



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

Agenda

Council

Date: **Wednesday 24 April 2019**

Time: **6.00 pm**

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 Bruce Andrews
Councillor Emily Bailey Jay
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 Jim Creamer
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 Jenny Hollingsworth
Councillor Meredith Lawrence
Councillor Viv McCrossen
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 John Truscott
Councillor Jane Walker
Councillor Muriel Weisz
Councillor Henry Wheeler
Councillor Paul Wilkinson

SUMMONS

A meeting of the Borough Council will be held in the Council Chamber, Civic Centre, Arnot Hill Park on Wednesday 24 April 2019 at 6.00 pm to transact the business as set out below.



Karen Bradford
Chief Executive

AGENDA

Page

- 1 Opening Prayers.
- 2 Apologies for Absence.
- 3 Mayor's Announcements.
- 4 To approve, as a correct record, the minutes of the meetings held on 30 January and 4 March 2019. 7 - 23
- 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.
- 8 To answer questions asked by Members of the Council under Standing Order 9.
- 9 Referral from Cabinet: Commercial Investment Strategy 25 - 39

Report of the Service Manager Property

Council is recommended to:

1) Approve the Commercial Property Investment Strategy.

10	Appointment of Gedling Youth Mayor	41 - 45
	Report of the Director of Health and Community Wellbeing.	
11	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 15 January 2019 of Environment and Licensing Committee	47 - 50
b	Minutes of meeting Wednesday 16 January 2019 of Planning Committee	51 - 71
c	Minutes of meeting Monday 21 January 2019 of Overview and Scrutiny Committee	73 - 78
d	Minutes of meeting Thursday 31 January 2019 of Cabinet	79 - 83
e	Minutes of meeting Monday 4 February 2019 of Overview and Scrutiny Committee	85 - 87
f	Minutes of meeting Tuesday 5 February 2019 of Environment and Licensing Committee	89 - 92
g	Minutes of meeting Wednesday 13 February 2019 of Planning Committee	93 - 102
h	Minutes of meeting Thursday 14 February 2019 of Cabinet	103 - 106
i	Minutes of meeting Thursday 21 February 2019 of Standards	107 - 109

Committee

- | | | |
|----------|---|------------------|
| j | Minutes of meeting Tuesday 5 March 2019 of Environment and Licensing Committee | 111 - 113 |
| k | Minutes of meeting Tuesday 19 March 2019 of Cabinet | 115 - 117 |
| l | Minutes of meeting Wednesday 27 March 2019 of Planning Committee | 119 - 147 |
| m | Decisions made under delegated authority | 149 - 151 |
-
- | | | |
|-----------|---|--|
| 12 | To consider comments, of which due notice has been given, under Standing Order 11.03(a). | |
| 13 | To consider motions under Standing Order 12. | |

This page is intentionally left blank

MINUTES COUNCIL

Wednesday 30 January 2019

Councillor Barbara Miller (Mayor)

Present: Councillor Pauline Allan
Councillor Michael Adams
Councillor Bruce Andrews
Councillor Emily Bailey Jay
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 Jim Creamer
Councillor Kevin Doyle
Councillor Boyd Elliott
Councillor David Ellis
Councillor Andrew Ellwood
Councillor Kathryn Fox
Councillor Gary Gregory
Councillor Sarah Hewson
Councillor Jenny Hollingsworth
Councillor Meredith Lawrence
Councillor Viv McCrossen
Councillor Marje Paling
Councillor John Parr
Councillor Michael Payne
Councillor Carol Pepper
Councillor Stephen Poole
Councillor Paul Stirland
Councillor John Truscott
Councillor Jane Walker
Councillor Muriel Weisz
Councillor Henry Wheeler
Councillor Paul Wilkinson

Absent: Councillor Roxanne Ellis, Councillor Paul Feeney, Councillor Helen Greensmith, Councillor Colin Powell and Councillor Alex Scroggie

31 OPENING PRAYERS.

The Mayor's Chaplain Reverend Ogle delivered opening prayers.

Council stood in silent tribute for Councillor Denis Beeston MBE who had passed away on 16 January.

32 APOLOGIES FOR ABSENCE.

Apologies for absence were received from Councillors R Ellis, Feeney, Greensmith, Powell and Scroggie.

33 MAYOR'S ANNOUNCEMENTS.

The Mayor expressed her sadness at the passing away of Councillor Denis Beeston MBE.

Members paid tribute to Councillor Beeston on his commitment to the people of Gedling and Bestwood Village and his long service to the

community. Councillor Beeston was a loyal, respected and excellent servant of the Borough and a great supporter of many local causes and will be fondly remembered and missed by members.

The Mayor informed Council that James O’Riordan, former Borough and County Councillor, had suffered a severe stroke before Christmas. She had sent him good wishes on behalf of all members.

34 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 21 NOVEMBER 2018.

RESOLVED:

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

Vote: 35 For, 0 Against, 0 Abstentions.

35 DECLARATION OF INTERESTS.

Councillor Allan declared a disclosable pecuniary interest in Item 10 as the owner of an empty property within the Borough.

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

None.

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

Question from John Flynn.

Mr Flynn did not attend and therefore the question was not dealt with.

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 councils '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?

Response from Councillor David Ellis

It's important to be clear from the outset when tackling dog fouling that it is the owner's responsibility to clear up after their dogs. Most dog

owners in Gedling are responsible and do clear up. I would applaud those who act responsibly.

However, we all know that there are some irresponsible owners who do not 'pick up' and allow their dogs to damage the environment for others. Dog fouling is not just unpleasant it can be dangerous.

The first approach we take is prevention. Our aim is to encourage owners to take responsibility and clean up after their dogs. The Communications Team at the Council uses a variety of media to get the message across - you may have seen the messages on the side of refuse freighters. The neighbourhood wardens engage directly with dog owners both on a casual basis and at planned events such as Arnold Carnival. These prevention approaches are all designed to reduce dog fouling.

We have also made it easier for owners to dispose of poo bags by introducing dual purpose waste bins across the whole borough area.

Where there are complaints of dog fouling in an area, we work with dog owners to make them aware of the offence and encourage reporting in order to identify those responsible. As appropriate we distribute leaflets to local residents, use banners (especially outside schools and parks), or signs on lampposts, and signs painted on footpaths. We find that this sort of reminder does work and reduces the problem.

The Council's second approach, on which the question focuses, is enforcement.

Our Warden Service takes the lead on this. They are all well trained on gathering and using evidence for enforcement.

The operational tactics they can deploy are varied, ranging from overt patrols in uniform through to more covert 'plain clothed' approaches depending on the time of day and the location where dog fouling is happening. Last year the wardens undertook 15 of these operations, the majority of which were carried out very early in the morning when dog walkers are likely to be out.

Over the last year, 5 people were issued with fixed penalty notices for failing to clear up after their dogs. The owners admitted their guilt, accepted the notice and paid their fine of £50.

The council would not undertake any form of 'directed surveillance' as defined in the Regulation of Investigatory Powers Act 2000 (RIPA) since the offence of dog fouling does not fall within the seriousness categories.

In the context of an authorised RIPA operation the council does not have nor has ever used 'mobile surveillance units'.

The Council recognises that dog fouling is still an issue that local residents wish us to tackle. We do feel that we have been successful in

reducing the number of dog fouling incidents across the Borough but recognise that this is no reason to be complacent. There are areas where dog fouling still occurs repeatedly, and this is where we will continue to invest time and operational activity.

38 APPOINTMENT OF DEPUTY MAYOR

Consideration was given to a report of the Service Manager Democratic Services which sought approval 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.

RESOLVED:

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.

Vote: 33 For, 0 Against, 2 Abstentions.

39 INDEPENDENT REMUNERATION PANEL - REPORT AND RECOMMENDATIONS FOR 2019/20

Consideration was given to a report of the Service Manager Democratic Services 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.

An amendment was moved in the following terms by Councillor Michael Payne and seconded by Councillor Clarke:

To accept the recommendations of the Independent Remuneration Panel subject to the inclusion of allowances to Party Business Managers to be paid at the current rate of 25% of the Leader's allowance with the 2% uplift in line with the pay award to senior officers.

RESOLVED to:

- 1) Thank the Independent Remuneration Panel for its work and accept the recommendations subject to the inclusion of allowances to Party Business Managers to be paid at the current rate of 25% of the Leader's allowance with the 2% uplift in line with the pay award to senior officers;
- 2) 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 with the inclusion of the allowance to be paid to Party Business Managers;

- 3) Agree that the size of the Panel shall reduce from 5 to three members with immediate effect; and
- 4) Authorise the Monitoring Officer to make appropriate amendments to Part 6 of the Constitution to reflect any changes to members' allowances agreed.

Vote: 34 For, 45 Against, 0 Abstentions

40 COUNCIL TAX EMPTY PROPERTY LEVY

Councillor Allan left the meeting.

Consideration was given to a report of the Deputy Chief Executive and Director of Finance 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.

RESOLVED to:

- 1) Adopt 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) Adopt 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) Adopt 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.

Vote: 34 For, 0 Against, 0 Abstentions.

Councillor Allan re-joined the meeting.

41 AMENDMENTS TO SCHEME OF POLLING PLACES AND POLLING STATIONS

Consideration was given to a report of the Service Manager Democratic Services which sought approval to amendments to the published scheme of polling places, polling districts and polling stations for Gedling Borough.

RESOLVED:

To approve the polling place for polling districts GA3 and SB1 as detailed in the table at paragraph 2.1 of the report.

Vote: For 35, Against 0, Abstentions 0.

42 REFERRAL FROM CABINET: GEDLING GAMBLING STATEMENT OF POLICY

Consideration was given to a report of the Director of Community Health and Wellbeing, which had been referred to Council by Cabinet.

RESOLVED:

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.

Vote: For 34, Against 0, Abstention 0

43 REFERRAL FROM THE APPOINTMENTS AND CONDITIONS OF SERVICE COMMITTEE: PAY POLICY STATEMENT

Consideration was given to the report of the Service Manager Organisational Development, which had been referred to Council from the Appointments and Conditions of Service Committee.

RESOLVED:

To adopt the Pay Policy Statement for publication on the Council's website.

Vote: For 35, Against 0, Abstentions 0.

44 REFERRAL FROM AUDIT COMMITTEE: KPMG ANNUAL AUDIT LETTER 2017/18

Consideration was given to a report of the Deputy Chief Executive and Director of Finance which had been referred to Council by Audit Committee.

RESOLVED:

To receive and note the KPMG Annual Audit Letter 2017/18.

Vote: For 35, Against 0, Abstentions 0.

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

None received.

46 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.

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

None received.

48 TO CONSIDER MOTIONS UNDER STANDING ORDER 12.

None received.

The meeting finished at 7.40 pm

Signed by Chair:
Date:

This page is intentionally left blank

**MINUTES
COUNCIL**

Monday 4 March 2019

Councillor Barbara Miller (Mayor)

Present:

Councillor Pauline Allan	Councillor Gary Gregory
Councillor Michael Adams	Councillor Helen Greensmith
Councillor Bruce Andrews	Councillor Sarah Hewson
Councillor Emily Bailey Jay	Councillor Jenny Hollingsworth
Councillor Peter Barnes	Councillor Meredith Lawrence
Councillor Sandra Barnes	Councillor Viv McCrossen
Councillor Chris Barnfather	Councillor Marje Paling
Councillor Alan Bexon	Councillor John Parr
Councillor Tammy Bisset	Councillor Michael Payne
Councillor Nicki Brooks	Councillor Carol Pepper
Councillor John Clarke	Councillor Stephen Poole
Councillor Bob Collis	Councillor Colin Powell
Councillor Jim Creamer	Councillor Alex Scroggie
Councillor Kevin Doyle	Councillor John Truscott
Councillor Boyd Elliott	Councillor Jane Walker
Councillor David Ellis	Councillor Muriel Weisz
Councillor Roxanne Ellis	Councillor Henry Wheeler
Councillor Andrew Ellwood	Councillor Paul Wilkinson
Councillor Paul Feeney	

Absent: Councillor Kathryn Fox and Councillor Paul Stirland

49 OPENING PRAYERS.

Reverend Ogle, the Mayor's Chaplain, delivered opening prayers.

50 APOLOGIES FOR ABSENCE.

Apologies for absence were received from Councillors Fox and Stirland.

51 DECLARATION OF INTERESTS.

52 TO CONSIDER, AND IF APPROVED, ADOPT THE RECOMMENDATIONS OF CABINET DATED 14 FEBRUARY 2019 AND SET THE COUNCIL TAX FOR THE YEAR ENDING 31 MARCH 2020.

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

1. In accordance with the recommendations of Cabinet on 14 February 2019, that the Prudential and Treasury Indicators and the Treasury Management Strategy Statement 2019/20, which includes the Minimum Revenue Provision Policy Statement, the Borrowing Strategy, and the Annual Investment Strategy, set out at pages 5 to 45 of the Council agenda, be approved.
2. In accordance with the recommendations of Cabinet on 14 February 2019, that the Capital Programme for 2019/20 to 2021/22 set out at page 77 of the Council agenda and the Capital Investment Strategy 2019/20 to 2023/24 set out at pages 59 to 76 of the Council agenda be approved.
3. In accordance with the recommendation of Cabinet on 14 February 2019, that the financial threshold above which decisions will be regarded as Key Decisions be set at £0.5 million for 2019/20.
4. In accordance with the recommendations of Cabinet on 14 February 2019, that the Gedling Plan 2019/20 included at pages 3 to 24 of the supplement to the Council agenda, and the detailed budget for 2019/20 included at pages 133 to 171 of the Council agenda, which together set out the detailed budget and priorities, objectives, actions and key performance indicators be approved.
5. That the sum of £1,225,400 be taken from General Fund Balances in 2019/20 to support General Fund revenue expenditure in that year.
6. That it be noted that the Portfolio holder for Resources and Reputation and Deputy Leader of the Council determined on 31 January 2019 (D807), the following amounts for the year 2019/20 in accordance with regulations made under section 31(B) of the Local Government Finance Act 1992.
 - (a) 37,007.37 being the amount calculated by the Council, in accordance with regulation 3 of the Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012, as its council tax base for the year. **(The Council Tax base for the whole district)**

(b)

<u>Part of the Council's Area</u>	<u>Tax Base</u>
Bestwood Village	616.42
Burton Joyce	1,466.86
Calverton	2,204.44
Colwick	843.87
Lambley	506.47
Linby	336.55
Newstead	368.31
Papplewick	275.66
Ravenshead	2,742.39
St Albans	923.53
Stoke Bardolph	52.09
Woodborough	923.04

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

7. That the following amounts be now calculated by the Council for the year 2019/20 in accordance with sections 31A, 31B and 34 to 36 of the Local Government Finance Act 1992 (the Act):

- (a) £46,056,365 being the aggregate of the amounts which the Council estimates for the items set out in section 31A(2) of the Act. **(Effectively gross expenditure including parish precepts, and transfers to reserves)**
- (b) £39,307,000 being the aggregate of the amounts which the Council estimates for the items set out in section 31A(3) of the Act. **(Effectively gross income and transfers from reserves)**
- (c) £6,749,365 being the amount by which the aggregate at 7(a) above exceeds the aggregate at 7(b) above, calculated by the Council, in accordance with section 31A(4) of the Act, as its Council Tax Requirement for the year. **(Expenditure less income)**
- (d) £182.38 being the amount at 7(c) above, divided by the amount at 6(a) above, calculated by the Council, in accordance with section 31B of the Act, as the basic amount of its council tax for the year. **(The overall average amount of Council Tax per Band D property, including parish precepts)**
- (e) £714,665 being the aggregate amount of all special items referred to in section 34(1) of the Act. **(Total of parish precepts)**
- (f) £163.07 being the amount at 7(d) above less the result given by dividing the amount at 7(e) above by the amount at 6(a) above, calculated by the Council, in accordance with section 34(2) of the Act, as the basic amount of its council tax for the year for dwellings in those parts of its area to which no special item relates. **(Gedling's own element of the Council Tax for a Band D dwelling).**

g)

<u>Part of the Council's Area</u>	£
Bestwood Village	203.63
Burton Joyce	272.39
Calverton	252.66
Colwick	209.52
Lambley	195.45
Linby	201.96
Newstead	206.59

Papplewick	206.92
Ravenshead	212.02
St Albans	192.81
Stoke Bardolph	178.24
Woodborough	241.65

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

(h)

Part of the Council's Area	Valuation Bands							
	A £	B £	C £	D £	E £	F £	G £	H £
Bestwood Village	135.75	158.38	181.00	203.63	248.88	294.14	339.38	407.26
Burton Joyce	181.59	211.86	242.12	272.39	332.92	393.46	453.98	544.78
Calverton	168.44	196.51	224.59	252.66	308.81	364.96	421.10	505.32
Colwick	139.68	162.96	186.24	209.52	256.08	302.64	349.20	419.04
Lambley	130.30	152.01	173.73	195.45	238.89	282.32	325.75	390.90
Linby	134.64	157.08	179.52	201.96	246.84	291.72	336.60	403.92
Newstead	137.72	160.68	183.63	206.59	252.50	298.41	344.31	413.18
Papplewick	137.94	160.94	183.93	206.92	252.90	298.89	344.86	413.84
Ravenshead	141.34	164.90	188.46	212.02	259.14	306.26	353.36	424.04
St Albans	128.54	149.96	171.39	192.81	235.66	278.51	321.35	385.62
Stoke Bardolph	118.82	138.63	158.43	178.24	217.85	257.46	297.06	356.48
Woodborough	161.10	187.95	214.80	241.65	295.35	349.05	402.75	483.30
All other parts of the Council's area	108.71	126.83	144.95	163.07	199.31	235.55	271.78	326.14

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

8. That it be noted that for the year 2019/20, Nottinghamshire County Council, the Office of the Nottinghamshire Police & Crime Commissioner and the Combined Fire Authority have stated the following amounts in precepts issued to the Council, in accordance with section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings shown below:

Precepting Authority:	A £	B £	C £	D £	E £	F £	G £	H £
Notts County Council	984.04	1,148.05	1,312.05	1,476.06	1,804.07	2,132.09	2,460.10	2,952.12
Notts Police & Crime Commissioner	146.22	170.59	194.96	219.33	268.07	316.81	365.55	438.66

Combined
Authority

Fire

53.20 62.07 70.93 79.80 97.53 115.27 133.00 159.60

9. That, having calculated the aggregate in each case of the amounts at 7(h) and 8 above, the Council, in accordance with section 30(2) of the Local Government Finance Act 1992, hereby sets the following amounts of council tax for the year 2019/20 for each of the categories of dwellings shown below: (The total amount of Council Tax for each band of dwelling)

<u>Part of the Council's Area</u>	<u>Valuation Bands</u>							
	A £	B £	C £	D £	E £	F £	G £	H £
Bestwood Village	1,319.21	1,539.09	1,758.94	1,978.82	2,418.55	2,858.31	3,298.03	3,957.64
Burton Joyce	1,365.05	1,592.57	1,820.06	2,047.58	2,502.59	2,957.63	3,412.63	4,095.16
Calverton	1,351.90	1,577.22	1,802.53	2,027.85	2,478.48	2,929.13	3,379.75	4,055.70
Colwick	1,323.14	1,543.67	1,764.18	1,984.71	2,425.75	2,866.81	3,307.85	3,969.42
Lambley	1,313.76	1,532.72	1,751.67	1,970.64	2,408.56	2,846.49	3,284.40	3,941.28
Linby	1,318.10	1,537.79	1,757.46	1,977.15	2,416.51	2,855.89	3,295.25	3,954.30
Newstead	1,321.18	1,541.39	1,761.57	1,981.78	2,422.17	2,862.58	3,302.96	3,963.56
Papplewick	1,321.40	1,541.65	1,761.87	1,982.11	2,422.57	2,863.06	3,303.51	3,964.22
Ravenshead	1,324.80	1,545.61	1,766.40	1,987.21	2,428.81	2,870.43	3,312.01	3,974.42
St Albans	1,312.00	1,530.67	1,749.33	1,968.00	2,405.33	2,842.68	3,280.00	3,936.00
Stoke Bardolph	1,302.28	1,519.34	1,736.37	1,953.43	2,387.52	2,821.63	3,255.71	3,906.86
Woodborough	1,344.56	1,568.66	1,792.74	2,016.84	2,465.02	2,913.22	3,361.40	4,033.68
All other parts of the Council's area	1,292.17	1,507.54	1,722.89	1,938.26	2,368.98	2,799.72	3,230.43	3,876.52

In accordance with Standing Order 17.03, the proposition was put to a named vote as follows:

For the motion: Councillors Adams, Allan, Andrews, Bailey Jay, P Barnes, S Barnes, Barnfather, Bexon, Bisset, Brooks, Clarke, Collis, Creamer, Doyle, Elliott, D Ellis, R Ellis, Ellwood, Feeney, Greensmith, Gregory, Hewson, Hollingsworth, Lawrence, McCrossen, Miller, Paling, Parr, Paynes, Pepper, Poole, Powell, Scroggie, Truscott, Walker, Weisz, Wheeler and Wilkinson.

