangements are considered to be acceptable. The proposal is therefore considered to meet with the objectives of the National Planning Policy Framework, Aligned Core Strategy Policies, A ,10 and 17, Local Planning Document Policies 32, 33, 57, 61 and 68 and Burton Joyce Neighbourhood Plan Policies NP1, NP2, NP3 and NP4.

Notes to Applicant

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

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

The Advanced Payments Code in the Highways Act 1980 applies and under section 219 of the Act payment will be required from the owner of the land fronting a private street on which a new building is to be erected.

The comments of Network Rail are attached.
Due to the proximity of the site to the railway, it is recommended that consideration be given to soundproofing measures that could be incorporated into the approved dwellings.

The applicant's attention is drawn to the recommendations set out in the updated ecological survey received on 15th November 2018.

The Borough Council has worked positively and proactively with the applicant in accordance with paragraph 38 of the National Planning Policy Framework (2018). Amendments were secured to address matters arising from comments made by the Highways Authority.

90

APPLICATION NO. 2016/0347 - SOL CONSTRUCTION LTD, 26 VALE ROAD, COLWICK

Section 73 application to amend Condition 12 (approved plans) on 2008/0287 (demolish offices, car parking & storage areas & erection of 44 dwellings with associated roads & sewers) and amend previously agreed Section 106 planning obligation to omit the integrated transport and public open space contributions, and reduce the education contribution from £120,820 to £75,000 on viability grounds.

The Service Manager – Development Services advised Members that further to the publication of the report, significant consideration had been given to recommendation one in view of the fact that the applicant for planning permission was strongly opposed to entering into a planning obligation above the value of £75,000. Whilst recommendation one was technically correct, should planning committee resolve to approve the application, it would result in an undeterminable application. The Service Manager advised that a more pragmatic approach would be to refuse both parts of the application as this would engage a right of appeal for the applicant.

The Service Manager – Development Services recommended that recommendation one was amended to refuse permission for the section 73 application and that permission was refused for recommendation two as per the recommendation in the report.

RESOLVED:

1) Refusal in respect of the section 73 application for the following reason:

The proposed delivery of this development without the full payment of the education contribution would result in a significant shortage in the number school places required to meet with the needs arising from the development. The proposal therefore
represents unsustainable development, contrary to the objectives of national and local planning policies, in particular Section 2 (Achieving sustainable development) and Paragraph 94 of the National Planning Policy Framework and Policy 19 of the Aligned Core Strategy.

2) Refusal in respect of modification of the planning obligations for the following reason:

The proposed delivery of this development without the full payment of the education contribution would result in a significant shortage in the number school places required to meet with the needs arising from the development. The proposal therefore represents unsustainable development, contrary to the objectives of national and local planning policies, in particular Section 2 (Achieving sustainable development) and Paragraph 94 of the National Planning Policy Framework and Policy 19 of the Aligned Core Strategy.

APPLICATION NO. 2018/0549 - CARLTON POLICE STATION, CAVENDISH ROAD, CARLTON

Conversion of former police station into 42 apartments including external alterations, erection of a three storey block of 24 apartments, erection of a three storey office block (B1 use) and reconfigured car parking.

The Service Manager – Development Services introduced the report and recommended that planning permission was granted in accordance with the report, with an amendment to the recommendation to specify that the review of the planning obligations relates specifically to affordable housing, public open space and health.

RESOLVED to Grant Planning Permission: Subject to the applicant entering into a Section 106 Agreement with the Borough Council as Local Planning Authority to allow a review of the affordable housing, public open space and health planning obligations required at an appropriate time and to secure a local labour agreement and the following conditions:

Conditions

1 The development must be begun not later than three years beginning with the date of this permission.

2 This permission shall be read in accordance with the following plans: TMA 18-07-01, TMA 18-07 09, TMA 18-07 11, TMA 18-07 12, TMA 18-07 13 and TMA 18-07 14 received on 4th June 2018, TMA 18-07 15A received on 20th August 2018 and TMA 18-07
3 Prior to the first occupation of the buildings hereby approved there shall be submitted to and approved by the Local Planning Authority a landscape plan of the site showing the position, type and planting size of all trees, hedges, shrubs or seeded areas proposed to be planted. The approved landscape plan shall be carried out in the first planting season following the first occupation of the development. If within a period of five years beginning with the date of the planting of any tree, hedge, shrub or seeded area, that tree, shrub, hedge or seeded area, or any tree, hedge, shrub or seeded area that is planted in replacement of it, is removed, uprooted or destroyed or dies, or becomes in the opinion of the Local Planning Authority seriously damaged or defective, another tree, shrub or seeded area of the same species and size as that originally planted shall be planted at the same place, unless otherwise prior agreed in writing by the Local Planning Authority.