Against: None:

Abstentions: None

The Mayor declared the motion carried unanimously and it was

RESOLVED:

- 1) In accordance with the recommendations of Cabinet on 14 February 2019, that the Prudential and Treasury Indicators and the Treasury Management Strategy Statement 2019/20, which includes the Minimum Revenue Provision Policy Statement, the Borrowing Strategy, and the Annual Investment Strategy, set out at pages 5 to 45 of the Council agenda, be approved.

- 2) In accordance with the recommendations of Cabinet on 14 February 2019, that the Capital Programme for 2019/20 to 2021/22 set out at page 77 of the Council agenda and the Capital Investment Strategy 2019/20 to 2023/24 set out at pages 59 to 76 of the Council agenda be approved.
- 3) In accordance with the recommendation of Cabinet on 14 February 2019, that the financial threshold above which decisions will be regarded as Key Decisions be set at £0.5 million for 2019/20.
- 4) In accordance with the recommendations of Cabinet on 14 February 2019, that the Gedling Plan 2019/20 included at pages 3 to 24 of the supplement to the Council agenda, and the detailed budget for 2019/20 included at pages 133 to 171 of the Council agenda, which together set out the detailed budget and priorities, objectives, actions and key performance indicators be approved.
- 5) That the sum of £1,225,400 be taken from General Fund Balances in 2019/20 to support General Fund revenue expenditure in that year.
- 6) That it be noted that the Portfolio holder for Resources and Reputation and Deputy Leader of the Council determined on 31 January 2019 (D807), the following amounts for the year 2019/20 in accordance with regulations made under section 31(B) of the Local Government Finance Act 1992.
 - (b) 37,007.37 being the amount calculated by the Council, in accordance with regulation 3 of the Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012, as its council tax base for the year. **(The Council Tax base for the whole district)**

(b)	<u>Part of the Council's Area</u>	<u>Tax Base</u>
	Bestwood Village	616.42
	Burton Joyce	1,466.86
	Calverton	2,204.44
	Colwick	843.87
	Lambley	506.47
	Linby	336.55
	Newstead	368.31
	Papplewick	275.66
	Ravenshead	2,742.39
	St Albans	923.53
	Stoke Bardolph	52.09
	Woodborough	923.04

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

7) That the following amounts be now calculated by the Council for the year 2019/20 in accordance with sections 31A, 31B and 34 to 36 of the Local Government Finance Act 1992 (the Act):

- (a) £46,056,365 being the aggregate of the amounts which the Council estimates for the items set out in section 31A(2) of the Act. **(Effectively gross expenditure including parish precepts, and transfers to reserves)**
- (b) £39,307,000 being the aggregate of the amounts which the Council estimates for the items set out in section 31A(3) of the Act. **(Effectively gross income and transfers from reserves)**
- (c) £6,749,365 being the amount by which the aggregate at 7(a) above exceeds the aggregate at 7(b) above, calculated by the Council, in accordance with section 31A(4) of the Act, as its Council Tax Requirement for the year. **(Expenditure less income)**
- (d) £182.38 being the amount at 7(c) above, divided by the amount at 6(a) above, calculated by the Council, in accordance with section 31B of the Act, as the basic amount of its council tax for the year. **(The overall average amount of Council Tax per Band D property, including parish precepts)**
- (e) £714,665 being the aggregate amount of all special items referred to in section 34(1) of the Act. **(Total of parish precepts)**
- (f) £163.07 being the amount at 7(d) above less the result given by dividing the amount at 7(e) above by the amount at 6(a) above, calculated by the Council, in accordance with section 34(2) of the Act, as the basic amount of its council tax for the year for dwellings in those parts of its area to which no special item relates. **(Gedling's own element of the Council Tax for a Band D dwelling).**

g)

<u>Part of the Council's Area</u>	£
Bestwood Village	203.63
Burton Joyce	272.39
Calverton	252.66
Colwick	209.52
Lambley	195.45
Linby	201.96
Newstead	206.59
Papplewick	206.92
Ravenshead	212.02
St Albans	192.81
Stoke Bardolph	178.24
Woodborough	241.65

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

(h)

<u>Part of the Council's Area</u>	<u>Valuation Bands</u>							
	A £	B £	C £	D £	E £	F £	G £	H £
Bestwood Village	135.75	158.38	181.00	203.63	248.88	294.14	339.38	407.26
Burton Joyce	181.59	211.86	242.12	272.39	332.92	393.46	453.98	544.78
Calverton	168.44	196.51	224.59	252.66	308.81	364.96	421.10	505.32
Colwick	139.68	162.96	186.24	209.52	256.08	302.64	349.20	419.04
Lambley	130.30	152.01	173.73	195.45	238.89	282.32	325.75	390.90
Linby	134.64	157.08	179.52	201.96	246.84	291.72	336.60	403.92
Newstead	137.72	160.68	183.63	206.59	252.50	298.41	344.31	413.18
Papplewick	137.94	160.94	183.93	206.92	252.90	298.89	344.86	413.84
Ravenshead	141.34	164.90	188.46	212.02	259.14	306.26	353.36	424.04
St Albans	128.54	149.96	171.39	192.81	235.66	278.51	321.35	385.62
Stoke Bardolph	118.82	138.63	158.43	178.24	217.85	257.46	297.06	356.48
Woodborough	161.10	187.95	214.80	241.65	295.35	349.05	402.75	483.30
All other parts of the Council's area	108.71	126.83	144.95	163.07	199.31	235.55	271.78	326.14

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

- 8) That it be noted that for the year 2019/20, Nottinghamshire County Council, the Office of the Nottinghamshire Police & Crime Commissioner and the Combined Fire Authority have stated the following amounts in precepts issued to the Council, in accordance with section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings shown below:

<u>Precepting Authority:</u>	A £	B £	C £	D £	E £	F £	G £	H £
Notts County Council	984.04	1,148.05	1,312.05	1,476.06	1,804.07	2,132.09	2,460.10	2,952.12
Notts Police & Crime Commissioner	146.22	170.59	194.96	219.33	268.07	316.81	365.55	438.66
Combined Fire Authority	53.20	62.07	70.93	79.80	97.53	115.27	133.00	159.60

- 9) ***That, having calculated the aggregate in each case of the amounts at 7(h) and 8 above, the Council, in accordance with section 30(2) of the Local Government Finance Act 1992,***

hereby sets the following amounts of council tax for the year 2019/20 for each of the categories of dwellings shown below:
(The total amount of Council Tax for each band of dwelling)

<u>Part of the Council's Area</u>	<u>Valuation Bands</u>							
	A £	B £	C £	D £	E £	F £	G £	H £
Bestwood Village	1,319.21	1,539.09	1,758.94	1,978.82	2,418.55	2,858.31	3,298.03	3,957.64
Burton Joyce	1,365.05	1,592.57	1,820.06	2,047.58	2,502.59	2,957.63	3,412.63	4,095.16
Calverton	1,351.90	1,577.22	1,802.53	2,027.85	2,478.48	2,929.13	3,379.75	4,055.70
Colwick	1,323.14	1,543.67	1,764.18	1,984.71	2,425.75	2,866.81	3,307.85	3,969.42
Lambley	1,313.76	1,532.72	1,751.67	1,970.64	2,408.56	2,846.49	3,284.40	3,941.28
Linby	1,318.10	1,537.79	1,757.46	1,977.15	2,416.51	2,855.89	3,295.25	3,954.30
Newstead	1,321.18	1,541.39	1,761.57	1,981.78	2,422.17	2,862.58	3,302.96	3,963.56
Papplewick	1,321.40	1,541.65	1,761.87	1,982.11	2,422.57	2,863.06	3,303.51	3,964.22
Ravenshead	1,324.80	1,545.61	1,766.40	1,987.21	2,428.81	2,870.43	3,312.01	3,974.42
St Albans	1,312.00	1,530.67	1,749.33	1,968.00	2,405.33	2,842.68	3,280.00	3,936.00
Stoke Bardolph	1,302.28	1,519.34	1,736.37	1,953.43	2,387.52	2,821.63	3,255.71	3,906.86
Woodborough	1,344.56	1,568.66	1,792.74	2,016.84	2,465.02	2,913.22	3,361.40	4,033.68
All other parts of the Council's area	1,292.17	1,507.54	1,722.89	1,938.26	2,368.98	2,799.72	3,230.43	3,876.52

The meeting finished at 6.50 pm

Signed by Chair:
Date:

This page is intentionally left blank



Report to Cabinet

Subject: Commercial Property Investment Strategy (CPIS)

Date: 19 March 2019

Author: Service Manager – Property

Wards Affected

Borough-wide.

Purpose

The purpose of this report is to:

- Obtain Cabinet support for the adoption by Council of the Commercial Property Investment Strategy (CPIS).
- Subject to approval by Council, to obtain authorisation from Cabinet to delegate decisions on the acquisition and management of Commercial Property in accordance with the details set out in this report.

Key Decision

This is a key decision. Because it is likely to result in the Council incurring expenditure which is, or savings which are significant having regard to the budget for the service or function concerned.

Recommendation(s)

THAT:

- 1) Cabinet recommends that Council approves the Commercial Property Investment Strategy (CPIS).
- 2) Subject to Council's approval of the Commercial Property Investment Strategy, Cabinet delegates authority to the GBC Chief Executive to approve commercial property acquisition under the CPIS in consultation with the Leader of the Council.

1 Background

- 1.1 Due to ongoing reductions in central government grant funding many local authorities have implemented strategies to generate additional income to support ongoing service delivery.
- 1.2 One of the strategies that GBC has explored to generate extra income is through investing in property. Members have made it clear that such investment will only be approved if it also satisfies the additional criteria of providing economic or social benefit to the borough and meets the objectives of the Gedling Plan. (The strategic background for carrying out this exploration is set out within the overarching GBC Commercialisation Strategy which was approved by Cabinet in October 2017).
- 1.3 Officers have determined that it is possible to invest in commercial property which will create the positive financial and economic or social returns required by GBC. Three different methods (Strands) of investing have been identified as meeting GBC's criteria. Each Strand is likely to produce varying degrees of financial, economic and social returns. This has led to the development of the appended CPIS which incorporates each Strand separately. The Strands are explained below:
- 1.4 Strand 1 – Tenanted Commercial Property - To enable commercial investment in tenanted properties where the objective is to increase business rates and/or rental income to GBC. The process for selecting a suitable property is detailed in Appendix A to the appended Strategy.
- 1.5 For this strand officers investigated whether it would be possible to invest in commercial, tenanted properties which would create significant financial as well as economic returns for the Borough. Such investment would have to be funded through borrowing.
- 1.6 GBC are able to fund statutorily compliant investment through borrowing from the Public Works Loan Board (PWLb) which lends at fixed rates over long periods. These fixed rates are currently preferential (c.2-3%) when compared to that which many commercial investors can access. When these costs are factored into the analysis, it is clear that some commercial property investments which meet the criteria of producing an economic or social benefit, could be acquired to produce a significant positive income over and above the repayment of debt and other costs.
- 1.7 However, advice from local property agents indicates that finding property investments that meet both the GBC economic and financial criteria of this Strand, and which are geographically located solely within the Borough, is unlikely. Success is more possible when the investment area reaches outside of the Borough boundary. The geographic areas which most closely meet the criteria, as they have the most links to the economic prosperity of the borough and are directly related to meeting the objectives of the Gedling Plan, are Gedling Borough itself and the D2N2 LEP area.

- 1.8 As the investigation showed that investing in tenanted, commercial property could satisfy GBC's financial and economic requirements, an amount of £5 million was included within the budget for this purpose and approved by Council on 5 March 2018. Expenditure can only be made from the budget for the purchase of property investments within the GBC borough or economic area, which will make a contribution to the delivery of Gedling Plan objectives whilst generating positive financial returns. The net proceeds of these returns are to be used to support GBC services.
- 1.9 The budget target for net income from £5m of commercial, tenanted property investments is £100,000 per annum. If, for whatever reason suitable investment opportunities are not found, the £100,000 will become an unachievable budget efficiency which will then have to be secured from alternative budget areas within the Council.
- 1.10 Strand 2 - GBC Owned Land - To enable investments through building on GBC-owned land to create financial returns. Similar to Strand 1, the objective will be to increase income, for example from business rates, rental income, or council tax. Also, where the business case is not viable on its own, to obtain external funding which will enable building on GBC land to create a positive return as well as economic growth.
- 1.11 For this Strand officers investigated developing extra industrial units on one of GBC's existing business parks. It was found that the process for building on GBC owned land cannot be formulaic and that each opportunity will have to be assessed on its own merits, and may be proved viable at the initial assessment and business case on varying rationale.
- 1.12 For this reason no budget has been put in place in respect of this Strand and budget approval will be requested through normal processes for each individual investment opportunity that receives approval under this Strategy.
- 1.13 Strand 3 – Acquire Commercial Property to Enhance - To enable the purchase of land or property to which value can be added to create a higher income than it is currently producing. The objective here is to increase business rates and/or rental income, or council tax income to GBC.
- 1.14 This Strand will be very much on an ad hoc basis depending what properties come onto the market. Opportunities for adding value to commercial property will not be formulaic and each case will be assessed on its own merits, and may be proved viable at the initial assessment and business case on varying rationale.
- 1.15 As with Strand 2, budget approval will be requested through normal processes for each individual investment opportunity that receives approval under this Strategy.

Powers to Invest/Acquire Property

- 1.16 The principal sources of power for local authorities to invest and acquire property include:
- the specific investment power set out under Sections 12 and 15 of the Local Government Act 2003;
 - GBC's specific land acquisition power under Section 120 of the Local Government Act 1972;
 - Section 2 of the Local Authorities (Land) Act 1963
 - acting pursuant to the council's general power of competence under Section 1 of the Localism Act 2011.
- 1.17 Local Government Act 2003
Section 12 makes it clear that a local authority may invest for any purpose relating to its functions under any enactment, or, for the purposes of prudent management of its financial affairs. Section 15 of the above Act does go on to say that a local authority must have regard to such guidance that the Secretary of State may issue. In February 2018 the Secretary of State issued new guidance on Local Government Investments ("the Guidance"), which widened the definition of an investment to include all of the financial assets of a local authority as well as other non-financial assets held primarily or partially to generate income. This and other guidance is considered in more depth below. The power of acquiring property as an investment is established however in the 2003 Act.
- 1.18 Section 120 of the Local Government Act 1972
Section 120 allows local authorities to acquire land, including buildings, for the purposes of (a) "any of their functions" or (b) "for the benefit, improvement or development of their area". There is a range of case law, in respect of this power which has clarified that the acquisition need not be within a Council's area provided the purpose of the acquisition is in line with the legislation.
- 1.19 Local Authorities (Land) Act 1963
Section 2 of this Act, gives authorities the power to, for the benefit or improvement of their area, erect any building and construct or carry out works on land. A local authority may also repair, maintain and insure any building or works erected, constructed or carried out under the power and generally may deal with any such building or works in a proper course of management. This power would support Strand 3 of the Council's Strategy.
- 1.20 Localism Act 2011
Section 1 of the Localism Act gives authorities the power to do anything that individuals generally may do. This power is not limited by the existence of other specific powers to the extent that they overlap with the power. Where this power is being exercised for a commercial purpose this should be done through a company. In relation to "commercial purpose" recent case law has provided some clarity around this namely the case of *Gordon Peters v London Borough of Haringey v Lendlease Europe Holdings Ltd* [2018] EWHC 192 (Admin) where Mr Justice Ouseley stated:
"Still less do I think that it was, it intended that doing "things" which might generate a profit or return for the council, a commonplace of many council activities related to its land assets, and which the council could then put to use

for its functions, should now be done and only lawfully done through a company, and indeed not through an LLP”

- 1.21 The specific powers in the 2003 and 1972 Acts provide the powers for investment in commercial property. Whilst GBC may be acting commercially by investing in property to try and achieve a return, which is a requirement of the authority’s financial prudence, the CPIS is not solely about profit generation. The CPIS is about sound financial investment in properties that deliver economic benefits for residents, employment opportunities and generate return that can support Council services against a backdrop of ever decreasing financial support.

Statutory Guidance

- 1.22 Recently statutory guidance has been issued in relation to investments. Some of this is in response to large investments, in terms of percentage of the specific investing council’s budgets that have been made outside of certain council’s immediate geographic and economic areas.
- 1.23 Consideration has been given to the most relevant guidance and regulations including the Chartered Institute of Public Finance and Accountancy (CIPFA) Prudential Code and the CIPFA Treasury Management Code of Practice (the Code).
- 1.24 A summary of what has been considered is detailed below.
- 1.25 The Local Government Act 2003 (the Act) and supporting regulations requires GBC to ‘have regard to’ guidance issued by the Secretary of State.
- 1.26 In December 2017 changes to the Prudential and Treasury Management Codes brought about a major extension of the function of the S151 officer role - the required role for all councils under statute of responsible financial officer. Section 151 officers are also now responsible for:
- Preparation of a capital strategy to include capital expenditure, capital financing, non-financial investments and treasury management over a significant time-frame;
 - Ensuring that the capital strategy is prudent, sustainable and affordable in the long term, and provides value for money;
 - Ensuring that due diligence has been carried out on all treasury and non-financial investments, and is in accordance with the risk appetite of the authority;
 - Ensuring that the authority has appropriate legal powers to undertake expenditure on non-financial assets and their financing;
 - Ensuring the proportionality of all investments so that the authority does not undertake a level of investment which exposes it to an excessive level of risk compared to its financial resources;
 - Ensuring that an adequate governance process is in place for the approval, monitoring and ongoing risk management of all non-financial investments and long-term liabilities;

- Provision to Members of a schedule of all non-financial investments including material investments in subsidiaries, joint ventures, loans and financial guarantees;
- Ensuring that Members are adequately informed and understand the risk exposure taken on by the authority;
- Ensuring that the authority has adequate expertise, either in-house or externally provided, to carry out any non-financial investments;
- The creation of Treasury Management Practices which specifically deal with how non-financial investments will be carried out and managed.

1.27 In February 2018 the MHCLG Investment Guidance (the Guidance) widened the definition of an investment to include all the financial assets of a local authority as well as other non-financial assets held primarily or partially to generate a profit. This wider definition includes investment property portfolios as well as loans made to wholly owned companies or associates, joint ventures or third parties. The Guidance applies for financial years commencing on or after 1 April 2018.

1.28 The Guidance requires that strategies in relation to investments be approved by Full Council on an annual basis and sets out the disclosure and reporting requirements. Any mid-year material changes to such strategies will also be subject to Full Council approval.

1.29 The Guidance sets out the Government's position on borrowing in advance of need, which is that Authorities must not borrow more than, or in advance of their needs, purely in order to profit from the investment of the extra sums borrowed. The Council must have regard to the Guidance, but if exceptionally a local authority chooses not to have regard to the provision on borrowing and funds an investment activity purely to make a profit then the guidance requires them to explain the rationale. GBC is not intending to borrow to purchase investments purely in order to profit – it will only purchase investments that support the objectives of the Gedling Plan.

1.30 GBC has had regard to all relevant guidance in preparing the CPIS and is satisfied that the CPIS does not depart from this. The Council's Prudential and Treasury Indicators and Capital Strategy approved by Council on 4 March 2019 reflects the intention to invest in tenanted commercial property and demonstrates, as required, that approved investment levels are proportionate for Gedling in terms of the Council's overall capital investment and borrowing need and its impact on the revenue budget.

GBC standing Orders in relation to making decisions to invest in property

1.31 GBC's own Standing Orders for dealing with land provide that all purchases of land and/or buildings shall be the subject of a valuation report by the District Valuer or the Council's Director. In terms of authority to purchase commercial properties, this is an executive decision to be taken by the Portfolio Holder for Resources and Reputation, and depending on whether the value exceeds

£500,000 it will be a key decision. Key decisions are required to be publicised 28 days in advance of their making except in urgent situations where a procedure is prescribed.

1.32 The commercial property market moves at pace and commercial properties tend to be on the market for less than one month. In order to ensure that opportunities to acquire properties are not missed due to delays in decision taking, it is proposed as part of the CPIS that authority to acquire commercial properties is delegated to the Chief Executive in consultation with the Leader of the Council. Decisions to acquire properties will only be taken where the decision is in compliance with the CPIS.

1.33 The purpose of this report is to ensure that Council are content with the process of acquisition as laid out in the CPIS so that there is clarity around what types of property are being acquired and in what circumstances. Key decisions which involve acquisitions over £500,000 will still be publicised, however, depending on the timescales involved in the acquisition it may be that the urgency provisions are utilised. This involves reporting to the Chair of Overview and Scrutiny.

2 Proposal

2.1 GBC has devised the CPIS to provide a framework to enable investment opportunities that meet its requirement for financial returns, as well as other criteria including preference for a geographical location which is economically or socially beneficial to GBC, to be purchased and managed and if appropriate, disposed of. The CPIS complies with financial and legal legislation and guidance and provides a clear and robust process for the acquisition and management of commercial property. It is proposed that Cabinet recommend that Council approve the CPIS.

2.2 In order to ensure that commercial property acquisition can keep pace with the market whilst ensuring good governance it is proposed that subject to Council's approval of the CPIS, Cabinet approve the governance arrangements and decision making processes set out in the report, that the Chief Executive be authorised to approve in consultation with the Leader of the Council, the acquisition of commercial property in line with the CPIS subject to budget approvals being in place.

3 Alternative Options

3.1 Members could decide not to approve the CPIS. However, investment in commercial property requires the preparation of a Strategy to ensure openness and transparency in the Council's investments, and investment will only be undertaken where it is financially prudent to do so. Purchasing investment property could therefore become unworkable without having the CPIS in place and the planned income generation, currently estimated at £100,000 per annum, to support Council services and the Gedling Plan would be an unachievable budget efficiency target which will then have to be

secured from alternative budget areas within the Council.

- 3.2 Cabinet could not approve the proposed delegations as part of the CPIS and the decision making power would remain with the Portfolio Holder or Cabinet. However this may mean that opportunities to act quickly in property acquisition are lost as the administrative approval process may delay timescales.

4 Financial Implications

- 4.1 In respect of Strand 1, the Council has set a target budget of £100,000 to be generated from the £5m commercial investment. This is based upon a net 2% after taking into account any costs or loan repayments.
- 4.2 As the target budget of £100,000 is already established within the Medium Term Financial Plan, any decision to not invest the £5m in commercial investments that have a sound business case will have an impact on the long term finances of the Council, and would need to be addressed in future financial years as part of the Medium Term Financial Plan (MTFP).
- 4.3 There are currently no financial implications in respect of Strands 2 and 3 and any arising budget requirements will be the subject of future reports.
- 4.4 It must be noted that the £5m investment budget for Strand 1 is an approved amount for the purposes of the MTFP. However, similar to Strands 2 and 3, additional budgets may be requested on the production of satisfactory business cases and suitable financial returns.

5 Appendices

- 5.1 Appendix 1 - Commercial Property Investment Strategy (CPIS)

6 Background Papers

- 6.1 None

7 Reasons for Recommendations

- 7.1 To generate income to support council services.
- 7.2 To provide economic or social benefit to the borough and meet the objectives of the Gedling Plan.
- 7.3 To obtain relevant delegations to enable investments to be purchased at speed.

GBC COMMERCIAL PROPERTY INVESTMENT STRATEGY **(CPIS)**

1. Introduction

- 1.1 This Strategy is designed to provide a framework for GBC to be able to compete with other purchasers in the market. It ensures that governance processes are in place, full assessments are made and risks are minimised. Investment opportunities which are not in GBC ownership can be in demand and if so tend to sell quickly. The Strategy also allows for properties to be acquired at speed.

2. Background

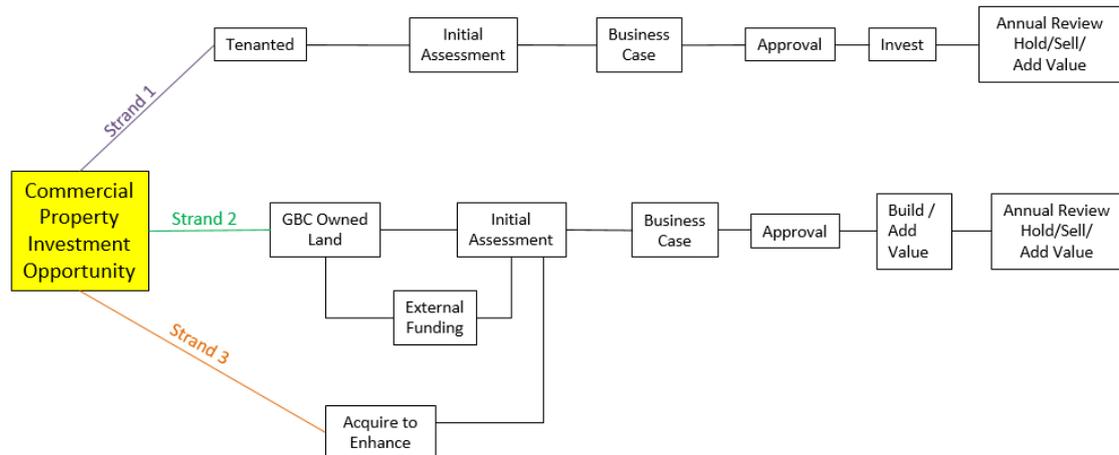
- 2.1 GBC's Senior Leadership Team (SLT) has the responsibility for overseeing the development of this Commercial Property Investment Strategy, and subsequently, for monitoring the performance of the investments at an aggregate level (i.e. the overall performance of the portfolio against an agreed benchmark of performance).
- 2.2 Investments will be made in line with delegated authority arrangements that have been approved by the Council. These will be monitored by SLT.
- 2.3 The ability to acquire suitable properties will be dictated by what is available in the market. Clearly the wider the geographic boundaries the greater the chance of finding potential opportunities. The geographic boundary which has been set by members is limited to the D2N2 LEP area.

3. Key Objectives

- 3.1 The key objectives are to:
- Acquire properties that provide a net income return to support service delivery and long term capital growth in accordance with GBC's corporate, economic and financial objectives,
 - Maximise returns whilst minimising risk through the management processes as outlined in this Strategy,
 - Prioritise properties that yield optimal net income return and long term capital growth,
 - Protect capital invested in acquired properties,
 - Develop a governance framework that enables the Council to move at a timely pace in line with the market,
 - Deliver economic benefits to residents.

4. The Basis of the Strategy

4.1 The Commercial Property Investment Strategy is made up of three strands, which will individually have their own detailed implementation strategies, and is shown in diagrammatic form below.



4.1.1 Strand 1 – Commercial Property

GBC have identified an initial budget for the acquisition of commercial properties in order to produce a net financial return i.e. after costs and loan repayments. Properties that are most likely to produce the returns required by GBC are typically situated in prime locations with the ability to be let on long leases to tenants with a good covenant strength.

The process for selecting a property under Strand 1 has been fully developed and tested and is attached at Appendix A. It sets out the framework against which commercial property will be purchased, held and sold. Its criteria will only enable the selection of tenanted properties which are located in areas that will give direct economic or social benefits to GBC residents or businesses and which, if held as a portfolio, in aggregate aims to reach the budget target for net revenue income returns.

4.1.2 Strand 2 - GBC Owned Land

GBC owns land which is not currently operationally active. This land could be commercially developed for a financial return whilst meeting the requirement for the maintenance of economic growth in line with the Gedling Plan.

Alternatively, this land could be used to develop properties which increased economic or social growth in the borough. It is likely that creating investments that boost the economic or social growth would have lower, but potentially still positive, returns compared to other options such as those outlined in Strand 1, which may tend towards maintaining rather than boosting the economic and social growth of the borough. There are opportunities to intervene, where the market cannot deliver, to boost the vitality and viability of town/local centres or on industrial parks. This could be through intervening in the market to help SMEs for example through developing business units for their occupation where the market is reluctant to build due to long capital pay back periods, or where the current demand for the properties is uncertain and could improve with the Council's input. A further area for exploration is therefore in relation to land which GBC currently owns. Such land could be developed to create properties which could be let out for financial return and maintain or boost economic growth.

No budget has been set aside for this Strand. The process for selecting a property under Strand 2 will vary because each opportunity will be assessed on its own merits

and amounts allocated will be dependent on the business cases presented and budget approval requested through normal processes.

4.1.3 Strand 3 – Acquire Commercial Property to Enhance

The options under this Strand would include for the purchase of properties to add value to them. Examples include the refurbishment or better management of existing privately-owned buildings or the purchase of land for the development of properties that would be privately let.

No budget has been set aside for this Strand. The process for selecting a property under Strand 3 will vary because each opportunity will be assessed on its own merits and amounts allocated will be dependent on the business cases presented and budget approval requested through normal processes.

5. Approval and Governance

5.1 Following the initial assessment of each opportunity under any of the strands, if successful, a detailed business case, including due diligence work, will be produced that outlines all of the costs, benefits and risks associated with the progression of the investment opportunity.

5.2 If an appropriate budget is not in place, then budget approval will be part of the process.

5.3 If approved, and a budget is in place the investment will be made.

5.4 This Strategy sets out the arrangements for the ongoing management and reporting of performance and risk in relation to the investment portfolio at paragraph 7 below. The management of the portfolio will be undertaken by SLT with arrangements for reporting by exception established so that full council is aware at the earliest opportunity of any material increase in risk or threat to ongoing yield.

6. Risk Management

6.1 The risks of both the individual investments and the cumulative impact of all investments made will be considered, together with the interaction of individual risks. The overall risk appetite for commercial investments of the Council is defined in the Council's Prudential Indicators approved by Budget Council each financial year. These indicators demonstrate the full scope of commercial property investment plans and set out risk exposure in terms of proportionality of capital investment, borrowing need and revenue budget reliance in the context of the total Council budget.

6.2 Property investment will necessitate exposure to risk, whereby the total invested can exceed the market value. Prices are prone to fluctuation, particularly due to changes in locality, the general economic outlook, or property specific risks, such as tenant failure.

6.3 Furthermore, property investment is relatively illiquid, requiring a longer term approach. In the event of a market crash, property is much less liquid than other assets and can be hard to sell.

6.4 The council's exposure to risk equates to the total amount of capital invested, plus financing costs (such as interest due on loans), repayment of debt, property operational running costs (management, vacant business rates, service charges, professional fees etc.) and legislative compliance. The Council's risk quantum will be defined as this total exposure, less the value of held assets.

6.5 Whilst risk is a natural element of investment that cannot be eliminated, it can be proactively managed.

6.6 The CPIS is built upon a series of conventional measures to manage risk:

- Financing and repayment of debt risk - GBC property investments will require borrowing. Borrowing is currently available with fixed interest for the duration of any loan, via the Public Works Loan Board, mitigating the risk associated with exposure to interest rate fluctuations. In addition, GBC must set aside the Minimum Revenue Provision (MRP) i.e. debt repayment each year from the annual revenue budget. Only properties that are expected to more than cover loan interest repayments and MRP will pass the business case stage.
- Portfolio diversification risk – spreading capital across a variety of asset classes, locations and sectors will reduce the risks of exposure to a single asset, tenant, or market failure.
- An established process to bring forward opportunities, develop and approve outline and full business cases as defined in this Strategy;
- Portfolio management risk – the use of independent consultants to assess properties prior to bidding and during ownership, including the carrying out of due diligence on all physical, financial and legal aspects of the investment will minimise the risk associated with not having all of the in-house expertise or resilience necessary to compete in the private sector.
- Market Conditions and Fair Value Analysis - will be completed to highlight key risks or changes that may affect the security, liquidity and/or yield of the investment portfolio and ensure that underlying assets continue to provide security for capital investment.

7. Managing the Portfolio

7.1 In respect of Strand 1, it is thought probable that GBC will not purchase just one commercial property as the risks associated with either tenant or sector failure or any other unforeseen factors are likely to be proved unviable at the business case stage. Consequently GBC will be likely to acquire a portfolio of tenanted properties which will enable better risk management.

7.2 In relation to all 3 strands, once properties have been acquired GBC will seek to add value to the economic, social and financial returns. It will do this by maximising its position as a local authority by being an excellent commercial, economic and social landlord and a key local stakeholder.

7.3 Active management of the portfolio will be key to maximising value. Tenant covenant strength, compliance with lease obligations, such as repair and maintenance, management of the payment of rent and service charge will need to be actively managed. External managing agents could be appointed to manage the investment portfolio properties and to undertake the annual review of the portfolio to enhance the capacity and/or skill set of the existing Property team.

7.4 In addition to ongoing monitoring, a comprehensive annual review, including detailed assessment of key performance indicators - to quantify, monitor and benchmark the portfolio operation and strategic direction, will be undertaken by SLT. The Annual Review will:

Consider The Portfolio

The consideration will include:

- A market update on activity and market conditions and forecasts that may affect security, liquidity and/or yield of the portfolio to identify the need for mitigating

actions e.g. re-purposing or sale of any asset(s), where fair value is no longer sufficient to provide security against loss.

- A review of the current CPIS.
- An external market valuation of the portfolio to monitor and benchmark performance, including meeting financial requirements.
- An updated (five year minimum) cash flow forecast comparing expected rates of return and identifying contingency plans should there be a fall in income.
- An updated (five year minimum) capital expenditure forecast.
- A review of each asset to determine whether it should be retained, sold or repurposed.
- A review of the previous year's performance including any key performance indicators (KPIs).
- A review of the underlying lifecycle of the asset, holding period and future refurbishment expectations.

Produce an Asset Management Report

The report will include:

- Rent collection rates, arrears and service charge reconciliation.
- Advice on all critical lease matters including rent reviews, lease renewals, and lease breaks.
- Dilapidations, health and safety and insurance claims.
- Capital expenditure over the preceding 12-month period.
- Tenant covenant strength monitoring report.
- Tenant compliance with lease terms and any default, or issue.

APPENDIX A

SELECTING A COMMERCIAL PROPERTY – STRAND 1

Assessment of each opportunity, prior to recommendation to invest, will pass through an initial assessment and then, if successful, a Business Case will be developed.

Firstly the opportunity will have to be shown to contribute towards the economic or social prosperity of the borough itself, or the D2N2 LEP region. Any opportunities that do not meet this criteria will not be assessed further.

Opportunities that contribute towards the economic or social prosperity of the borough itself or the D2N2 LEP region will be assessed against a matrix (Assessment Matrix) that includes the following criteria:

- Covenant* - The “covenant” of the tenant(s) is a factor of both its financial strength and the risk of its business failure. Reports from a nationally recognised referencing agency will be used to assess the covenant strength of the tenant(s). The stronger the covenant the more likely it is that the tenant will be able to pay its rent and comply with other lease obligations up until the end of the lease term.

- Unexpired lease length/ break* - The length of the lease will determine the period over which income will be receivable, provided that the tenants comply with their lease obligations. The longer the term, in most cases, the better and more secure the investment. Break option dates will be considered as if they were the lease-end date. If the current rent receivable is above market rent there are implications for lower future income streams which will be considered.

- Repairing obligations* - The wording of the lease will dictate the amount of repairing and insuring liability that either the landlord or tenant has for the property. It is preferable for the tenant to have the financial burden for all external and internal maintenance, decorations and repairs as well as the liability for insuring the building as this gives more certainty to the predictions on how much of the income receivable can be used to pay off debt/reinvest/support services etc.

- Sector* - The highest growth sectors currently include the office and industrial sectors (industrial also includes logistics). Tertiary sectors are where lesser growth takes place and currently include Retail Warehouses. Much other retail is currently in decline. Investing in a high growth sector makes the premises easier to let if the tenant vacates.

- Tenure* - Freehold ownership creates the best possible interest in a property. Considerations on leasehold periods are liquidity and how marketable properties are as time progresses.

Expected remaining useful life of the property - The age and/or obsolescence of a property will determine when major expenditure will be required to keep it in good repair and condition as well as being attractive to prospective tenants.

Location - Major Prime locations are in major cities e.g. Nottingham. Minor Prime locations are in smaller cities e.g. Derby. Major Secondary would include growth towns/areas e.g. Colwick and main arterial routes e.g. A60. Minor Secondary locations include Arnold. The better the location the easier it will be to let the property if the tenant vacates.

The Assessment Matrix is shown below. To progress to the Business Case stage of the process, four out of the seven criteria must be graded as green or amber. The Property Department will carry out the assessment of each property with the Assessment Matrix. Each assessment will be recorded for future reference.

Criteria	Excellent	Very Good	Good	Acceptable	Marginal
Covenant	Multiple Tenants with an average high covenant strength	Single Tenant with high to moderate covenant strength	Multiple Tenants with average covenant strength	Single Tenant with moderate to low covenant strength	Single or multiple Tenants with average low covenant strength
Unexpired Lease Length/Break	15 years or over	10-14 years	7-9 years	5-6 years	Less than 5 years
Repairing Obligations	Tenant Repairs and Insures internal and external	Internal Repairing 100% Recoverable	Internal Repairing Partially Recoverable	Insuring Only	Landlord
Sector	Major Prime	Minor Prime	Major Secondary	Tertiary	Other
Tenure	Freehold	Long Leasehold with 125 years minimum remaining	Leasehold with <125 years >75 years remaining	Leasehold with <75 years remaining	Leasehold with <50 years remaining
Expected remaining useful life of the building	50+ years	42-49 years	34-41 years	25- 31 years	Less than 24 years
Location	Major Prime	Minor Prime	Major Secondary	Minor Secondary	Tertiary

The passing of the Initial Assessment will initiate the production of a business case.

Due diligence will be carried out at this stage including the assessment of the structural condition of the property and ground conditions as well as the surrounding land uses including any current or proposed planning approvals. If the Business Case is viable approval will be sought to purchase – see Paragraph 5. Management of the investment will be in accordance with paragraph 7.

This page is intentionally left blank



Report to Council

Subject: Appointment of Gedling Youth Mayor
Date: 24 April 2019
Author: Director of Health & Community Wellbeing

Purpose

For Council to consider the appointment of a Youth Mayor for the Borough.

Recommendations

THAT:

- 1) Council agrees to support the principle of a Gedling Youth Mayor;**
- 2) The Protocol at Appendix 1 be approved; and**
- 3) The appointment of the Youth Mayor shall take place at a Special Meeting of the Council immediately following the Annual General Meeting on 22 May 2019.**

1 Background

- 1.1 Following discussions at Gedling Youth Council meetings, and in line with Nottinghamshire County Youth Participation Team's youth engagement approach, it is proposed that Gedling Borough Council appoints a Youth Mayor.
- 1.2 Nomination of the Youth Mayor would be made annually by the Gedling Youth Council. Initially a candidate will be selected based on their long standing service on, and contribution to, the work of the Youth Council, but Council reserves the right to consider in future years whether any other form of selection process may be appropriate. The role will mainly be a civic and honorary one and the term of office will be for 1 year.

- 1.3 This proposal mirrors similar roles that have proved highly successful in other districts nationally and locally, including Ashfield and Mansfield, and presents an opportunity to build upon our very positive youth engagement work to date.

2 Proposal

- 2.1 This report seeks Council approval to formally establish and support the principle of a Youth Mayor for the Borough of Gedling. At the conclusion of the Annual General Meeting on 22 May a short meeting of Council will be held to appoint to the position.
- 2.2 As members will be aware, a review of the Council's constitution is currently being carried out. It is proposed that the new version will make full reference to the role of Youth Mayor, so future reports to Council to approve the establishment of the role will not be necessary. As the current constitution does not feature the Youth Mayor, and does not include provisions for appointment of a Youth Mayor at the Annual General Meeting it is proposed that for this municipal year a one off meeting is held immediately following the Annual General Meeting in May to formally appoint the Youth Mayor. The new version of the constitution, with full terms of reference for the Youth Mayor, should be implemented in time for the 2020/21 year so there should be no need for further reports to Council.
- 2.3 The proposal supports Gedling Plan 2019/20 Value '**A cooperative Council that listens to and involves its citizens, partners and employees in playing an active part in creating a prosperous future**' and Gedling Plan Priority '**Strong and Dynamic Communities**', providing a public facing role model for young people in the Borough representing citizenship and pride. Current Youth Mayor roles in other districts have attracted positive publicity and offer the opportunity for intergenerational attendance at engagements alongside the existing Civic Head. The Youth Mayor protocol at **Appendix 1** sets out the terms and expectations of the role, and will be underpinned by a parental agreement and more detailed code of conduct and communications policy.