4 The new windows and doors and to be inserted into the elevations of the existing building (former Police Station) shall be of the same appearance, colour and materials as the existing doors and windows in the building.

5 Prior to the demolition of the enclosed yard to the rear of the existing building (former Police Station), or any other timescale agreed in writing with the Local Planning Authority, details of the proposed finish of the exposed walls shall be submitted to and approved by the Local Planning Authority. The development shall thereafter be undertaken in accordance with the approved details and retained as such in perpetuity.

6 The development shall be carried out in accordance with the submitted flood risk assessment (compiled by SCC Consulting Engineering dated August 2018) and the following mitigation measures it details:

   o Finished floor levels for the apartment building shall be set no lower than 37.0m above Ordnance Datum (AOD).
   o Finished floor levels for the office building shall be set no lower than 36.3m AOD.

7 No part of the development hereby permitted shall be brought into use until a dropped vehicular footway crossings/accesses to serve the approved accesses are available for use and constructed in accordance with the Highway Authority specification.
No part of the development hereby permitted shall be brought into use until the existing site accesses that have been made redundant as a consequence of this permission are permanently closed and the access crossing reinstated as footway and kerbs brought up to full height kerbs.

No part of the development hereby permitted shall be brought into use until the parking, turning and servicing areas are surfaced in a bound material with the parking bays clearly delineated in accordance with drawing number TMA 18-07 09. The parking, turning and servicing areas shall be maintained in the bound material for the life of the development and shall not be used for any purpose other than the parking, turning and loading and unloading of vehicles.

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

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority and once the Local Planning Authority has identified the part of the site affected by the unexpected contamination development must be halted on that part of the site. An assessment must be undertaken in accordance with the
requirements set out in Condition 10 above, and where remediation is necessary a remediation scheme, together with a timetable for its implementation and verification reporting, must be submitted to and approved in writing by the Local Planning Authority.

12 Prior to commencement of an external works, details of Electric Vehicle charging points to be provided within the site, to include their location and specification shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be undertaken in accordance with the approved details prior to the first occupation of the development.

13 No above ground construction works shall commence until details of bat and bird boxes to be incorporated within the fabric of the buildings and/or within the site have been submitted to and approved in writing by the Local Planning Authority. The bat and bird boxes shall thereafter be provided prior to the first occupation of the development hereby approved.

14 a) No external development shall take place until a Written Scheme of Investigation for archaeological work has been submitted to and approved in writing by the Local Planning Authority, and until all pre-start elements of the approved scheme have been completed to the satisfaction of the Local Planning Authority. The scheme shall include an assessment of significance and research questions; and:

i) The programme and methodology of site investigation and recording
ii) The programme for post investigation assessment
iii) Provision to be made for analysis of the site investigation and recording
iv) Provision to be made for publication and dissemination of the analysis and records of the site investigation
v) Provision to be made for the archive deposition of the analysis and records of the site investigation
vi) Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation

b) The development shall not take place other than in accordance with the Written Scheme of Investigation for archaeological work approved under part a)

c) The new buildings shall not be brought into use until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation for archaeological work approved under part a) and the provision to be made
for analysis, publication and dissemination of results has been secured.

**Reasons**

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

2. For the avoidance of doubt and to define the terms of this permission.

3. In the interests of visual amenity.

4. In the interests of visual amenity.

5. In the interests of visual amenity.

6. To reduce the risk of flooding to the proposed development and future occupants.

7. In the interests of Highway safety.

8. In the interests of Highway safety.

9. To ensure that adequate off-street parking provision is made to reduce the possibilities of the proposed development leading to on-street parking in the area.

10. To ensure that land contamination matters are fully addressed.

11. To ensure that land contamination matters are fully addressed.

12. To ensure the development is constructed in an appropriate sustainable manner which takes into consideration air quality with in the Borough, and takes into consideration policy LPD11 of the Councils Local Plan.