3 Resource Implications

- 3.1 Support and advice for the role will be offered from existing officer time. There would be no other ongoing budget requirements for the role aside from the cost of the badge of office and reasonable travelling expenses. These can be met from within existing Community Relations budgets and not expected to exceed £500 per annum.

4 Appendices

- 4.1 Gedling Borough Council Youth Mayor Protocol 2019

Gedling Borough Council Youth Mayor Protocol March 2019

Overview

In common with a number of other local authorities across the County and nationally, commencing in 2019, Gedling Borough Council is introducing the appointment of a Youth Mayor. The Youth Mayor will be nominated from within the Gedling Youth Council annually in April and formally appointed at the Council's Annual General Meeting and Mayor making ceremony. The role is non – political and ceremonial and open to young people aged 13 years and over. In nominating the Youth Mayor, Gedling Youth Council Members will be advised to consider candidates who can demonstrate a significant track record of service on the Gedling Youth Council.

Role of the Youth Mayor

The Youth Mayor will act as a role model for young people and an advocate of Citizenship and Pride in the Borough, mirroring the role of the existing Civic Head. The appointee will represent the Council at an agreed schedule of Civic engagements within the Borough, wherever possible outside of school hours, attending alongside either the Mayor or Deputy Mayor.

Guidance, support and supervision

The Youth Mayor will be supported by the GBC Community Relations Team. Notification of engagements, including dress protocols and arrangements will be provided by the Civic Support Officer / Democratic Services Team. Advice on transport to engagements will be offered by the Council along with an opportunity to claim travel expenses.

The number of engagements attended by the Youth Mayor will be dependent upon their availability, and that of a parent or guardian to accompany them. The list of annual engagements below gives examples of the types of engagements available.

Examples of regular Civic Engagements within the Borough

- Pride of Gedling Awards
- The Mayor's Civic Service

- A Dare Graduation
- A Care Home visit
- A Play Event / Arnold Carnival / Other suitable
- Duke of Edinburgh Award Ceremony
- The Remembrance Sunday event
- A Christmas Lights switch on

Code of Conduct

As a public facing representative of the Borough Council, the Youth Mayor is expected to uphold a high standard of conduct and personal presentation at all times, being polite and courteous to Council associates and members of the public alike. Guidance will be provided to the incoming Youth Mayor regarding representational and reputational matters, both in terms of face to face interactions and personal social media / news media. Further information will be included in a separate agreement with the incoming Youth Mayor and their parent or guardian.

Communication

The role of Youth Mayor at Gedling Borough Council is not a democratically elected position, as is the case at some Local Authorities. There is therefore no specific requirement that the duties of this role include formal written communication with the public. Any external communication to the Youth Mayor (i.e. requests for attendance at engagements, press statements etc.) should be directed to the generic Civic Email inbox: civic@gedling.gov.uk .

The role of Youth Mayor is not an appropriate channel for members of the public to direct service complaints about the Council. Should such incidences arise, the Youth Mayor is advised to inform the individual to contact the Council directly.

Any social media mentioning Gedling Borough Council generated by the Youth Mayor would need to be sent by members of the Council's communications team, on behalf of the Youth Mayor, from a dedicated GBC social media account.

Safeguarding

In accordance with Safeguarding of young people national guidelines, if under 18 years of age the Youth Mayor must be accompanied by a parent or guardian to all engagements, and the parent or guardian will carry full responsibility for the young person at all times. A risk assessment will be conducted on the role and

updated annually. The parent or guardian of the incoming Youth Mayor will be required to sign a terms of agreement and photography consent form.

Attendance at Full Council

The Youth Mayor will be invited to attend meetings of the Council.

Regalia

Unlike the Civic Head, there will be no requirement for the wearing of robes of office however a suitable Youth Mayor medallion of office has been created to enable the Youth Mayor to be clearly identifiable at events and in the media. This will be retained by the outgoing Youth Mayor at the end of the term of office.

This page is intentionally left blank

MINUTES ENVIRONMENT AND LICENSING COMMITTEE

Tuesday 15 January 2019

Councillor Marje Paling (Chair)

Present: Councillor Nicki Brooks Councillor Carol Pepper
Councillor Bruce Andrews Councillor Alex Scroggie
Councillor Sandra Barnes Councillor John Truscott
Councillor Tammy Bisset Councillor Paul Wilkinson
Councillor Roxanne Ellis

Absent: Councillor Paul Stirland

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

69 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.

Apology for absence was received from Councillor Stirland.

70 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 4 DECEMBER 2018.

RESOLVED:

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

Item 60 to read: 'Apologies for absence were received from Councillors Bisset, Scroggie, Pepper and Ellis. Councillors Gregory and Poole attended as substitutes.

71 DECLARATION OF INTERESTS.

None.

72 ANY OTHER ITEM WHICH THE CHAIR CONSIDERS URGENT.

None.

73 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.

74 CHANGE OF CIRCUMSTANCE FOLLOWING COMPLAINTS ABOUT THE HOLDER OF HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE - MG

Consideration was given to a report by Director of Health and Community Wellbeing, which had been circulated prior to the meeting, regarding a change of circumstance following complaints about the holder of a Joint Hackney Carriage/Private Hire Driver's Licence for MG.

MG attended the meeting along with his solicitor and both addressed the Committee.

In making its decision, the Committee applied the Council's approved Policy and Guidelines.

RESOLVED:

That MG to keep his licence with a warning about his behaviour and that should he appear before the Committee for similar conduct in the future the Committee are likely to revoke his licence. A letter of apology to be written to the members of staff involved.

75 CHANGE OF CIRCUMSTANCE OF HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE - GSQ

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 GSQ.

GSQ attended the meeting along with a friend and addressed the Committee.

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

RESOLVED:

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

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

76 APPLICATION FOR A THREE YEAR HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE - MS

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 Joint Hackney Carriage/Private Hire Driver's Licence for MS.

MS attended the meeting and addressed the Committee.

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

RESOLVED:

To approve MS's application for a Joint Hackney Carriage/Private Hire Driver's Licence for 1 year. And issue with a warning to declare all convictions on future application forms.

77 REQUEST FOR AN EXPEMPTION FROM DISPLAYING A LICENCE PLATE ON A PRIVATE HIRE VEHICLE UNDER SECTION 75(3) OF THE LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976

Consideration was given to a report by Director of Health and Community Wellbeing, which had been circulated prior to the meeting, regarding a request for an exemption from displaying a licence plate on a private hire vehicle under Section 75 (3) of the Local Government (Miscellaneous Provisions) Act.

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:

- 1) To grant an exemption to Mr Jason Gorey of J G Travel Ltd under Section 75 (3) of the Local Government (Miscellaneous Provisions) Act 1976 to be exempt from displaying licensing plates on any vehicle operated by him whilst carrying out executive/corporate business as long as he is the holder of a current private hire operator's licence. The exemption also provides that the driver of the vehicle is not required to wear a badge.

- 2) That Mr Gorey carry a notice in the vehicle at all times stating the terms of the exemption.

The meeting finished at 5.30 pm

Signed by Chair:

Date:

MINUTES PLANNING COMMITTEE

Wednesday 16 January 2019

Councillor John Truscott (Chair)

In Attendance: Councillor Paul Wilkinson Councillor Meredith Lawrence
Councillor Pauline Allan Councillor Marje Paling
Councillor Peter Barnes Councillor John Parr
Councillor Alan Bexon Councillor Colin Powell
Councillor Tammy Bisset Councillor Alex Scroggie
Councillor Kevin Doyle Councillor Jane Walker
Councillor David Ellis

Absent: Councillor Michael Adams, Councillor Chris Barnfather,
Councillor Barbara Miller and Councillor Henry Wheeler

Officers in Attendance: M Avery, C Goodall, F Whyley and G Wraight

97 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.

Members joined the Chair in holding a one minute's silence for Cllr Denis Beeston MBE who had sadly passed away.

Apologies for absence were received from Councillors Adams, Barnfather, Miller and Wheeler. Councillors Bisset and Parr attended as substitutes.

98 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 05 DECEMBER 2018.

RESOLVED:

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

99 DECLARATION OF INTERESTS

Councillor Walker declared a non-pecuniary interest in item 7 on the agenda as she rented one of the garages in question.

The Chair declared a collective non-pecuniary interest on behalf of all Members in item 4 on the agenda as the access road to the development was in the ownership of Gedling Borough Council.

The Chair declared a collective non-pecuniary interest on behalf of all Members in item 5 on the agenda as Gedling Borough Council was leaseholder to part of the site.

100 APPLICATION NO. 2018/0911 - LAND AT SOUTH OF 64 WOODCHURCH ROAD, BESTWOOD

Land to be developed with the construction of 3 x detached dwelling house and 1 x detached bungalow.

The Service Manager – Development Services introduced the report and recommended that planning permission be granted in accordance with the report with the following amendments:

- (i) The management company is only required for the maintenance of the new access **road** (not roads as detailed in the report) and areas of open space not within plot curtilages, and
- (ii) An additional condition to restrict the hours of work during construction and delivery of materials.

RESOLVED to GRANT FULL PLANNING PERMISSION subject to the applicant entering into a Section 106 planning obligation with the Borough Council as Local Planning Authority for the financial contributions towards Public Open Space and the provision of a Management Company for maintenance of the new access road and areas of open space not within the curtilages; and subject to the following conditions:

Conditions

- 1 The development must be begun not later than three years beginning with the date of this permission.
- 2 The development hereby permitted shall be constructed strictly in accordance with the following approved plans and details submitted with the application: Application Form; Certificate B signed 3/10/2018; Design and Access Statement (August 2018); Layout Plan; Proposed Plot 1 and 3 (Elevations Floor Plans); Proposed Plot 2 (Elevations Floor Plans); Proposed Plot 4 Bungalow (Elevations Floor Plans); Visualisation 1; Visualisation 2; Visualisation 3; Tree Survey indicating trees to be felled; Site Location Plan; Planting Maintenance Schedule; and Amended Landscape Plan (LANDP001 - Rev 03).
- 3 The dwellings shall not be brought into use until the site access has been widened to 5.5m and surfaced in a hard-bound material

in accordance with submitted Layout Plan and Landscape Plan (LANDP001 Rev 03).

- 4 Prior to above ground works commencing, precise details of the location, elevations, and materials of the proposed bin store shall be submitted to and approved in writing by the Borough Council. The development shall be implemented and maintained in accordance with the approved details for the life of the development.
- 5 No part of the development hereby approved shall be brought into use until the shared private drive is provided in accordance with the approved Layout Plan and Landscape Plan (LANDP001 Rev 03). The private drive shall then be retained in accordance with the approved plan(s) for the life of the development.
- 6 Before development is commenced there shall be submitted to and approved in writing by the Local Planning Authority drainage plans for the disposal of surface water. The scheme shall be implemented in accordance with the approved details before the development is first brought into use and shall be retained for the life of the development, unless otherwise agreed in writing by the Local Planning Authority.
- 7 The development shall be constructed strictly in accordance with the revised Landscape Plan drawing no (LANDP001 Rev 03) and the email dated 3rd January 2019 increasing the number of replacement Yew Trees to 5. If within a period of five years beginning with the date of the planting of any tree or shrub, approved in relation to the Landscape Plan, 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, unless otherwise prior agreed in writing by the Local Planning Authority.
- 8 No above ground works shall commence until there has been submitted to and approved in writing by the Local Planning Authority precise details of the bricks and tiles to be used in the external elevations of the proposed development. Once approved the development shall be carried out strictly in accordance with these details, unless otherwise agreed in writing by the Local Planning Authority.
- 9 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 of the development. 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.

- 10 The hours of work during construction and the delivery of materials to the site shall be restricted to between 08.00-18.00 hours Monday-Friday, 08.00-13.00 hours Saturdays and no working or delivery of materials shall take place on Sundays and Bank Holidays.

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 enable vehicles to enter and leave the access in a slow and controlled manner and in the interests of general Highway safety.
- 4 To enable the Refuse lorries to collect on collection day.
- 5 In the interests of Highway safety.
- 6 To ensure that the development is provided with satisfactory means of drainage as well as reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.
- 7 To ensure a satisfactory development and that the landscaping of the development accords with the requirements of Policy 17 of the Aligned Core Strategy.
- 8 To ensure a satisfactory development, in accordance with the aims of Policy 10 of the Aligned Core Strategy.
- 9 To protect the residential amenity of the area in accordance with the aims of Section 15 of the National Planning Policy Framework and Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014) and Policy LPD32 (Amenity).

- 10 To protect the residential amenity of the area in accordance with the aims of Section 15 of the National Planning Policy Framework and Policy 10 of the Aligned Core Strategy for Gedling Borough (September 2014) and Policy LPD32 (Amenity).

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, where appropriate. In the opinion of the Borough Council, the proposed development 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 impacts that can be mitigated through further details and particulars secured by condition.

Notes to Applicant

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

The 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.

Your attention is brought to Bestwood St Albans Parish Path No.9 which runs along the southern boundary of the site. The availability of the footpath should not be affected or obstructed in any way by the proposed development at this location unless subject to appropriate diversion or closure orders. The Rights of Way Office should be consulted in any re-surfacing or gating issues. You are advised that potential path users in the area should not be impeded or endangered in any way.

Your attention is brought to the implications of the private drive for future occupiers if the roads are not adopted. (i) Future maintenance liabilities; (ii) Public liabilities; (iii) Street cleansing; (iv) Lack of pedestrian facilities; (v) Lack of / or poor standard of lighting and drainage; (vi) Nottinghamshire County Council have no powers under the Highways Act; (vii) The police have no powers to remove obstructions.

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

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

Planning Statement - The Borough Council has undertaken negotiations during the consideration of the application to address adverse impacts identified by officers to address concerns in connection with the proposal, addressing the identified adverse impacts, thereby resulting in a more acceptable scheme and favourable recommendation. The Borough Council has worked positively and proactively with the applicant in accordance with paragraphs 38 of the National Planning Policy Framework (March 2012).

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.

Date Recommended: 19th December 2018

APPLICATION NO. 2018/1050 - LAND NORTH OF PAPPLEWICK LANE, LINBY

Full planning application for 5 No. plot substitutions to planning permission 2017/0201

RESOLVED to Grant Full Planning Permission: Subject to the applicant entering into a deed of variation amending the original Section 106 Agreement to planning approval: 2013/1406 with the Borough Council as local planning authority and with the County Council as local highway and education authority for the provision of, or financial contributions towards, Junction Mitigation Measures, Public Transport, Travel Plan Monitoring, Educational and Library Facilities, Primary Healthcare, Affordable Housing, Open Space, an Ecology Park; and subject to the following conditions:

Conditions

- 1 The development must be begun not later than three years beginning with the date of this permission.
- 2 This permission shall be read in accordance with the details within the Application Form and Drawings: Proposed Site Plan (PC-0320-100 rev A); Location Plan (PC-0320-200 rev A); Hemington (HEM/2017/02); and Somerby (SOM/2017/02).

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 neighbouring residential properties and amenities and would not have any impacts of Highways Safety. The proposed development therefore accords with Policy 32 of the Local Planning Document, Policy 10 of the Aligned Core Strategy, and the aims set out in the National Planning Policy Framework.

Notes to Applicant

The Borough Council has worked positively and proactively with the applicant in accordance with paragraphs 38 of the National Planning Policy Framework (March 2012).

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

Date Recommended: 20th December 2018

102 APPLICATION NO. 2018/0951 - LAND OFF TEAL CLOSE, NETHERFIELD

Variation of conditions 32 (highway works), 33 (highway works) & 35 (footway/cycleway works) on outline planning permission reference 2017/0999.

The Service Manager – Development Services introduced the report.

RESOLVED to Grant variation to planning conditions 32, 33 and 35 attached to the Outline Planning Permission Reference: 2017/0999 by issuing a replacement planning permission subject to the applicant entering into a deed of variation amending the original Section 106 Agreement with the Borough Council as local planning authority for the provision of, or financial contributions towards, the Gedling Access Road, Junction Mitigation Measures, Public Transport, Travel Plan Monitoring, Educational Facilities, Primary Healthcare, Affordable Housing, Open Space, an Ecology Park and Air Quality Monitoring; and subject to the following conditions:

Conditions

- 1 Application for the approval of reserved matters shall be made to the Local planning Authority not later than five years from the date of this permission. Details of Appearance, Landscaping, Layout and Scale (hereinafter called the reserved matters) for each phase of development shall be submitted to and approved in writing by the Local Planning Authority before any development within that phase begins and the development shall be carried out as approved. The development hereby permitted shall commence

no later than two years from the date of approval of the last reserved matters to be approved.

- 2 The development shall be carried out in accordance with the Schedule of Development revision B submitted on the 10th October 2013 and the following plans; Site Location Plan DE076_016; Parameters Plan DE076_014 Rev B (as amended by DE076_014 Rev C received by the Local Planning Authority on the 6th November 2018 and approved under application reference 2018/1063NMA). The vehicular accesses to the site shall be constructed in general accordance, subject to detailed design, with drawing numbers: 90372_002, 90372_003 (Revision B), deposited on 20th May 2013; and drawing number: 90372_001 (Revision E), received on 6th August 2013.
- 3 No phase of development shall commence until a Phasing Schedule has been submitted and approved in writing by the Local Planning Authority. The development hereby approved shall be carried out in phases in accordance with the approved Phasing Schedule unless otherwise agreed in writing by the Local Planning Authority prior to the commencement of a particular phase.
- 4 The development hereby approved comprises;(1) up to 830 residential dwellings; (2) up to 18,000 square metres of business use falling within use classes B1 'Business', B2 'General Industrial' and B8 'Storage and Distribution'; (3) the creation of a local centre and commercial centre of up to 2,800 square metres within use classes falling into A1 'Shop', A2 'Financial', A3 'Restaurant and café', A4 'Drinking Establishment', A5 'Hot Food Takeaway', B1 'Business' and D1 'Non-residential institutions'; (4) a Hotel providing up to 150 beds; (5) up to 500 square metres of uses falling with use classes D1 ' Non- residential institutions' and D2 'Assembly and Leisure' (additional to (3) above); (6) a one form entry primary school which shall cover a minimum of 1.1ha; (7) a C2 'Residential Institution' of up to 60 beds; and (8) general opening space including landscaping, children's play areas, allotments and playing pitches as indicated on the approved parameters plan.
- 5 The total B1 'Business' floor area within the business and/or local centre and commercial areas hereby approved shall comprise not more than 4,500 square metres. The local centre shall not comprise of more than 2,499 square metres floor area of A1 'Shop' or D2 'Assembly and Leisure' uses.
- 6 The total amount of A1 'Shop' floor space shall not exceed 1,500 square metres and no individual A1 'Shop' unit shall exceed 750 square metres (measured internally).

- 7 Applications for the approval of reserved matters for each phase of development shall include a written statement setting out how that particular phase has been designed to take account of the approved Parameters Plan drawing reference DE076_014 Rev. B.
- 8 Prior to the commencement of any phase of development hereby approved a site level survey plan shall be undertaken for that phase of development showing existing site levels. This existing site level survey plan shall be submitted to and approved in writing by the Local Planning Authority.
- 9 Buildings comprising Less Vulnerable uses (as defined by the National Planning Policy Framework) and their associated vehicle access routes within the development hereby approved shall have finished floor levels at no lower than 20.660m Ordnance Datum (AOD) where existing levels are at or exceed that level. Where existing levels are below 20.660m Ordnance Datum (AOD), set finished floor levels shall be a minimum of 20.660m Ordnance Datum (AOD) or 600mm above existing ground levels, whichever is lower.
- 10 Prior to the commencement of any phase of development hereby approved a scheme for that phase of development to provide flood prevention design for More Vulnerable uses (as defined by the National Planning Policy Framework) shall be submitted to and approved in writing by the Local Planning Authority. The flood prevention design scheme shall: (1) Set finished floor levels for all More Vulnerable buildings and associated vehicular access routes to the east of the A612 to 20.960 m above Ordnance Datum (AOD); (2) Set finished floor levels for all More Vulnerable buildings and associated vehicular access routes to the west of the A612 to 20.650 m above Ordnance Datum (AOD); and (3) provide a minimum of 300mm flood resilience measures for all More Vulnerable buildings. The scheme for each phase shall be implemented in accordance with the approved details prior to occupation of buildings within that phase.
- 11 Prior to the commencement of any phase of development hereby approved a scheme to provide flood resilience design for Less Vulnerable development, as defined by the National Planning Policy Framework, within that phase of development shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in accordance with the approved details prior to the occupation of any buildings within that phase and subsequently maintained.
- 12 Prior to the occupation of any building(s) falling within use classes C3 'dwelling houses', C2 'Residential institutions', C1 'Hotels' or D1 'Non-residential institutions', a Verification Report confirming

the finished base slab and wearing course levels of that building(s) and the finished levels of internal road(s) serving that building(s) within the particular phase shall be submitted to and approved in writing by the Local Planning Authority. The Verification Report for each phase shall also include confirmation that the approved flood resilient construction methods approved under condition 10 for More Vulnerable uses accords with the approved details.

- 13 Prior to the commencement of any phase of development hereby approved a scheme to provide a minimum of an 8 metre unobstructed easement from all watercourses, culverted watercourses and flood defence structures, including the Ouse Dyke (Main River) and any ordinary watercourses, within that phase has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in accordance with the approved details prior to occupation of any buildings within that phase or any other features (i.e. playing fields) being brought into use and subsequently maintained.
- 14 Prior to the commencement of any phase of development hereby approved an evacuation plan for all Less Vulnerable development at risk of flooding within that phase shall be submitted to, and approved in writing by, the Local Planning Authority. The approved scheme shall be implemented prior to the occupation of any buildings within that phase and subsequently maintained.
- 15 No ground raising or permanent built structures shall be built within the modelled floodplain of the Ouse Dyke as shown in the Flood Risk Assessment, November 2013, submitted as part of the outline planning application hereby approved.
- 16 Prior to the commencement of any phase of development hereby approved, a surface water drainage scheme for that phase of development, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details prior to the occupation of any buildings within that phase. The scheme (s) to be submitted shall demonstrate: (1) The utilisation of holding sustainable drainage techniques; (2) The limitation of surface water run-off to equivalent greenfield rates; (3) A minimum of two forms of surface water treatment to be provided prior to discharge from the site, in accordance with CIRIA C697; (4) The ability to accommodate surface water run-off on-site up to the critical 1 in 100 year event plus an appropriate allowance for climate change, based upon the submission of drainage calculations; and (5) Responsibility for the future maintenance of drainage features.

- 17 Prior to the commencement of any phase of development hereby approved a scheme to dispose of foul drainage for that phase of development shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme (s) shall be implemented as approved.
- 18 Prior to the commencement of each phase of development hereby approved a remediation strategy that addresses the provision of the following components to deal with the risks associated with contamination of that phase of the site, together with a programme for submission and prior approval of the component elements, shall each be submitted to and approved, in writing, by the local planning authority: (1) A preliminary risk assessment which has identified; (a) all previous uses (b)potential contaminants associated with those uses; and (c) a conceptual model of the site indicating sources, pathways and receptors potentially unacceptable risks arising from contamination at the site; (2). A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site; and (3) The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how and when they are to be undertaken. The scheme(s) and all details identified therein shall be implemented in accordance with the approved details. Any changes to these components require the express written consent of the Local Planning Authority.
- 19 Prior to the commencement of each phase of development hereby approved a verification plan shall be submitted to and approved in writing by the Local Planning Authority. The verification plan shall provide details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) (of condition above 18) are complete and identifies any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. The verification plan(s) and all details identified therein shall be implemented in accordance with the approved details. Any changes to these components require the express written consent of the Local Planning Authority.
- 20 In the event that contamination is found at any time when carrying out the approved development that was not previously identified pursuant to condition 18 above 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 until an assessment has been undertaken in accordance with the requirements set out in condition 18 and 19

above, and where remediation is necessary a remediation scheme, together with a timetable for its implementation and verification reporting, has been submitted to and approved in writing by the Local Planning Authority. The development must then proceed in accordance with the approved details.

- 21 Prior to the commencement of each phase of development hereby approved, details of any lighting to be used during the construction of that particular phase of development shall be submitted to and approved in writing by the Local Planning Authority. The details to be submitted shall indicate the location and type of lighting to be utilised together with luminance levels and hours that lighting will be in operation. The lighting of the construction of any approved phase of development shall be lit in accordance with the approved details.
- 22 Details of any lighting to be provided (other than street lighting and lighting within domestic curtilages) during the operational phase of that phase of development shall be submitted to and approved in writing by the Local Planning Authority prior to its implementation. The details to be submitted shall indicate the location and type of lighting to be utilised together with luminance levels and hours that any such lighting will be in operation. The lighting of the development during its operational phase shall be carried out in accordance with the details approved.
- 23 If the sports pavilion to the north of the A612 is not demolished by the 30th June 2014, then in accordance with the submitted Bat Activity Surveys at the sports pavilion off Teal Close report further bat survey work shall be undertaken and an assessment report together with any proposed mitigation measures shall be submitted to and approved in writing by the Local Planning Authority, prior to any demolition taking place. Any approved mitigation measures shall be carried out in accordance with the approved details. In the unlikely event that bat(s) are found during the demolition of the sports pavilion then the procedure set out in the appendix to the Bat Activity Surveys at the sports pavilion off Teal Close report (dated 24th June 2013) shall be followed.
- 24 Prior to the commencement of each phase of development hereby approved a Construction Environmental Management Plan (CEMP) for that phase of development shall be submitted to and approved in writing by the Local Planning Authority. Each CEMP shall include the following details; (1) the hedgerow and tree protection measures that shall be implemented for all retained woodland, trees and hedgerows approved as part of the landscaping details to be submitted as part of the reserved matters pursuant to this application. A statement shall also be provided which details how the protection measures shall be implemented so as to minimise damage and disturbance to

habitats within the vicinity and the species they support. The protection measures shall accord with current British Standards in relation to design, demolition and construction (BS5837:2012 or any subsequent revision); (2) the measures that shall be implemented during the construction of that particular phase of the development so as to minimise water runoff and works pollution entering watercourses; and (3) the measures that shall be implemented so as to avoid any disturbance to nesting birds during that particular phase of construction.(4) details of traffic routes for Heavy Good Vehicular movements during the construction of that phase of development. (5) details of wheel washing facilities to be used by vehicles entering and leaving site during the construction of that phase of development ; and (6) details of how the principle of Best Practicable Means shall be applied in relation to minimising impact on the surrounding area during the construction of that particular phase of development in relation to noise and vibration and safeguarding air quality. The approved CEMP(s) and all details therein shall be implemented in accordance with the approved details.

- 25 Prior to the commencement of each phase of development hereby approved a written scheme of archaeological investigation related to that phase shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out strictly in accordance with the approved scheme(s)
- 26 Prior to the commencement of any development on the existing playing pitches located to the west of the A612 (including the demolition of the existing sports pavilion) replacement playing pitches (including associated changing room facilities) hereby approved to the east of the A612 shall have been provided and shall be operational.
- 27 Prior to the commencement of development of the playing pitches to be provided to the east of the A612 details of the following shall be submitted to and approved in writing by the Local Planning Authority; (1) the location and specification of the playing pitches to be provided together with details of their drainage; (2) the location and specifications of the changing room facilities to be provided; and (3) a schedule of maintenance of the playing pitches and associated drainage. The playing pitches and changing room facilities shall be provided, managed and maintained in accordance with the approved details.
- 28 Prior to first occupation of the development hereby approved, other than the business development to be accessed from Stoke Lane, construction details of the site access junctions from the A612 as show in outline on plan references 90372_001 Revision E and 90372_002 shall be submitted to and approved in writing by the Local Planning Authority. Along with the construction

details to be submitted, shall also be submitted to and approved in writing by the Local Planning Authority a programme of implementation of construction details of the site access. The site access details to be submitted pursuant to plan reference 903732_002 shall also include provision of a physical strip/central refuge fronting the proposed access to prevent vehicles from u-turning and associated signing and lining. The approved detailed access arrangements shall thereafter be implemented in accordance with the approved programme of implementation, related to the phasing of the development.

- 29 Prior to first occupation of the business floor space (Class B1, B2, B8) hereby approved (aside from any B1 use contained in the Local Centre) the access from Stoke Lane as shown in outline on plan reference 90372_003 Revision B shall be provided in accordance with the construction details to be first submitted to and approved in writing by the Local Planning Authority. The business floorspace hereby approved (Class B1, B2, B8) (aside from any B1 use contained in the Local Centre) shall only be accessed via Stoke Lane, other than in an emergency.
- 30 Prior to first occupation of the development hereby approved a u-turn prohibition shall be implemented by means of a legal Traffic Regulation Order and appropriate signs shall be provided at the A612/Stoke Lane junction for the A612 west approach in accordance with details to be first submitted and approved in writing by the Local Planning Authority.
- 31 Prior to the commencement of the development hereby approved details shall be submitted to and approved in writing by the local planning authority in relation to the extension of the 40mph speed restrictions by amendment of the existing Traffic Regulation Order along Stoke Lane towards west of its junction with the A612 covering the site frontage. Details shall also include the location of proposed signing/lining and street lighting to accommodate the extension. The extended 40mph speed restriction area shall be provided in accordance with the approved details prior to first occupation of the development, unless otherwise agreed in writing by the local planning authority.
- 32 Prior to first occupation of the residential development hereby approved construction details of the mitigation measures at the Lowdham Roundabout as shown in outline on plan reference 90372/PSTN/003 shall be submitted to and approved in writing by the Local Planning Authority. The mitigation measures at the Lowdham Roundabout shall be implemented in accordance with the approved details prior to the occupation of the 325th dwelling of the development hereby approved.

- 33 Prior to first occupation of the residential development hereby approved construction details of the mitigation measures to be provided at A612 Mile End Road/Colwick Loop Road junction as shown in outline on plan reference 90372/PSTN/005 Revision A shall be submitted to and approved in writing by the Local Planning Authority. The mitigation measures at the junction shall be provided in accordance with the approved details prior to the occupation of the 175th dwelling of the development hereby approved.
- 34 DELETED.
- 35 Prior to first occupation of the residential development hereby approved details of a new shared footway/cycleway shall be provided along the northern boundary of the site shall be submitted to and approved in writing by the Local Planning Authority. The shared footway/cycleway shall be provided in accordance with the approved details prior to the occupation of the 30th dwelling of the development hereby approved.
- 36 Prior to the commencement of each phase of development hereby approved details of a local labour agreement to cover the construction of that phase of development shall be submitted to and approved in writing by the Local Planning Authority. The local labour agreement shall be implemented in accordance with the approved details, unless otherwise 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 and Section 92 of the Town and Country Planning Act 1990.
- 2 For the avoidance of doubt.
- 3 To provide a degree of flexibility to assist the delivery of the site, that also enables the Local Authority to monitor and manage the supply of housing and employment land.
- 4 To define the consent and to ensure that a satisfactory form of development is obtained.
- 5 A limit has been placed on B1 uses in order to ensure an appropriate balance of uses. A limit has also been placed on the amount of A1 and D2 uses in order to ensure that there is no adverse impact on any surrounding local centres.
- 6 A limit has been placed on the amount of A1 uses to ensure that such uses are commensurate with the scale of the proposed

development and would not cause harm to viability of the nearby Netherfield Centre.

- 7 To ensure that a satisfactory development is achieved that takes account of the Parameters Plan.
- 8 To establish existing site levels in order to ensure that finished floor levels accord with conditions 9 to 12 below and that flood risk is appropriately mitigated in line with the National Planning Policy Framework.
- 9 To reduce the risk of flooding to the proposed development and future occupants.
- 10 To reduce the risk of flooding to the proposed development and future occupants.
- 11 To reduce the impact of flooding to the proposed development.
- 12 To ensure that finished floor levels accord with conditions 9 and 10 above and that approved flood resilient measures have been provided in order to reduce the risk of flooding to the proposed development and future occupants.
- 13 To allow for future maintenance, emergency access, natural morphology, and improvements of the watercourses. Please note that our records show a culverted watercourse located between the storage pond (immediately south of the A612) and the Ouse Dyke, which will require further investigation at detailed design stage.
- 14 To confirm that all occupants and site users can access and egress the site safely during time of flood.
- 15 To prevent an increase in flood risk elsewhere.
- 16 To prevent the increased risk of flooding elsewhere.
- 17 To ensure that the proposals are appropriate and protective of controlled waters.
- 18 The submitted Phase 1 Desk Study, Curtins Consulting, January 2013 (preliminary risk assessment) identifies potential for contamination. This condition is required to ensure that the risks posed to controlled waters are investigated and remediated as necessary and that the site is remediated appropriately.
- 19 The submitted Phase 1 Desk Study, Curtins Consulting, January 2013 (preliminary risk assessment) identifies potential for contamination. This condition is required to ensure that the risks

posed to controlled waters are investigated and remediated as necessary and that the site is remediated appropriately.

- 20 This condition is required to ensure that the risks posed to controlled waters or the environment are investigated and remediated as necessary.
- 21 To minimise light spill around the development during the construction of the development as inappropriate lighting could have an adverse impact on nocturnal species such as bats.
- 22 To minimise light spill around the development during the operation of the development as inappropriate lighting could have an adverse impact on nocturnal species such as bats.
- 23 To ensure that the demolition of the sports pavilion has no adverse impact upon bats and to ensure that the development accords with paragraph 118 of the National Planning Policy Framework.
- 24 To ensure that appropriate measures are taken to protect the local environment in terms of impact on trees; hedgerows and woodland, flora and fauna, water quality, air quality and on the amenity of neighbouring uses.
- 25 To ensure that the site is surveyed appropriately to identify any potential archaeology and if found is appropriately dealt with.
- 26 To ensure that the replacement recreation ground is in operation prior to the existing pitches being removed, so as to protect sports facilities and ensure continuity for those sports affected by the proposed development.
- 27 To ensure that the required replacement playing pitches and changing room facilities are provided appropriately in order to provide satisfactory replacement facilities for those to be lost as part of the development hereby approved.
- 28 In the interests of highway safety.
- 29 In the interests of highway safety.
- 30 In the interests of highway safety.
- 31 In the interests of highway safety.
- 32 In the interests of highway safety.
- 33 In the interests of highway safety.

34 DELETED.

35 To promote sustainable travel.

36 To seek to ensure that the construction of the site employs wherever possible local people and assists economic growth in the area.

Reason for Decision

The proposed variations to the wording of conditions 32, 33 and 35 would not cause harm to highway safety/highway capacity and therefore would meet with the objectives of the National Planning Policy Framework and Policy LPD 61 of the Local Planning Document (Part 2 Local Plan).

103 ENFORCEMENT REF. 0099/2018 - LAND AT MERE CLOSE, BROOM ROAD AND LABRAY ROAD, CALVERTON

Councillor Walker left the meeting.

Breach of Planning Control: Material change of use of residential garages to B8 commercial storage.

RESOLVED that the **Service Manager, Development Services, in conjunction with the Director of Organisational Development & Democratic Services, be authorised to take all enforcement action including the service of any necessary enforcement notices and proceedings through the courts if required to ensure;**

- a) **the cessation of the unauthorised storage use in the residential garages**
- b) **the removal of all materials and items which are not incidental or ancillary to the domestic residential use of the garages.**

Councillor Walker joined the meeting.

104 ENFORCEMENT REF. 0204/2018 - LAND TO THE SOUTH OF OLD RUFFORD ROAD, (A614) CALVERTON AND OPPOSITE MANNA FARM, CALVERTON

Breach of Planning Control: Material change of use of the land for the stationing or positioning of caravans and the erection of unauthorised buildings and structures.

RESOLVED that the Service Manager, Development Services, in conjunction with the Director of Organisational Development & Democratic Services, be authorised to take all enforcement action including the service of any necessary enforcement notices and proceedings through the courts if required to ensure;

- a) the removal of the static caravan and one of the touring caravans currently positioned on the land
- b) the removal of all unauthorised buildings and structures on the land.

105 ENFORCEMENT REF. 0190/2018 - LAND AT NO. 21 ST LUKES WAY/STOKE LANE, STOKE BARDOLPH

Breach of Planning Control: Material change of use of residential dwelling and garden (Use Class C3) to a mixed use of residential dwelling and garden (Use Class C3) and a car sales business (sui generis) and storage of vehicles in connection with that business (Use Class B8).

RESOLVED that the Service Manager, Development Services, in conjunction with the Director of Organisational Development & Democratic Services, be authorised to take all enforcement action including the service of any necessary enforcement notices and proceedings through the courts if required to ensure;

- (a) the cessation of the unauthorised car sales business including bringing vehicles to the property to be photographed in readiness for advertising them for sale and
- (b) the removal of all vehicles which are not incidental or ancillary to the domestic residential use of the dwelling.

106 APPEAL DECISION - 36-38 VICTORIA ROAD, NETHERFIELD

Ground floor change of use from a restaurant (Use Class A3) to a 9 bedroomed HMO (Use Class Sui Generis).

RESOLVED:

To note the information.

107 APPEAL DECISION - 284 LONGDALE LANE, RAVENSHEAD

The development proposed is a tractor store and stables.

RESOLVED:

To note the information.

108 DELEGATION PANEL ACTION SHEETS

RESOLVED:

To note the information.

109 FUTURE APPLICATIONS

RESOLVED:

To note the information.

110 ANY OTHER ITEMS WHICH THE CHAIR CONSIDERS URGENT.

None.

The meeting finished at 6.25 pm

Signed by Chair:
Date:

This page is intentionally left blank

MINUTES OVERVIEW AND SCRUTINY COMMITTEE

Monday 21 January 2019

Councillor Viv McCrossen (Chair)

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

Apologies for absence: Councillor Helen Greensmith

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

Guests in Attendance H Wheeler

25 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.

Councillor Helen Greensmith.

26 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 12 NOVEMBER 2018

RESOLVED:

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

27 DECLARATION OF INTERESTS.

None.

28 PROGRAMME OF PORTFOLIO HOLDER ATTENDANCE

The Committee welcomed Councillor Wheeler to discuss matters relating to his Health and Wellbeing Portfolio. David Wakelin, Director of Health and Community Wellbeing, also attended the meeting.

The Gedling Borough Health and Wellbeing Delivery Plan was circulated at the meeting.

Councillor Wheeler gave a presentation that answered questions received in advance of the meeting.

He informed Members about the main priorities of the Health and Wellbeing Board and Delivery Plan and outlined the Council's intended approach to enable a community centred health and wellbeing approach designed to improve community outcomes. The Health and Wellbeing Board has established the Nottinghamshire Healthy Sustainable Places Working Group which brings together the Public Health function at Notts. County Council and representatives from the seven district councils. The group is rolling out a Physical Activity Insight and Data Capture model across the county which will provide a data pack of physical activity and health inequality data, presenting an opportunity for a 'deep dive' of data capture of local need. Work will commence in Gedling next month and external funding has been attracted to the borough to deliver this model. The group has established a time limited programme to focus on the local Food Environment. Work will include exploring the development of a County Food Charter, and mapping of local assets. As part of this programme Notts. County Council Public Health has allocated £10,000 to plan the most suitable work priorities for Gedling. There are a number of priorities including tackling food poverty, diet related ill health and access to affordable healthy food. The Group also jointly supported a Notts. County Council expression of interest for the county to become a Government funded Childhood Obesity Trailblazer. A Wellbeing Approach Handbook is also being developed which aims to bring together three existing initiatives, make Every Contact Count, The Declaration of Tobacco Control and Wellbeing@Work workplace health scheme.

It was explained that health inequality relates to the poorer health and wellbeing outcomes that exist in some communities compared to others. This can result in more incidences of hospital admissions, long-term diseases and conditions often resulting in shorter life expectancy. The adoption of the Gedling Health and Wellbeing Plan and continuing to support health and wellbeing programmes in Killisick, Netherfield and Newstead and the Healthy Communities programme in Bestwood Village are mechanisms to address inequality. The SPRING social prescribing project to support lonely and isolated residents also contributes.

Care Leavers are a priority need. Gedling Borough accepts under 18 year old care leavers on the Housing Register and grants 100% discount on their Council Tax. An accommodation offer for children in care means ensuring children are placed and housed in a safe environment. Accommodation must take into account safeguarding concerns, school SEND needs, education and training plus family connections.

Nationally, homelessness is increasing largely due to landlords leaving the rental market. To mitigate this there has been an increase of Housing Needs resources with the appointment of two Homelessness Prevention officers. Landlords, letting agencies and other organisations have been informed about this new resource, the 'CallB4' You Serve

Service will act as a central point to speak to landlords to prevent them serving eviction notices.

The authority does not have its own housing stock and is reliant on Registered Social Landlords to deliver housing rents that are affordable. There are few private rented properties, both in existing stock and new developments which are available at low rent levels.

Housing applicants can be rehoused outside the borough in areas that have lower rental properties. Jigsaw Homes and other Registered Housing Providers have a good record of purchasing S.106 units agreed as part of the planning process. They can purchase directly from developers but prefer to develop their own stock

There is a lack of affordable homes to rent or buy in the borough, the definition of affordable is problematic. Under the Government Housing Act 2016 developers are only required to provide a small percentage of affordable homes on new builds agreed as part of the Section 106 planning process.