13. In the interests of enhancing ecological provision on the site.

**Reasons for Decision**

The proposed development would not cause harm to the vitality and viability of the Carlton Square local centre, would be of an acceptable design and appearance, would not cause undue harm to residential amenity, would not be detrimental to the surrounding highway network or highway safety and would be acceptable in flood risk terms. The proposal would not be viable if the required planning obligations are provided however, in the overall planning balance it is considered that this is outweighed by the fact that the development would bring a vacant
site in a prominent location back into use, that it would provide residential and office accommodation in a sustainable location and that it would contribute to the Council's 5 year housing land supply. The proposal would therefore meet with the objectives of the National Planning Policy Framework 2018, the Aligned Core Strategy Policies A, 1, 2, 4, 6, 10 and 19 and Local Planning Document Policies LPD 3, 11, 32, 33, 35, 37, 40, 45, 48, 49, 50, 56, 57 and 61.

APPLICATION NO. 2018/0861 - 42 CHARTWELL GROVE, MAPPERLEY

Erection of a single storey rear extension garden room and retrospective permission for the erection of additional fence panels to front.

Dr Lidder, a local resident, spoke in objection to the application.

Nick Benedek, the applicant, spoke in support of the application.

The Service Manager – Development Services introduced the report.

RESOLVED to Grant Planning Permission subject to the following conditions: -

Conditions

1. This permission shall be read in accordance with the details within the application form, the Site Location Plan and the following drawing, NSB/50/02/A "Ground Floor and Roof", submitted on the 27th August 2018, the supporting "Plans and Drawings for Proposed Fence" submitted on the 5th September 2018, and the amended drawing NSB/50/05 "Construction Section A - A" submitted on the 15th October 2018. The development shall thereafter be undertaken in accordance with these plans/details.

2. In the event that contamination is found at any time when carrying out the approved development it must be reported in writing immediately to the Local Planning Authority and once the Local Planning Authority has identified the part of the site affected by the unexpected contamination development must be halted on that part of the site. An assessment must be undertaken in accordance with the requirements of the Local Planning Authority, and where remediation is necessary a remediation scheme, together with a timetable for its implementation and verification reporting, must be submitted to and approved in writing by the Local Planning Authority.

3. No building/extension hereby approved by this permission shall be occupied or first brought into use until the agreed gas protection measures have been completed and certified in
accordance with the details shown on the amended drawing NSB/50/05 "Construction Section A - A" submitted on the 15th October 2018.

Reasons

1 For the avoidance of doubt and to define the terms of this permission.

2 To ensure the development is safe and suitable for use, thereby taking into consideration paragraph 178 of the National Planning Policy Framework and policy LPD7 of the Councils Local Plan.

3 To ensure that this development does not prejudice the groundworks carried out under the provisions of planning application ref: 95/1495.

Reasons for Decision

In the opinion of the Borough Council the proposed development is visually acceptable, results in no significant impact on the amenity of neighbouring residential properties and would not have any adverse impacts on Highways Safety. The development therefore accords with the aims set out in the National Planning Policy Framework, Policy 10 of the Aligned Core Strategy and Policies 32, 34 and 43 of the Local Planning Document.

Notes to Applicant

Particular care should be taken to avoid damaging, penetrating or puncturing the gas resistant membrane. Before laying the membrane, all projections on the top of the slab which may puncture or damage the membrane must be removed. The membrane should be protected during installation, such as through the use of temporary boarding. This should protect the membrane from accidental damage from site activities. Heavy trafficking over the membrane should be avoided. It is important to check that the barrier is not damaged in any way before it is covered with a screed. Any damage to the membrane should be repaired before proceeding with later works.

It is especially important that attention is paid to detailing and workmanship in jointing of the barrier, and to ensure that the barrier is sealed across the entire footprint of the building including the use of a compatible proprietary damp proof course. Joints in the gas-resistant membrane should be overlapped and taped or site welded to the membrane manufacturer's specifications. If the joints are site-welded, care is needed to avoid damaging the membrane during the welding
operation. Prefabricated sections for edges and corners can be used to continue the gas-resistant barrier over awkward areas. To avoid the potential for migration pathways that may arise from poorly constructed joints, an alternative to site-welding is to install a prefabricated membrane as a single sheet manufactured to the same plan dimensions as the ground floor. All sealants used which come into contact with the membrane should be chemically compatible with the membrane. Precautions must be taken to avoid thermal effects including heating / fires etc. which may cause physical breakdown of the material.