Bed and Breakfast accommodation for homeless applicants is used as a last resort. When it is used the majority will be outside the borough, this is due to cost, availability and willingness of the proprietor to work with the Council. The Ministry of Housing, Communities and Local Government has recently launched a range of funding opportunities aimed at assisting those who are either homeless or at risk of becoming homeless. Joint bids have been made with neighbouring boroughs, Notts. County Council, Service Providers and Public Health. If successful it will enable the provision of enhanced support services and increasing the number of affordable homes.

The proposed renovations and upgrade to Calverton Leisure Centre have been delayed because of the discovery of asbestos in the pool hall. It was agreed that in order to prevent multiple closures of the centre the works should be completed at the same time. However this is this is problematic and it is now highly unlikely that the works can be done simultaneously. Once funding is in place for the refurbishment a procurement process can begin and the work has been provisionally scheduled for the summer break 2019.

RESOLVED to:

- 1) Thank Councillor Wheeler for attending and providing such full answers to Members; and
- 2) To ask Jigsaw Homes about purchasing properties from developers and how they will increase their housing stock.

The Director of Organisational Development and Democratic Services introduced a report, which had been circulated in advance of the meeting, summarising performance as at the end of Quarter 2 of the financial year.

There has been overall positive performance with 12 of the 77 Gedling Plan actions completed, with those remaining either in progress, deferred or assigned to an officer. It is expected that all the actions identified for the year will be met. Out of a total of 34 indicators, 21 were on or above target, 2 slightly below and 8 indicators missed their target. There was no significant change in performance from Quarter 1. Quarter 3 information will be available at the end of the month.

The increase in the number of events/shows and the consequential increase in revenue at the Bonington Theatre were highlighted as an area of particularly positive performance.

Activity to address anti-social behaviour and public concern about knife crime was discussed and Members were informed that although this is an issue significant work has taken place and Gedling has the lowest number of incidents in the Borough.

RESOLVED:

To note the progress against actions and performance indicators in the 2018/2019 Gedling Plan as at the end of Quarter 2.

30

SCRUTINY WORK PROGRAMME

INFORMATION UPDATES FROM PREVIOUS COMMITTEES

Reports and Notices received by the Chair of the Overview and Scrutiny Committee as required under the Constitution or Law.

Helen Barrington, Director of Organisational Development and Democratic Services attended the Committee and explained to members their role when receiving these reports. It was explained that this is a requirement of the Constitution and, as it was not in other local authorities' constitutions, may have been included for transparency when Gedling was a hung Council. As the Constitution is currently under review this may be changed. During discussion Members agreed that they considered that the inclusion of the report was a mechanism to promote openness of the Council's business, should continue and that it should include more detailed information in the future.

Additional information requested when Councillor Ellis, Portfolio Holder for Public protection attended.

Members considered the report which provided information relating to domestic violence data and refuge provision in the Borough. Members again voiced their disappointment at the lack of data at ward level.

COMPLETED SCRUTINY REVIEWS.

- **The Gedling Councillor Standard**
- **The Effectiveness of Scrutiny**

The six month update on both these reports was discussed.

SCRUTINY WORKING GROUPS

Wellbeing of Young People

The Chair of the working group informed the Committee about progress of the review and that a representative from Public Health Nottinghamshire would be attending the next meeting to discuss mental health services available for young people. The useful input by the Youth Council members was highlighted.

Household Recycling

Members were informed that the working group had completed its evidence gathering and it was anticipated that the final report and recommendations would be available for the March Committee.

RESOLVED:

- 1) To note the information updates from the previous Committee;
- 2) That in future the Reports and Notices received by the Chair of the Overview and Scrutiny Committee report should contain more detailed information; and
- 3) To note the progress reports on the completed scrutiny reviews and the position regarding the ongoing Scrutiny Working Groups.

31 **REPORTS AND NOTICES RECEIVED BY THE CHAIR OF OVERVIEW AND SCRUTINY COMMITTEE AS REQUIRED UNDER THE CONSTITUTION OR LAW.**

Members considered a report that had been circulated in advance of the meeting, which included information on items referred to the Chair as required by the Constitution.

32 **ANY OTHER ITEM WHICH THE CHAIR CONSIDERS URGENT.**

None.

The meeting finished at 7.20 pm

Signed by Chair:
Date:

MINUTES CABINET

Thursday 31 January 2019

Councillor John Clarke (Chair)

Councillor Michael Payne
Councillor Peter Barnes
Councillor David Ellis

Councillor Gary Gregory
Councillor Jenny Hollingsworth
Councillor Henry Wheeler

Observers: Councillor Chris Barnfather

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

76 APOLOGIES FOR ABSENCE.

None received.

77 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 10 JANUARY 2019.

RESOLVED:

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

78 DECLARATION OF INTERESTS.

Councillors Clarke and Payne declared a non-pecuniary interest in Item six as members of Nottinghamshire County Council as land in the ownership of the County Council was the subject of the development brief.

Councillor Clarke declared a non-pecuniary interest in agenda item six, on behalf of all councillors due, to land in the development brief being in the ownership of the council.

Councillor Ellis declared a non-pecuniary interest in item six as a governor Arnold View Primary School.

79 RESULTS OF THE 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,

presenting the results of the recently conducted survey carried out Nottinghamshire Local Government reorganisation.

RESOLVED to:

- 1) Note the responses received in connection with the consultation exercise conducted on the local government structure in Nottinghamshire;
- 2) Inform The Leader of Nottinghamshire County Council, the local Members of Parliament and the Secretary of State of the results of the consultation exercise;
- 3) Circulate a copy of the summary of responses received to all Gedling Borough Councillors; and
- 4) Include a summary of responses in the Spring edition of the Council's Contacts magazine.

80 REVIEW OF THE COMMUNITY INFRASTRUCTURE LEVY (CIL)

The Service Manager Development Services introduced a report, which had been circulated prior to the meeting, introducing the commencement of a Review of the Community Infrastructure Levy.

RESOLVED:

To support the review of the Community Infrastructure Levy in accordance with the Inspector's recommendation.

81 DEVELOPMENT BRIEF FOR THREE SITES TO THE NORTH EAST OF ARNOLD

The Service Manager Planning Policy introduced a report, which had been circulated prior to the meeting, setting out a design brief for development across three sites in Arnold.

RESOLVED:

To approve the development brief for three sites to the north east of Arnold (H2: Brookfields Garden Centre, H7: Howbeck Road/Mapperley Plains and H8: Killisick Lane) as a supplementary planning document.

82 NON-DESIGNATED HERITAGE ASSETS SELECTION CRITERIA

The Service Manager Planning Policy introduced a report, which had been circulated prior to the meeting, seeking approval for the process for identifying Non-Designated Heritage Assets in the Borough, including specific selection criteria.

RESOLVED to:

- 1) Approve the document 'Non-Designated Heritage Assets: Selection Criteria' attached as Appendix A to the report which establishes the selection criteria for identifying a local list of non-designated heritage assets in Gedling Borough;
- 2) Authorise the Service Manager Planning Policy to publicise the document and undertake an on-going public call for asset nominations;
- 3) Authorise the Service Manager Planning Policy to approve the outcome of assessments made against the selection criteria and to update and publish the local list of non-designated heritage assets as appropriate;
- 4) Authorise the Service Manager Planning Policy to update the document 'Non-Designated Heritage Assets: Selection Criteria' to make minor presentational/ typographical/ factual corrections if required; and
- 5) Authorise the Chief Executive to determine any appeals made against the outcome of the assessment to include/ not include an asset on the local list.

83 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 to advise 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 3, at Appendix 1 to the report, and the Prudential and Treasury Indicator Monitoring 2018/19 for Quarter 3, at Appendix 2 to the report.

84 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 3 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 three 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.

85 BREXIT AND ITS POTENTIAL IMPACT ON GEDLING BOROUGH COUNCIL

The Deputy Chief Executive introduced a report, which had been circulate prior to the meeting, exploring the potential impacts of Brexit on the services provided by the Council following the UK's decision to withdraw from the European Union.

RESOLVED to:

- 1) Note the report;
- 2) Support the lobbying of central government as regards to potential changes in legislation, which may improve the council's aspirations in its community leadership role; and
- 3) Instruct officers as a matter of urgency, to review all of the Council's contractual relationships and supply chains to ensure that service operations will remain effective post Brexit.

86 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.

87 ANY OTHER ITEMS THE CHAIR CONSIDERS URGENT.

None.

The meeting finished at 1.55 pm

Signed by Chair:
Date:

This page is intentionally left blank

MINUTES OVERVIEW AND SCRUTINY COMMITTEE

Monday 4 February 2019

Councillor Paul Feeney	Councillor Helen Greensmith
Councillor Sandra Barnes	Councillor Marje Paling
Councillor Jim Creamer	Councillor Stephen Poole
Councillor Kevin Doyle	Councillor John Truscott
Councillor Kathryn Fox	Councillor Muriel Weisz

Apologies for absence: Councillor Viv McCrossen and Councillor John Parr

Officers in Attendance: K Bradford and H Lee

Guests in Attendance Councillors J Clarke and M Payne

33 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.

Apologies for absence were received from Councillors McCrossen and Parr.

34 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 21 JANUARY 2019.

RESOLVED:

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

35 DECLARATION OF INTERESTS.

None.

36 PROGRAMME OF PORTFOLIO HOLDER ATTENDANCE

The Committee welcomed Councillors Clarke and Payne to discuss a range of issues relating to their areas of responsibility. Karen Bradford, Chief Executive, also attended the meeting.

Both Councillors Clarke and Payne comprehensively addressed a range of questions sent to them in advance of the meeting.

Following additional questions from Councillors the following points were addressed:

- Consideration would be given to encouraging membership of school governing bodies in the staff volunteering scheme
- Work is undertaken with developers to get the best deal from Section 106 contributions and should comprise all services including refuse collection.
- The Commercialisation Strategy will be circulated to Committee members.

RESOLVED to:

- 1) Thank Councillor Clarke and Payne for their attendance and providing such full answers; and
- 2) Note the content of the discussion.

Councillor Fox joined the meeting at 6.30pm.

37

GEDLING HOMES

The Committee welcomed Karen Sands, Head of Independent Living/Corporate Lead, Richard Quinn, Community Safety Officer and Danny Wyer, Asset Manager from Gedling Homes, part of the Jigsaw Group.

It was explained that although Gedling Homes was now part of Jigsaw Homes it was still administered as a separate entity with responsibility for 3,200 properties in the Borough. The move to Jigsaw Homes and the introduction of new business practices was seen as positive and would facilitate improvement for tenants.

Following questions from Members additional points were addressed:

- The condition of garages was of concern and there would be a full condition survey next year
- Gedling Homes is part of the pilot for 'right to buy' so some properties will be disposed of through this scheme and there are a few properties disposed of because they are in a very poor condition
- Supported Living Schemes offer a range of options to a variety of vulnerable people of all ages.
- New properties have been built within the Borough and properties are purchased on new developments
- The Neighbourhood Team works closely with Gedling Borough and other organisations to resolve problems of anti-social behaviour.

RESOLVED to:

- 1) Thank the representatives from Gedling Homes for a very informative discussion; and
- 2) Note the report.

38 SCRUTINY WORK PROGRAMME

Members discussed the progress of the current working groups.

RESOLVED:

To note the information.

The meeting finished at 7.00 pm

Signed by Chair:
Date:

This page is intentionally left blank

MINUTES ENVIRONMENT AND LICENSING COMMITTEE

Tuesday 5 February 2019

Councillor Marje Paling (Chair)

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

Absent: Councillor Roxanne Ellis and Councillor Paul Stirland

Officers in Attendance: P Gibbs, L Mellors, C Allcock and A Callingham

78 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.

Apologies for absence were received from Councillors Ellis and Stirland.

79 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 15 JANUARY 2019.

RESOLVED:

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

80 DECLARATION OF INTERESTS.

None.

81 PROPOSED GENERAL AND TAXI LICENSING FEES FOR 2019/20

Consideration was given to a report of the Service Manager Public Protection proposing an increase to taxi licensing fees for the next financial year.

RESOLVED to approve:

- 1) The fees and charges for 2019/20 with effect from 1st April 2019;
- 2) The fees for taxi operators and vehicle licences for 2019/20 for advertisement in accordance with the Local Government (Miscellaneous Provisions) Act 1976, such fees to automatically come into force if no objections are received within the statutory period; and

- 3) The proposed fees for taxi driver's licences detailed in for 2019/20 for advertisement and the Corporate Director in consultation with the Chair of Environment and Licensing Committee be authorised to agree the final fees after taking into account any comments received during the consultation period.

82 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.

83 CHANGE OF CIRCUMSTANCE OF HACKNEY CARRIAGE / PRIVATE HIRE DRIVERS LICENCE (MAK)

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 MAK.

MAK attended the meeting along with his solicitor 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 MAK giving MAK 21 days to surrender the licence.

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

84 APPLICATION FOR A ONE YEAR HACKNEY CARRIAGE / PRIVATE HIRE DRIVERS LICENCE (MZ)

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 Joint Hackney Carriage/Private Hire Driver's Licence for MZ.

MZ attended the meeting and addressed the Committee.

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

RESOLVED:

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

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

6.15pm Councillor Andrews left the meeting.

85 APPLICATION FOR A ONE YEAR HACKNEY CARRIAGE / PRIVATE HIRE DRIVERS LICENCE (SMUZ)

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 Joint Hackney Carriage/Private Hire Driver's Licence for SMUZ.

SMUZ attended the meeting and addressed the Committee.

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

RESOLVED:

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

SMUZ was advised of his right to appeal against the decision of the Committee

86 APPLICATION FOR A ONE YEAR HACKNEY CARRIAGE / PRIVATE HIRE DRIVERS LICENCE (HH)

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 Joint Hackney Carriage/Private Hire Driver's Licence for HH.

HH attended the meeting along with his Solicitor and both addressed the Committee.

The complainant attended the meeting and addressed the Committee.

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

RESOLVED:

To approve HH's application for a Joint Hackney Carriage/Private Hire Driver's Licence for 1 year with the following advice to HH that it is his responsibility to know what information is required to renew his licence and that he needs to be aware of any expiry dates for his training and medical before submitting his renewal applications.

87 ANY OTHER ITEM WHICH THE CHAIR CONSIDERS URGENT.

None.

The meeting finished at 8.15 pm

Signed by Chair:
Date:

MINUTES PLANNING COMMITTEE

Wednesday 13 February 2019

Councillor John Truscott (Chair)

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

Absent: Councillor Barbara Miller

Officers in Attendance: M Avery, C Goodall, S Pregon and G Wraight

111 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.

Apologies for absence were received from Councillor Miller. Cllr Weisz attended as a substitute.

112 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 16 JANUARY 2019.

RESOLVED:

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

113 DECLARATION OF INTERESTS

None.

114 APPLICATION NO. 2018/1034 - LAND OFF ORCHARD CLOSE, BURTON JOYCE

Outline planning application (all matters reserved except for access) for the erection of up to 15 No. dwellings and associated infrastructure.

Helen Ashworth – The Applicant, spoke in support of the application.

The Service Manager – Development Services introduced the report and informed Members that a further letter of representation had been received which raised no new issues.

The Service Manager – Development Services recommended that planning permission be granted in accordance with the report with an amendment to Condition 1 as follows:

Approval of the details of appearance, scale, landscaping and layout (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority before the commencement of any development.

RESOLVED:

To Grant Outline Planning Permission with the matter of Access approved: 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 Education Authority for the provision of, or financial contributions towards, affordable housing, open space, education, bus stop improvements and a local labour agreement; and subject to the conditions listed for the reasons set out in the report:

Conditions

- 1 Approval of the details of appearance, scale, landscaping and layout (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 three 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 This permission shall be read in accordance with drawing number 11_ Revision 00 (with regard to the site area) and drawing number 67676-CUR-00-XX-DR-TP-75001 Rev P02 (with regard to the access point onto Orchard Close only). Development shall thereafter be undertaken in accordance with these plans.
- 4 Prior to the commencement of development details of the existing and proposed ground levels of the site and finished floor levels of the dwelling 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.

- 5 Development shall not commence until a scheme for the satisfactory disposal of foul and surface water from the site has been submitted to, and approved in writing by, the Local Planning Authority. No part of the development shall then be occupied or brought into use until the approved foul and surface water drainage works are completed in accordance with the approved scheme.
- 6 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.

- 7 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the 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 6 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.

- 8 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 BS5837:2012 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

The development shall thereafter be undertaken in accordance with the approved Arboricultural Method Statement.

- 9 The reserved matters application for the layout of the development shall include detailed plans and particulars relating to the following items:

- (i) A detailed layout plan of the site (for the avoidance of doubt the submitted preliminary masterplan reference: 31-01 Revision 00, shall be considered to be for indicative purposes only) which shall be accompanied by a swept path analyses of an 11.5m long refuse vehicle throughout the proposed highway to become adopted, considering the likelihood of on street parking;
- (ii) Details of the proposed arrangements and plan for future management and maintenance of any proposed private roads;
- (iii) Details of the proposed arrangements and plan for future management and maintenance of any hedgerows and other

vegetation not within the curtilages of the proposed dwellings;

(iv) Any bin storage proposals located on any shared private drives. Thereafter, the scheme shall be implemented in full accordance with the approved details.

- 10 No dwelling shall be occupied until such time as access to that dwelling has been provided in a bound material and the associated parking spaces have been provided in a bound material (not loose gravel) and which shall be drained to prevent the unregulated discharge of surface water onto adjacent roads and footways.
- 11 Prior to commencement of any external works, details of Electric Vehicle charging points to be provided at each dwelling, 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.
- 12 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.
- 13 Prior to the erection of any external lighting (other than within the curtilages of the approved dwellings) 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. The lighting scheme submitted for approval shall meet with the recommendations set out within paragraph 5.7 of the Ecological Assessment (reference 6849.003). The external lighting shall be provided in accordance with the approved details and shall be retained as such thereafter for the lifetime of the development.
- 14 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 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 To define the permission, for the avoidance of doubt.
- 4 This pre-commencement condition is necessary to ensure that the development does not have a detrimental impact upon visual amenity or upon the occupiers of adjacent dwellings.
- 5 This pre-commencement condition is necessary to ensure that satisfactory provision is made at the appropriate time for the disposal of foul and surface water.
- 6 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.
- 7 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.
- 8 To ensure that existing trees are adequately protected.
- 9 To ensure the development is designed and constructed to adoptable standards and appropriately maintained.
- 10 To ensure appropriate access and parking arrangements are available.
- 11 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.
- 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 the National Planning Policy Framework and policy LPD11 of the Councils Local Plan.
- 13 In the interests of protecting ecological interests.

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

Reasons for Decision

The principle of the development accords with the objectives of national and local planning policies, in particular as the site is a housing allocation in the adopted Local Planning Document. It is considered that up to 15 dwellings could be accommodated on the site in a manner that would not cause undue harm to visual and residential amenity, highway safety and ecological interests or would cause flood risk concerns. It is therefore considered that the granting of outline planning permission would fully accord with the objectives of the relevant planning policies set out in the National Planning Policy Framework, Aligned Core Strategy, Local Planning Document and Supplementary Planning Documents.

Notes to Applicant

The comments of Nottinghamshire County Council's Rights of Way Officer are enclosed.

Severn Trent Water advise that although their statutory sewer records do not show any public sewers within the area you have specified, there may be sewers that have been recently adopted under, The Transfer Of Sewer Regulations 2011. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent and you are advised to contact Severn Trent Water to discuss your proposals. Severn Trent will seek to assist you obtaining a solution which protects both the public sewer and the building.

Nottinghamshire County Council operates the Advanced Payments Code as set out in sections 219 to 225 Highways Act 1980 (as amended). Payment will be required from the owner of the land fronting a private street on which a new building is to be erected. The developer should contact the Highway Authority with regard to compliance with the Code, and /or to the issue of a Section 38 Agreement and bond under the Highways Act 1980. A Section 38 Agreement can take some time to complete. Therefore, it is recommended that the developer contact the Highway Authority as early as possible after Planning Permission is granted. Correspondence with Highway Authority should be addressed to: hdc.south@nottscc.gov.uk

The applicant should note that notwithstanding any planning permission that if any highway forming part of the development is to be adopted by the Highway Authority the new roads and any highway drainage will be required to be provided in accordance with Highway Development Control's requirements for Nottinghamshire County Council as highway authority. The guidance can be found at; <http://www.nottinghamshire.gov.uk/transport/roads/highway-design-guide>

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 by installing wheel washing facilities on site.

The applicant's attention is drawn to the recommendations set out in the submitted Ecological Assessment (reference 6849.003).

The comments of the Lead Local Flood Authority are enclosed.

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.

115 APPLICATION NO. 2018/1155 - 12 BANK HILL, WOODBOROUGH

Replacement dwelling (resubmission of 2018/0026 and 2018/0628).

The Service Manager – Development Services introduced the report and recommended that planning permission be granted in accordance with the report.

A motion to grant planning permission was proposed and duly seconded. The motion was lost.

A further motion to refuse planning permission was proposed and duly seconded.

RESOLVED:

To refuse planning permission for following reasons:

The proposed replacement dwelling, by virtue of its design, would result in an incongruous development, out of keeping with the prevailing character and appearance of neighbouring properties, causing harm to the streetscene and setting of the adjacent Woodborough Conservation Area as a designated heritage asset, contrary to Paragraphs 124, 127, 130, 131, 192 & 193 of the National Planning Policy Framework, Policies 10 & 11 of the Aligned Core Strategy and Policies LPD14, LPD15 & LPD28 of the Local Planning Document.

116 ENFORCEMENT REF. 0011/2019 - LAND AT 3 BERRY HILL GROVE, GEDLING

Unauthorised construction of a play house built on the roof of a garage and a wooden and corrugated structure on the front elevation of the dwelling.

RESOLVED:

That the Service Manager, Development Services, be authorised to take all enforcement action including the service of any necessary enforcement notices and in conjunction with the Director of Organisational Development & Democratic Services, proceedings through the courts if required to ensure both structures are removed.

117 APPEAL DECISION - HARROD HOUSE, CHURCH STREET, CARLTON

1x freestanding 48 sheet overhead illuminated static advertising sign.

RESOLVED:

To note the information.

118 AUTHORITY MONITORING REPORT

RESOLVED:

To note the information.

119 FUTURE APPLICATIONS

RESOLVED:

To note the information.

120 DELEGATION PANEL

RESOLVED:

To note the information.

121 ANY OTHER ITEMS WHICH THE CHAIR CONSIDERS URGENT.

None.

The meeting finished at 6.50 pm

Signed by Chair:
Date:

MINUTES CABINET

Thursday 14 February 2019

Councillor John Clarke (Chair)

Councillor Michael Payne
Councillor Peter Barnes
Councillor David Ellis

Councillor Gary Gregory
Councillor Jenny Hollingsworth
Councillor Henry Wheeler

Absent: Councillor Chris Barnfather

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

88 APOLOGIES FOR ABSENCE.

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

89 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 31 JANUARY 2019

RESOLVED:

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

90 DECLARATION OF INTERESTS.

Councillor Hollingsworth declared a prejudicial interest in item 8 as close family member was the tenant of a business in Carlton Square. She advised that she would leave the meeting during consideration of the item.

91 PRUDENTIAL AND TREASURY INDICATORS AND TREASURY MANAGEMENT STRATEGY STATEMENT 2019/20

The Deputy Chief Executive introduced the report, which had been circulated prior to the meeting, presenting the Council's Prudential Code Indicators and Treasury Strategy for 2019/20.

RESOLVED to:

- 1) Approve the Prudential and Treasury Indicators and Treasury Management Strategy Statement 2019/20, which includes the key

elements below, and refer it to Full Council on 4 March 2019 for approval as required by the Regulations:

- a. The Minimum Revenue Provision (MRP) Policy Statement (2.2);
 - b. The Borrowing Strategy (2.3.4);
 - c. The Annual Investment Strategy (2.3.8);
 - d. Capital Affordability Prudential Indicators for 2019/20 to 2021/22 (Appendix 1);
 - e. Treasury Indicators including affordability limits to borrowing for 2019/20 to 2021/22 (Appendix 1); and
- 2) Note the indicative Prudential and Treasury Indicators for 2022/23 and 2023/24 (Appendix 1).

92 CAPITAL PROGRAMME AND CAPITAL INVESTMENT STRATEGY 2019/20 TO 2023/24

The Deputy Chief and Director of Finance introduced the Capital programme for the next financial year as well as an indicative capital spending strategy for the next five years.

RESOLVED to:

- 1) Note the estimated capital financing available for 2019/20 to 2023/24;
- 2) Approve the Capital Investment Strategy 2019/20 to 2023/24 detailed at Appendix 1 to the report and refer it to Council for approval on 4 March 2019;
- 3) Approve the Capital Programme for 2019/20 to 2021/22 detailed at Appendix 2 to the report and refer it to Council for approval on 4 March 2019; and
- 4) Note the indicative Capital Programme for 2022/23 to 2023/24.

93 GEDLING PLAN 2019/20 (INCLUDING GENERAL FUND REVENUE BUDGET)

The Deputy Chief Executive introduced the proposed 2019/20 general fund budget. The Director of Organisational Development and Democratic Services gave an overview of the Gedling Plan for 2019/20 and summarised a number of key points.

RESOLVED to:

- 1) Approve a 3% discretionary income inflation increase for the individual portfolios as shown in the table at paragraph 3.5.5 of the report; and

- 2) To recommend to Council on 4 March 2019:
 - a) That the financial threshold above which decisions will be regarded as Key Decisions be set at £0.5m for 2019/20;
 - b) A Council Tax increase of 0% which balances the financing of a Net Council Tax Requirement of £6,034,700 in 2019/20;
 - c) That the detailed budget for 2019/20, as detailed in Appendix 3 of the report is approved; and
 - d) That the Gedling Plan circulated as Appendix 1 to the report, is approved subject to final typographical and design changes to be done prior to publication.

94 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.

95 CARLTON SQUARE

Councillor Hollingsworth left the meeting.

The Service Manager Economic Growth and Regeneration introduced a report, which had been circulated prior to the meeting, giving a progress update on regeneration work at Carlton Square as well as next steps to continue progress.

RESOLVED to:

- 1) Support the principle of working in partnership with BNP Paribas in developing a scheme of improvements for Carlton Square;
- 2) Delegate authority to the Chief Executive in, consultation with the Director of Organisational Development and Democratic Services, to enter into a legal agreement with BNP Paribas to develop an improvement scheme for Carlton Square and agree the roles and responsibilities of BNP Paribas and Gedling Borough Council in developing the proposals;
- 3) Approve the consultation proposals as set out in the report;

- 4) Delegate authority to the Chief Executive, in consultation with the Leader of the Council, to approve further consultation on a detailed scheme when available; and
- 5) Note the progress to date, as set out in the report, and proposed use of the Nottinghamshire Pre-Development Fund to support this stage of the project.

96 ANY OTHER ITEMS THE CHAIR CONSIDERS URGENT.

None.

The meeting finished at 1.35 pm

Signed by Chair:
Date:

MINUTES STANDARDS COMMITTEE

Thursday 21 February 2019

Councillor Emily Bailey Jay (Chair)

Councillor Michael Payne	Rosalie Hawks
Councillor Alan Bexon	Patricia Woodfield
Councillor Andrew Ellwood	

Absent: Councillor Colin Powell and John Bailey

Officers in Attendance: H Barrington and K Bradford

Independent Person: John Baggaley

8 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.

Apologies for absence were received from Councillor Colin Powell and John Bailey (Parish Representative). Apologies were also received from Susan Dewey (Reserve Independent Person).

9 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 30 AUGUST 2018.

RESOLVED:

That the minutes of the above meeting, having been circulated, be approved as a correct record subject to adding John Baggaley to the list of present attendees.

10 DECLARATION OF INTERESTS.

None.

11 COMMITTEE ON STANDARDS IN PUBLIC LIFE - REVIEW OF LOCAL GOVERNMENT ETHICAL STANDARDS

The Director of Organisational Development and Democratic Services introduced a report, which had been circulated prior to the meeting, presenting the findings of the Committee on Standards in Public Life following a review of local government ethical standards with a view to seeing what changes can be implemented locally.

RESOLVED to:

- 1) Note the Committee on Standards in Public Life report;
- 2) Agree the good practice recommendations set out in the Committee on Standards in Public Life report in principle and that steps be taken to introduce all the recommendations;
- 3) Agree that the Chair of the Standards Committee should write to the Committee on Standards in Public Life expressing disappointment that more recommendations were not made to deal with bullying and intimidation of members; and
- 4) Explore what support can be put in place to support members experiencing bullying and intimidation.

12 REVIEW OF GIFTS AND HOSPITALITY CODE OF PRACTICE FOR MEMBERS AND OFFICERS

The Director of Organisational Development and Democratic Services presented a report, which had been circulated in advance of the meeting, proposing minor amendments to the Gifts and Hospitality Code of Practice for Members and Officers for referral to Joint Consultative and Safety Committee and Appointments and Conditions of Service Committee for formal approval.

RESOLVED:

To agree the minor amendments to the Gifts and Hospitality Code of Practice for Members and Officers set out at Appendix 1 to the report for referral to the Joint Consultative and Safety Committee and Appointments and Conditions of Service Committee for formal approval.

13 CODE OF CONDUCT COMPLAINTS

The Director of Organisational Development and Democratic Services introduced a report, which had been circulated prior to the meeting, informing members of the Standards Committee of complaints received between 21 August 2018 and 12 February 2019.

RESOLVED:

To note the report.

14 ANY OTHER ITEM WHICH THE CHAIR CONSIDERS URGENT.

None

The meeting finished at 6.45 pm

Signed by Chair:
Date:

This page is intentionally left blank

MINUTES ENVIRONMENT AND LICENSING COMMITTEE

Tuesday 5 March 2019

Councillor Marje Paling (Chair)

Present: Councillor Nicki Brooks Councillor Stephen Poole
Councillor Sandra Barnes Councillor Alex Scroggie
Councillor Roxanne Ellis Councillor John Truscott
Councillor Carol Pepper Councillor Paul Wilkinson

Absent: Councillor Bruce Andrews, Councillor Tammy Bisset
and Councillor Paul Stirland

Officers in Attendance: C Allcock, A Dubberley and R Pentlow

88 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.

Apologies for absence were received from Councillors Andrews, Bisset and Stirland. Councillor Poole attended as substitute.

89 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 5 FEBRUARY 2019.

RESOLVED:

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

90 DECLARATION OF INTERESTS.

None.

91 ANY OTHER ITEM WHICH THE CHAIR CONSIDERS URGENT.

None.

92 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.

93 APPLICATION FOR A ONE YEAR HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE - RI

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 Joint Hackney Carriage/Private Hire Driver's Licence for RI.

RI attended the meeting and addressed the Committee.

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

RESOLVED:

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

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

94 APPLICATION FOR A THREE YEAR HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE - WA

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 three year Joint Hackney Carriage/Private Hire Driver's Licence for WA.

WA attended the meeting and addressed the Committee.

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

RESOLVED:

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

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

95 APPEAL AGAINST COMMITTEES DECISION FOR REVOCATION

OF HACKNEY CARRIAGE/PRIVATE HIRE DRIVER - WS

Consideration was given to a report of the Director of Health and Community Wellbeing, which had been circulated in advance of the meeting, giving information about the recently determined appeal against the revocation of WS's licence.

RESOLVED:

To note the report.

The meeting finished at 5.05 pm

Signed by Chair:
Date:

This page is intentionally left blank

MINUTES CABINET

Tuesday 19 March 2019

Councillor John Clarke (Chair)

Councillor Michael Payne
Councillor Peter Barnes
Councillor David Ellis

Councillor Gary Gregory
Councillor Jenny Hollingsworth
Councillor Henry Wheeler

Observers: Councillor Chris Barnfather

Officers in Attendance: K Bradford, A Dubberley, M Hill, D Wakelin and
F Whyley

97 APOLOGIES FOR ABSENCE.

None.

98 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 14 FEBRUARY 2019

RESOLVED:

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

99 DECLARATION OF INTERESTS.

None

100 COMMERCIAL INVESTMENT STRATEGY

The Deputy Chief Executive and Director of Finance introduced a report which had been circulated in advance of the meeting, seeking approval for the Commercial Investment Strategy. It was confirmed that no funds had been invested to date and that Council approval was required for this to happen.

RESOLVED:

- 1) To recommend that Council approves the Commercial Property Investment Strategy; and
- 2) That subject to Council approval of the Commercial Property Investment Strategy, to delegate authority to the Chief Executive

to approve commercial property acquisition under the strategy in consultation with the Leader of the Council.

101 COMMUNITY INFRASTRUCTURE LEVY (CIL) NON- PARISH FUNDING – CONSULTATION RESPONSE AND FUNDING DECISION

The Community Infrastructure Levy Officer introduced a report, which had been circulated in advance of the meeting, seeking approval to allocate funds towards community infrastructure improvements.

RESOLVED to approve:

- 1) The use of Community Infrastructure Levy Non-Parish Neighbourhood Funding contributions of up to £100,000 on the Gedling Country Park Car Park Extension; and
- 2) The use of Community Infrastructure Levy Non-Parish Neighbourhood Funding contributions of up to £40,000 on the Changing Facilities at Lambley Lane Recreation Ground.

102 GEDLING PLAN PERFORMANCE INDICATORS 2019/20

The Chief Executive introduced a report, which had been circulated in advance of the meeting, seeking approval for the performance indicators against which progress of the Gedling Plan will be measured against in 2019/20.

RESOLVED:

To approve the performance indicators for 2019/20 at Appendix 1 to the report.

103 HOUSING COMPANY UPDATE

The Service Manager Economic Growth and Regeneration introduced a report, which had been circulated in advance of the meeting, updating Cabinet on the work done on exploring different models for housing delivery.

RESOLVED to:

- 1) Note the work done to date by the Housing Development working group; and
- 2) Support the preparation of an outline business case exploring different housing delivery models the Council could adopt.

104 NOTTINGHAMSHIRE'S LOCAL OFFER FOR CARE LEAVERS

The Service Manager Economic Growth and Regeneration introduced a report, which had been circulated in advance of the meeting, seeking approval for the Gedling specific aspects of the Nottinghamshire Local Offer for Care Leavers.

RESOLVED to:

- 1) Endorse the “Nottinghamshire Local Offer for Care Leavers” policy;
- 2) Provide care leavers aged 18-25 with free access to full peak membership to leisure centre facilities in the Borough; and
- 3) Note that when the Gedling Housing Allocation Scheme is reviewed in 2019/20 priority is given to care leavers.

105 ARNOLD TOWN CENTRE

The Service Manager Economic Growth and Regeneration introduced a report, which had been circulated in advance of the meeting, providing an update on work being done in order to bid for government funding to improve Arnold Town Centre.

RESOLVED to approve the:

- 1) Principle of submitting an expression of interest to the Government’s Future High Street Fund to facilitate improvements to Arnold Town Centre;
- 2) Preparation of a draft Action Plan for Arnold Town Centre; and
- 3) Principle of establishing an Arnold Town Centre Delivery Group.

106 ANY OTHER ITEMS THE CHAIR CONSIDERS URGENT.

None.

The meeting finished at 1.15 pm

Signed by Chair:
Date:

This page is intentionally left blank

MINUTES PLANNING COMMITTEE

Wednesday 27 March 2019

Councillor John Truscott (Chair)

In Attendance: Councillor Paul Wilkinson Councillor David Ellis
 Councillor Michael Adams Councillor Meredith Lawrence
 Councillor Peter Barnes Councillor Barbara Miller
 Councillor Chris Barnfather Councillor Marje Paling
 Councillor Alan Bexon Councillor Colin Powell
 Councillor Tammy Bisset Councillor Alex Scroggie
 Councillor Jim Creamer Councillor Henry Wheeler
 Councillor Kevin Doyle

Absent: Councillor Pauline Allan and Councillor Jane Walker

Officers in M Avery, C Goodall, F Whyley and K Cartwright
Attendance:

122 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies for absence were received from Councillors Allan and Walker. Councillors Bisset and Creamer attended as substitutes.

123 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 13 FEBRUARY 2019

RESOLVED:

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

124 DECLARATION OF INTERESTS

The Chair declared a non-pecuniary interest, on behalf of all Members, in item 6 of the agenda due to the financial contribution being made to Carlton Le Willows Academy for the football pitches by Gedling Borough Council should the development be granted.

125 APPLICATION NO. 2017/1263 - LAND ADJACENT DARK LANE, CALVERTON

Erection of 57 No. Dwellings and associated works.

The Service Manager – Development Services introduced the report and gave the following updated information to the committee:

The applicant had confirmed that they were content to enter into policy compliant obligations as detailed in the report. Concern had however been expressed in relation to the proposed Local Labour Agreement. The applicant had advised that as a small local company they operate using local sub-contractors, most of who had worked with them for many years. The applicant had also advised that they only directly employ supervisory and management staff. It was however considered that it was possible to enter into a flexible Local Labour Agreement which met the business model of the developer, but also provided a formal commitment to use local labour and to provide the Borough Council with appropriate monitoring targets.

The Service Manager – Development Services informed Members that further to the publication of the report, Calverton Parish Council had raised concern that the proposed planning obligation did not seek a planning obligation for village centre improvements as required in the Calverton NP (Policy G2 – Developer Contributions). He accepted that the report did not specifically address the issue, which was an oversight and provided the following update:

This policy consideration has now been fully considered and I do not consider that the request made by CPC meets the tests set out in Section 122 of The Community Infrastructure Levy Regulations 2010, namely that an obligation must be:

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

In particular, unlike with the requirements for education and healthcare, there is no quantifiable basis or policy that could be used to set out how a sum of money or a scheme of improvements would be both necessary to make the development acceptable in planning terms or be fairly and reasonably related in scale and kind to either of the developments being proposed. This being the case, if village centre improvements were to be included in the list of S106 requirements, the Borough Council would subsequently have no basis on which to negotiate what form or amount that this would take, notwithstanding the fact that to do so would not meet with the tests I have just outlined. The Parish Council has however suggested that the contribution should be £1,000 per dwelling.

It should also be note that a planning application to improve the village centre (St Wilfred's Square) has recently been approved and that much of the centre is in private ownership, meaning that it cannot benefit from S106 monies. Likewise, S106 monies should not be used to maintain

existing areas under public ownership, as this too would not meet the tests.

Furthermore, I note that paragraph 52 of the Neighbourhood Plan states that the Community Infrastructure Levy will be used to deliver village centre environmental improvements. Paragraph 53 advises that receipt will also be expended village centre car parking. In light of the fact that a planning obligation would fail to meet with the necessary tests, it is considered to be procedurally correct that the Community Infrastructure Levy instead be used to fund such improvements as required. The Parish element of the CIL receipt, which equates to 25% of the payment, would be approximately £86,000.

RESOLVED:

To Grant Full Planning Permission: Subject to the applicant entering into a Section 106 Agreement with the Borough Council as Local Planning Authority and with the County Council as Local Education Authority for the provision of, or financial contributions towards, affordable housing, open space, healthcare facilities, education, bus stop improvements, maintenance of open space areas and drainage features and a local labour agreement; and subject to the conditions listed for the reasons set out in the report.

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:
 - o 001_B
 - o 201_E
 - o 202_E
 - o 203_E
 - o 204_E
 - o 205_E
 - o 206_D
 - o 207_D
 - o 208_D
 - o 209_D
 - o 210_D
 - o 211_D
 - o 212_E
 - o 213_E
 - o 214_E
 - o DLCPD01 REV D

The development shall thereafter be undertaken in accordance with these plans.

- 3 The development shall be constructed using the external materials set out in the Rebuttal Statement received on 9th August 2018.
- 4 Prior to the first occupation of the dwellings 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.
- 5 No dwelling shall be occupied until a detailed scheme for the boundary treatment of the site, including 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 dwellings are first occupied and retained as such in perpetuity.
- 6 Prior to any above ground work construction works taking place, plans showing existing and proposed ground levels of the site and details of the finished floor levels of every dwelling shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.
- 7 The development shall be undertaken in accordance with the recommendations set out in Section 7.0 of the submitted Preliminary Ecological Appraisal (Report No: RT-MME-127579-02) dated April 2018.
- 8 Prior to the erection of any external lighting (other than within the curtilages of the approved dwellings) 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.. Any lighting to be installed along the site boundaries should be kept to a minimum and directed away from the building and retained boundary features to maintain

'dark' areas and corridors as set out within the Preliminary Ecological Appraisal. The external lighting shall be provided in accordance with the approved details and shall be retained as such thereafter for the lifetime of the development.