Each service penetration through the membrane should be sealed against gas ingress. This can be achieved by the use of pre-fabricated joints / seals, such as 'top-hat' sections for pipes. The top-hat diameter should match the service pipe diameter. Penetrations should be avoided at points where the membrane is lapped, because of the greater difficulty of resealing.

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

The applicant is advised that all planning permissions granted on or after 16th October 2015 may be subject to the Community Infrastructure Levy (CIL). Full details of CIL are available on the Council's website at www.gedling.gov.uk. The proposed development has been assessed and it is the Council's view that CIL is not payable on the development hereby approved as the gross internal area of new build is less 100 square metres.

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

Planning Statement - The Borough Council has worked positively and proactively with the applicant in accordance with paragraph 38 of the National Planning Policy Framework (2018). During the processing of the application there were considered to be no problems for which the Borough Council had to seek a solution in relation to this application.
APPLICATION NO. 2018/0960 - 11 LONG WEST CROFT, CALVERTON

Single storey rear extension to utility room and rear porch.

RESOLVED to Grant Planning Permission subject to conditions:-

Conditions

1. The development must be begun not later than three years beginning with the date of this permission.

2. This permission shall be read in accordance with the application form, site location and block plan received 27th September 2018 and the Proposed Elevations and Floor Plans received 13th November 2018. The development shall thereafter be undertaken in accordance with these details.

Reasons

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

2. For the avoidance of doubt.

Reasons for Decision

In the opinion of the Borough Council the proposed development is visually acceptable, results in no significant impact on the amenity of neighbouring residential properties and would not have any adverse impacts on Highways Safety. The development therefore accords with the aims set out in the National Planning Policy Framework, Policy 10 of the Aligned Core Strategy, Policies 32 and 43 of the Local Planning Document and Policies BE2 and BE4 of the Calverton Neighbourhood Plan.

Notes to Applicant

The applicant is advised that all planning permissions granted on or after 16th October 2015 may be subject to the Community Infrastructure Levy (CIL). Full details of CIL are available on the Council's website at www.gedling.gov.uk. The proposed development has been assessed and it is the Council's view that CIL is not payable on the development hereby approved as the gross internal area of new build is less 100 square metres.

Planning Statement - The Borough Council has worked positively and proactively with the applicant in accordance with paragraph 38 of the
National Planning Policy Framework (2018). During the processing of the application there were no problems for which the Local Planning Authority had to seek a solution in relation to this application.

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

94 PLANNING DELEGATION PANEL ACTION SHEETS

RESOLVED:

To note the information.

95 FUTURE APPLICATIONS

RESOLVED:

To note the information.

96 ANY OTHER ITEMS WHICH THE CHAIR CONSIDERS URGENT.

None.

The meeting finished at 7.50 pm

Signed by Chair:
Date:
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MINUTES
AUDIT COMMITTEE

Tuesday 18 December 2018

Councillor Paul Feeney (Chair)

Councillor Bob Collis Councillor Helen Greensmith
Councillor Sandra Barnes Councillor Alan Bexon
Councillor Boyd Elliott

Apologies for absence: Councillor Chris Barnfather and Councillor Viv McCrossen

Officers in Attendance: A Ball, A Dubberley and M Hill

12 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.

Apologies were received from Councillor Barnfather and McCrossen with Councillor Bexon attending as substitute.


RESOLVED:

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

14 DECLARATION OF INTERESTS.

None.

15 KPMG ANNUAL AUDIT LETTER 2017/18

The Service Manager Finance introduced a report, which had been circulated prior to the meeting, informing Members of the outcome of the external audit work in respect of 2017/18.

RESOLVED:

To accept the KPMG Annual Audit Letter for 2017/18, at Appendix A to the report, and recommend the report to Council on 30 January 2019.

16 CORPORATE RISK MANAGEMENT SCORECARD
The Service Manager Finance introduced a report, which had been circulated prior to the meeting, updating members on the current level of assurance that can be provided against each corporate risk.

RESOLVED:

To note the progress of actions identified within the Corporate Risk Register.

17 INTERNAL AUDIT PROGRESS REPORT 2018/19

Iain Daire, Assistant Audit Manager (RSM), introduced a report, which had been circulated prior to the meeting, summarising internal audit activity completed by the RSM Internal Audit Team for the period August 2018 to December 2018.

RESOLVED:

To note the report and actions taken or to be taken.

18 ANY OTHER ITEM WHICH THE CHAIR CONSIDERS URGENT.

None.

The meeting finished at 6.15 pm

Signed by Chair: 
Date:
MINUTES
APPOINTMENTS AND CONDITIONS OF SERVICE COMMITTEE

Wednesday 19 December 2018

Councillor John Clarke (Chair)

Councillor Michael Payne  Councillor Kevin Doyle
Councillor Chris Barnfather  Councillor Marje Paling
Councillor Bob Collis

Apologies for absence:  Councillor Michael Adams

Officers in Attendance:  K Bradford, D Archer and A Dubberley

15  APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.

Apologies for absence were received from Councillor Adams.


RESOLVED:

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

17  DECLARATION OF INTERESTS.

None.

18  PAY POLICY STATEMENT

The Service Manager Organisational Development presented the Pay Policy Statement and method of implementation for referral to Council.

RESOLVED to:

1) Approve the proposed Pay Policy Statement and method of implementation and;

2) Recommend the referral of the Pay Policy Statement to Council for adoption and for subsequent publication on the Council’s website.

19  PAY POLICY- DISCUSSION DOCUMENT
The Service Manager Organisational Development introduced a report, which had been circulated prior to the meeting, giving comparator data to identify any risk relating to pay and reward.

**RESOLVED:**

To note the report.

**20 ANY OTHER ITEM WHICH THE CHAIR CONSIDERS URGENT.**

None.

**21 EXCLUSION OF PRESS AND PUBLIC**

**22 APPLICATION OF NATIONAL PAY POINT CHANGES TO LOCAL PAY**

The Service Manager Organisational Development introduced a report, which had been circulated in advance of the meeting, informing members of comments received from the Joint Consultative and Safety Committee and a way forward for the implementation of national pay point changes to local pay.

**RESOLVED to:**

1) Adopt the revised local pay scales as shown at Document 3 in the report including the payment of a supplement for one year to any employee currently paid at old SCP25 or 26 to ensure that a 2% pay award is applied.

2) Agree the revised method of transitioning employees from old to new spinal column pay points as detailed in Document 2 in the report; and

3) Confirm the application of the timetable for implementation.

The meeting finished at 2.25 pm

Signed by Chair:

Date:
MINUTES
CABINET

Thursday 10 January 2019

Councillor John Clarke (Chair)

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

Absent:  Councillor Chris Barnfather

Officers in Attendance:  K Bradford, H Barrington, A Dubberley, J Gray,
                        K Nealon, M Hill, L Juby, A Siviter and D Wakelin

65 APOLOGIES FOR ABSENCE.

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

66 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE
MEETING HELD ON 8 NOVEMBER 2018.

RESOLVED:

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

67 DECLARATION OF INTERESTS.

None

68 GEDLING GAMBLING STATEMENT OF POLICY

The Community Protection Manager introduced a report, which had
been circulated prior to the meeting, presenting the responses to the
consultation on the Authority’s
Gambling Statement of Policy and to seek Cabinet support for Council to
approve the amended version of the Gambling Statement of Policy
which takes into account the consultation responses.

RESOLVED to:

1) Note the responses to the consultation on the amendments to the
Gedling Gambling Statement of Policy; and
2) Approve the amended Gedling Gambling Statement of Policy at Appendix 1 to the report (which includes the amendments approved for consultation on 21st September 2018 and amendments following the consultation) to be submitted to Council for approval.

69 COMMUNITY ASSET TRANSFER PROGRAMME

The Service Manager Community Relations introduced a report, which had been circulated prior to the meeting, updating members on the progress on the Council’s Community Asset Transfer Programme.

RESOLVED to:

1) Note the progress made to date regarding community asset transfer;

2) Agree to the Community Relations Service Area continuing to support the development of sustainable community hubs across the Borough;

3) Agree to continuing to facilitate the Community Asset Transfer Partnership to offer good practice sharing, workshops and other capacity building opportunities;

4) Agree to the assessment of alternative models of management to reduce the subsidy provided by the Council, where community asset transfer is currently considered as not being the most realistic option for a community centre; and

5) Agree to the reduction in the efficiency target for the community centre budget portfolio to £45,900 (which includes £21,700 already achieved) and include it in the budget process for 2020/21.

70 REVIEW OF CORE STRATEGY

The Service Manager Planning Policy presented a report, which had been circulated prior to the meeting, informing members of the intention to commence a review of the Aligned Core Strategy, which was adopted in September 2014 and to seek approval from Cabinet to bring the revised Local Development Scheme appended to this report into effect from 1 February 2019.

RESOLVED to:

1) Note the intention to commence a review of the Local Plan, commencing with the review of the Core Strategy; and
2) Approve the revised Local Development Scheme appended to this report as Appendix A to the report and agree that it shall come into effect on 1 February 2019.

71 MAKE BURTON JOYCE NEIGHBOURHOOD PLAN

The Service Manager Planning Policy introduced a report, which had been circulated prior to the meeting, proposing the adoption of the neighbourhood plan following the referendum.

RESOLVED to:

1) Make the appended Burton Joyce Neighbourhood Plan at Appendix A to the report in accordance with the 2012 regulations;

2) Authorise the Planning Policy Service Manager to publicise the decision made by Council and the Burton Joyce Neighbourhood Plan document in accordance with the 2012 regulations – confirming that the neighbourhood plan has been made; and

3) Delegate authority to the Planning Policy Service Manager to make any minor factual, typographical or formatting amendments to the Burton Joyce Neighbourhood Plan as appropriate, prior to publication.

72 AUTHORITY MONITORING REPORT 2017/18

The Service Manager Planning Policy introduced a report, which had been circulated prior to the meeting presenting the latest Authority Monitoring report.

RESOLVED:

To note the content of the Authority Monitoring Report April 2017 – March 2018.

73 COMMUNITY INFRASTRUCTURE LEVY (CIL) NON-PARISH FUNDING - LOCAL INFRASTRUCTURE SCHEDULE, PROJECT ASSESSMENT AND PROPOSED FUNDING ALLOCATIONS

The Community Infrastructure Levy Officer introduced a report, which had been circulated prior to the meeting seeking approval to consult on projects shortlisted to receive community infrastructure levy funding.

RESOLVED:

To approve the commencement of consultation on Tuesday 29 January 2019 for a period of 4 weeks on the shortlisted projects identified to receive Community Infrastructure Levy Non-Parish Funding.
FORWARD PLAN

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

RESOLVED:

To note the report.

ANY OTHER ITEMS THE CHAIR CONSIDERS URGENT.

None.

The meeting finished at 1.40 pm

Signed by Chair:

Date:
<table>
<thead>
<tr>
<th>Business</th>
<th>Summary</th>
<th>Ref.</th>
<th>Date</th>
<th>Portfolio</th>
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</thead>
<tbody>
<tr>
<td>National Non-Domestic Rates - Discretionary Relief Application</td>
<td>To grant discretionary relief to Calverton Gymnastics club</td>
<td>D775</td>
<td>15/01/2019</td>
<td>Resources and Reputation</td>
</tr>
<tr>
<td>Community Infrastructure Levy Enforcement – 60 Main Street, Burton Joyce</td>
<td>To approve enforcement action for the recovery of CIL contributions</td>
<td>D783</td>
<td>15/01/2019</td>
<td>Resources and Reputation</td>
</tr>
<tr>
<td>Response to Government consultation 'Planning reform: supporting the high street and increasing the delivery of new homes</td>
<td>To approve the Council’s response to the government consultation.</td>
<td>D785</td>
<td>10/01/2019</td>
<td>Growth and Regeneration</td>
</tr>
<tr>
<td>Contract Award for Environmental Improvements to Netherfield Cinder path</td>
<td>To award a contract for environmental improvements to Netherfield Cinder path</td>
<td>D784</td>
<td>07/01/2019</td>
<td>Environment</td>
</tr>
<tr>
<td>Consideration of the proposed Compulsory Purchase Order and Side Roads Order for the Gedling Access Road</td>
<td>To approve matters relating to the Council not objecting to the CPO of Council land to enable to construction of the Gedling Access Road.</td>
<td>D782</td>
<td>21/12/2018</td>
<td>Growth and Regeneration</td>
</tr>
<tr>
<td>Spring Farm, Salterford Lane, Calverton, Nottinghamshire</td>
<td>To approve the street names for development on Land at Spring Farm, Calverton.</td>
<td>D772</td>
<td>27/11/2018</td>
<td>Growth and Regeneration</td>
</tr>
</tbody>
</table>