- 9 Prior to the commencement of the development a detailed Noise and Dust Management Plan shall be submitted to and be approved in writing by the Local Planning Authority. The Noise and Dust Management Plan shall identify the types and locations of works which are likely to cause noise and dust disturbance to sensitive receptors and:- Minimise noise and dust arising from such works by technical and physical means, and through work scheduling & management best practice
- Identify (and make stakeholders aware of) the person responsible for recording, investigating & dealing with complaints from residents
 - Set out a communication strategy to keep regulators, resident and other stakeholders advised well in advance of specific works which are likely to cause noise and dust disturbance
 - Ensure that as much of the disruptive / noisy / dust generating work as possible is carried out during the normal construction operating hours
 - Regularly review the Noise and Dust Management Plan.

Any amendments which may have an impact on noise or dust sensitive receptors shall be agreed in advance with the Local Planning Authority and communicated to all other stakeholders. The approved Noise and Dust Management Plan shall be implemented throughout the construction and demolition works undertaken on site.

- 10 Unless otherwise agreed by the Local Planning Authority, development must not commence until a detailed remediation scheme (to bring the site to a condition suitable for the intended use by removing unacceptable risks to critical receptors) is 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. 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.
- 11 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 good practice 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 All retained trees and hedgerows on the site, as defined by the Arboricultural Survey (RT-MME-127579-01 April 2018) and the Hedgerow Regulations Assessment (RT-MME-127579-03 April 2018), shall be protected for the duration of site preparation and construction works in accordance with the recommendations set out in both reports.
- 13 No part of the development hereby permitted shall take place until details of the new road have been submitted to and approved in writing by the Local Planning Authority including longitudinal and cross sectional gradients, street lighting, drainage and outfall proposals, construction specification, provision of and diversion of utilities services, and any proposed structural works. The development shall thereafter be implemented in accordance with the approved details.
- 14 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.
- 15 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.
- 16 No development hereby permitted shall commence until wheel washing facilities have been installed on the site. The wheel washing facilities shall be maintained in working order at all times during the construction of the development and shall be used by any vehicle carrying mud, dirt or other debris on its wheels before leaving the site so that no mud, dirt or other debris is discharged or carried on to a public road.
- 17 Prior to commencement of any above ground construction works, details of Electric Vehicle charging points to be provided at each

dwelling, 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.

- 18 Development shall not commence until a scheme for the satisfactory disposal of foul and surface water from the site has been submitted to, and approved in writing by, the Local Planning Authority. No part of the development shall then be occupied or brought into use until the approved foul and surface water drainage works are completed in accordance with the approved scheme.
- 19 a) No 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 dwellings 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 interest of visual amenity.
- 6 In the interests of visual and residential amenity.
- 7 In the interests of protecting ecological interests.
- 8 In the interests of protecting ecological interests.
- 9 In the interests of residential amenity.
- 10 To ensure that land contamination matters are fully addressed.
- 11 To ensure that land contamination matters are fully addressed.
- 12 To ensure that retained trees and hedges are adequately protected.
- 13 To ensure the development is constructed to adoptable standards.
- 14 To reduce the possibility of deleterious material being deposited on the public highway (loose stones etc).
- 15 To ensure surface water from the site is not deposited on the public highway causing dangers to road users.
- 16 In the interests of Highway safety
- 17 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.
- 18 To ensure that the drainage scheme is appropriate to meet the needs of the site and the approved development.
- 19 To safeguard any potential archaeological remains.

Reasons for Decision

The proposed development would take place on a site that is identified as a housing commitment with the Local Planning Document and would

be of an acceptable layout, design, density, would not have an undue impact upon residential amenity, designated heritage assets, ecological considerations, existing landscape features or highway safety. The development would therefore accord with the general objectives of the relevant national and local planning policies

Notes to Applicant

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

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

The Advanced Payments Code in the Highways Act 1980 applies and under section 219 of the Act payment will be required from the owner of the land fronting a private street on which a new building is to be erected. The developer should contact the Highway Authority with regard to compliance with the Code, or alternatively to the issue of a Section 38 Agreement and bond under the Highways Act 1980. A Section 38 Agreement can take some time to complete. Therefore, it is recommended that the developer contact the Highway Authority as early as possible. It is strongly recommended that the developer contact the Highway Authority at an early stage to clarify the codes etc. with which compliance will be required in the particular circumstance, and it is essential that design calculations and detailed construction drawings for the proposed works are submitted to and approved by the County Council (or District Council) in writing before any work commences on site. All correspondence with the Highway Authority should be addressed to:- TBH - NCC (Highways Development Control) (Floor 9) Nottinghamshire County Council County Hall Loughborough Road West Bridgford Nottingham, NG2 7QP

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. 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.

The Borough Council has worked positively and proactively with the applicant in accordance with paragraph 38 of the National Planning Policy Framework (2018). Additional information has been submitted to address matters raised during the determination of the application.

It is the responsibility of the developer to ensure that the provision of Electric Vehicle charging is adequately incorporated into the design of the development such that there are no health and safety matters arising from trailing cables in public areas. If necessary cables may need to be placed beneath footpath areas and brought back to the surface nearer the parking areas. The minimum requirement is an operational weatherproof 3 pin socket on a dedicated 16A circuit with an ability to isolate from inside the property for security reasons. The developer is encouraged to consider upgrading the EV charging facilities to incorporate additional mode 3 charging capability as this will help future proof the development and improve its sustainability. All electrical circuits/installations shall comply with the electrical requirements of BS7671:2008 as well as conform to the IET code of practice on Electrical Vehicle Charging Equipment installation (2015).

Severn Trent Water advise that although their statutory sewer records do not show any public sewers within the area you have specified, there may be sewers that have been recently adopted under The Transfer Of Sewer Regulations 2011. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent and you are advised to contact Severn Trent Water to discuss your proposals. Severn Trent will seek to assist you obtaining a solution which protects both the public sewer and the building.

With respect to Condition 18, Severn Trent Water advise that a hydraulic modelling study may be required to determine if the proposed flows from the development can be accommodated in the existing system, and if not to identify what improvements may be required. If surface is drained sustainably, this will only apply to the foul drainage. If Severn Trent needs to undertake capital improvements, a reasonable amount of time will need to be determined to all for these works to be completed before any additional flows are connected. Planning Practice Guidance and section H of the Building Regulations 2010 detail surface water disposal hierarchy. The disposal of surface water by means of soakaways should be considered as the primary method. If this is not practical and there is no watercourse is available as an alternative other sustainable methods should also be explored. If these are found unsuitable, satisfactory evidence will need to be submitted, before a discharge to the public sewerage system is considered.

**APPLICATION NO. 2018/0360 - LAND SOUTH OF MAIN STREET,
CALVERTON**

Outline planning application for up to 79 No. dwellings with all matters reserved except access.

Mr Sunil Vidhani, a local resident, spoke in objection to the application.

The Service Manager – Development Services introduced the report and gave the following updated information to the committee:

The applicant had confirmed that they were content to enter into policy compliant obligations as detailed in the report. Concern had however been expressed in relation to the proposed Local Labour Agreement. The applicant had advised that as a small local company they operate using local sub-contractors, most of who had worked with them for many years. The applicant had also advised that they only directly employ supervisory and management staff. It was however considered that it was possible to enter into a flexible Local Labour Agreement which met the business model of the developer, but also provided a formal commitment to use local labour and to provide the Borough Council with appropriate monitoring targets.

The Service Manager – Development Services informed Members that further to the publication of the report, Calverton Parish Council had raised concern that the proposed planning obligation did not seek a planning obligation for village centre improvements as required in the Calverton NP (Policy G2 – Developer Contributions). He accepted that the report did not specifically address the issue, which was an oversight and provided the following update:

This policy consideration has now been fully considered and I do not consider that the request made by CPC meets the tests set out in Section 122 of The Community Infrastructure Levy Regulations 2010, namely that an obligation must be:

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

In particular, unlike with the requirements for education and healthcare, there is no quantifiable basis or policy that could be used to set out how a sum of money or a scheme of improvements would be both necessary to make the development acceptable in planning terms or be fairly and reasonably related in scale and kind to either of the developments being

proposed. This being the case, if village centre improvements were to be included in the list of S106 requirements, the Borough Council would subsequently have no basis on which to negotiate what form or amount that this would take, notwithstanding the fact that to do so would not meet with the tests I have just outlined. The Parish Council has however suggested that the contribution should be £1,000 per dwelling.

It should also be note that a planning application to improve the village centre (St Wilfred's Square) has recently been approved and that much of the centre is in private ownership, meaning that it cannot benefit from S106 monies. Likewise, S106 monies should not be used to maintain existing areas under public ownership, as this too would not meet the tests.

Furthermore, I note that paragraph 52 of the Neighbourhood Plan states that the Community Infrastructure Levy will be used to deliver village centre environmental improvements. Paragraph 53 advises that receipt will also be expended village centre car parking. In light of the fact that a planning obligation would fail to meet with the necessary tests, it is considered to be procedurally correct that the Community Infrastructure Levy instead be used to fund such improvements as required. The Parish element of the CIL receipt, which equates to 25% of the payment, is unable to be confirmed due to this being an outline application and therefore the floor areas are unknown.

RESOLVED:

To Grant Outline Planning Permission with the matter of Access approved: 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 Education Authority for the provision of, or financial contributions towards, affordable housing, open space, healthcare facilities, education, bus service improvements, bus stop improvements, maintenance of open space areas and drainage features and a local labour agreement; and subject to the conditions listed for the reasons set out in the report.

Conditions

- 1 Approval of the details of layout, scale, landscaping and appearance (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 three 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 This permission shall be read in accordance with drawing number 002_C (with regard to the site area) and drawing numbers 17-0636-001 Revision A and GA_101_J (with regard to the two access points onto Main Street only). Development shall thereafter be undertaken in accordance with these plans.
- 4 Prior to the commencement of development details of the existing and proposed ground levels of the site and finished floor levels of the dwelling 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.
- 5 Development shall not commence until a scheme for the satisfactory disposal of foul and surface water from the site has been submitted to, and approved in writing by, the Local Planning Authority. No part of the development shall then be occupied or brought into use until the approved foul and surface water drainage works are completed in accordance with the approved scheme.
- 6 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.

- 7 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the 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 6 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.

- 8 No development shall commence on site in connection with the development hereby approved (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 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.

The development shall thereafter be undertaken in accordance with the approved Arboricultural Method Statement.

- 9 Prior to commencement of any above ground construction works, details of Electric Vehicle charging points to be provided at each dwelling, 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.

10 Prior to the commencement of the development a detailed Noise and Dust Management Plan shall be submitted to and be approved in writing by the Local Planning Authority. The Noise and Dust Management Plan shall identify the types and locations of works which are likely to cause noise and dust disturbance to sensitive receptors and:

- Minimise noise and dust arising from such works by technical and physical means, and through work scheduling & management best practice - Identify (and make stakeholders aware of) the person responsible for recording, investigating & dealing with complaints from residents
- Set out a communication strategy to keep regulators, resident and other stakeholders advised well in advance of specific works which are likely to cause noise and dust disturbance
- Ensure that as much of the disruptive / noisy / dust generating work as possible is carried out during the normal construction operating hours- Regularly review the Noise and Dust Management Plan.

Any amendments which may have an impact on noise or dust sensitive receptors shall be agreed in advance with the Local Planning Authority and communicated to all other stakeholders. The approved Noise and Dust Management Plan shall be implemented throughout the construction and demolition works undertaken on site.

11 The development shall be undertaken in accordance with the recommendations set out in Section 6 of the submitted Report of Ecology & Protected Species Surveys (Report No: 2019/01/532) dated January 2019.

12 Prior to the erection of any external lighting (other than within the curtilages of the approved dwellings) 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.. Any lighting to be installed along the site boundaries should be kept to a minimum and directed away from the building and retained boundary features to maintain 'dark' areas and corridors. The external lighting shall be provided in accordance with the approved details and shall be retained as such thereafter for the lifetime 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 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 dwellings 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.
- 15 Prior to commencement of any development with regard to parking and turning facilities, access widths, gradients, surfacing, street lighting, visibility splays and drainage, precise details of the proposed works shall be submitted to and approved in writing by the Local Planning Authority. All details submitted to the Local Planning Authority for approval shall comply with the Nottinghamshire County Council's current Highway Design and Parking Guides and all works shall thereafter be implemented in accordance with the approved details.
- 16 Occupation of the proposed dwellings shall not take place until their respective driveways have been surfaced in a bound material (not loose gravel) for a minimum distance of 5.0 metres behind the highway boundary, and which shall be drained to prevent the discharge of surface water from the driveway to the public highway. The bound material and the provision to prevent the discharge of surface water to the public highway shall be retained for the lifetime of the development.

- 17 No part of the development hereby permitted shall be brought into use until the pedestrian crossing as shown for indicative purposes only on drawing 17-0636-001 Revision A has been provided.
- 18 Occupation of the proposed dwellings shall not take place until their access driveway is fronted by a suitably constructed vehicular crossing.
- 19 No development shall take place, including any works of demolition, until a Construction 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

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 To define the permission, for the avoidance of doubt.
- 4 To ensure that the development does not have a detrimental impact upon visual amenity or upon the occupiers of adjacent dwellings.
- 5 To ensure that the drainage scheme is appropriate to meet the needs of the site and the approved development.

- 6 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.
- 7 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.
- 8 To ensure that existing trees and hedges are adequately protected.
- 9 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.
- 10 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 the National Planning Policy Framework and policy LPD11 of the Councils Local Plan.
- 11 In the interests of protecting ecological interests.
- 12 In the interests of protecting ecological interests.
- 13 In the interests of enhancing ecological provision on the site
- 14 To safeguard any potential archaeological remains.
- 15 In the interest of highway safety.
- 16 In the interest of highway safety.
- 17 In the interest of highway safety.
- 18 To ensure that drivers can cross the footway in a safe and controlled manner.
- 19 In the interest of highway safety.

Reasons for Decision

The principle of the development accords with the objectives of national and local planning policies, in particular as the site is a housing allocation in the adopted Local Planning Document. It is considered that up to 79 dwellings could be accommodated on the site in a manner that would not cause undue harm to visual and residential amenity, highway safety, archaeological interests and ecological interests or would cause drainage concerns. It is therefore considered that the

granting of outline planning permission would fully accord with the objectives of the relevant planning policies set out in the National Planning Policy Framework, Aligned Core Strategy, Local Planning Document and Supplementary Planning Documents and Calverton Neighbourhood Plan.

Notes to Applicant

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

The Advanced Payments Code in the Highways Act 1980 applies and under section 219 of the Act payment will be required from the owner of the land fronting a private street on which a new building is to be erected. The developer should contact the Highway Authority with regard to compliance with the Code, or alternatively to the issue of a Section 38 Agreement and bond under the Highways Act 1980. A Section 38 Agreement can take some time to complete. Therefore, it is recommended that the developer contact the Highway Authority as early as possible. It is strongly recommended that the developer contact the Highway Authority at an early stage to clarify the codes etc. with which compliance will be required in the particular circumstance, and it is essential that design calculations and detailed construction drawings for the proposed works are submitted to and approved by the County Council (or District Council) in writing before any work commences on site.

Correspondence with the Highway Authority should be addressed to: hdc.south@nottscc.gov.uk

The pedestrian crossing on Main Street will be constructed within the extents of the public highway. These works shall be provided to the satisfaction of the Highway Authority. You are therefore required to contact licences@viaem.co.uk to obtain the necessary licence prior to works taking place.

Severn Trent Water advise that although their statutory sewer records do not show any public sewers within the area you have specified, there may be sewers that have been recently adopted under, The Transfer Of Sewer Regulations 2011. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent and you are advised to contact Severn Trent Water to discuss your proposals. Severn Trent will seek to assist you obtaining a solution which protects both the public sewer and the building.

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.

The Borough Council has worked positively and proactively with the applicant in accordance with paragraph 38 of the National Planning Policy Framework (2018). Additional information has been submitted to address matters raised during the determination of the application

It is the responsibility of the developer to ensure that the provision of Electric Vehicle charging is adequately incorporated into the design of the development such that there are no health and safety matters arising from trailing cables in public areas. If necessary cables may need to be placed beneath footpath areas and brought back to the surface nearer the parking areas. The minimum requirement is an operational weatherproof 3 pin socket on a dedicated 16A circuit with an ability to isolate from inside the property for security reasons. The developer is encouraged to consider upgrading the EV charging facilities to incorporate additional mode 3 charging capability as this will help future proof the development and improve its sustainability. All electrical circuits/installations shall comply with the electrical requirements of BS7671:2008 as well as conform to the IET code of practice on Electrical Vehicle Charging Equipment installation (2015).

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.

127 APPLICATION NO. 2018/0836 - CARLTON LE WILLOWS ACADEMY, WOOD LANE

Installation of 3G artificial grass pitch, fencing, hardstanding, flood light system, together with the erection of 1No. single storey pavilion and 1No. storage container.

Mr Michael Davies, the applicant, spoke in support of the application.

The Service Manager – Development Services advised the committee that the indicative location plan provided with the agenda pack was incorrect as it identified the originally proposed location and that the

facility was proposed to be sited between the school buildings and adjacent to Wood Lane as detailed in 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 application form, Ground Floor Layout 2 Changing Rooms drawing no 928.002-A-20-02 Rev A00, Ground Floor Layout - 4 Changing Rooms drawing no 928.002-A-20-01 Rev A00, Proposed elevations 4 changing rooms drawing no 928.002-A-21-02 Rev A00, Proposed elevations 2/4 changing rooms-Phasing drawing no 928.002-A-21-03 Rev A00, Proposed elevations-2 changing rooms drawing no 928.002-A-21-01 Rev A00, Typical Section drawing no 928.002-A-22-02 Rev A00 received 21st August 2018; Roof Plan - 2 Changing Rooms drawing no 928.002-A-20-12 Rev A00, Roof Plan - 4 Changing Rooms drawing no 928.002-A-20-13 Rev A00 received 12th September 2018; Design & Access Statement received 15th February 2019; Proposed Site Location Plan drawing no 928.002-A-10-01 Rev A03, Site Plan drawing no 928.002-A-10-02 Rev A07, Proposed Floodlighting Drawing no 04 Rev 02, Proposed AGP Layout Drawing no 02 Rev 03, Block Plan drawing no 928.002-A-10-03 Rev A06, Proposed Site Plan drawing no 01 Rev 02 received 27th February 2019. Proposed Elevations Drawing no 03 Rev 02 received 6th March 2019. The development shall thereafter be undertaken in accordance with these plans/details.
- 3 The development hereby approved shall only be available for use by non-school clubs or groups between the hours of 16:00-22:00, Monday to Friday during school term time, or not earlier than 1 hour after the official school day ends if later than 3pm. At any other time the development shall only be available for use between the hours of 0900 and 2200.
- 4 The development hereby approved shall not be brought into use until a community use agreement prepared in consultation with Sport England has been submitted to and approved in writing by the Local Planning Authority. The agreement shall apply to the development hereby approved and include details of pricing policy, hours of use, access by non-[educational establishment] users [non-members], management responsibilities and a

mechanism for review. The development shall not be used otherwise than in strict compliance with the approved agreement.

- 5 Before development is commenced, there shall be submitted to and approved in writing by the Local Planning Authority, details of the location and specification of the bat boxes specified as a mitigation measures within the Follow-up Aerial Tree Survey - Bats, March 2019. The mitigation measure shall be implemented in accordance with the approved details and shall be retained for the lifetime of the development.
- 6 The flood light system hereby approved shall be implemented in accordance with the Floodlighting Performance Report received on 11/03/2019 and shall be retained for the lifetime of the development.

Reasons

- 1 In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 For the avoidance of doubt.
- 3 To reduce the impact upon the highway network on Wood Lane and in the interest of residential amenity.
- 4 To secure well managed and safe community access to the sports facility/facilities, to ensure sufficient benefit to the development of sport.
- 5 To minimise any potential impacts on biodiversity in accordance with the National Planning Framework and Policy 17 of the Gedling Borough Aligned Core Strategy Submitted Documents.
- 6 To minimise any potential impacts on biodiversity in accordance with the National Planning Framework and Policy 17 of the Gedling Borough Aligned Core Strategy Submitted Documents.

Reasons for Decision

In the opinion of the Borough Council, the proposed development will result in no undue impact on the amenity of adjacent properties and any undue detriment to the visual amenity of the locality. Very special circumstance justify any harm to the openness or character of the Green Belt. The proposal is also considered to have no adverse effects in terms of highway safety. The proposal accords with; Policy 3 (Green Belt), Policy 10 (Design and Enhancing Local Identity) and Policy 12 (Local Services and Healthy Lifestyles) of the Aligned Core Strategy 2014; LPD19, LPD20, LPD32, LPD35, LPD57 & LPD61 and Part 8

(Promoting healthy communities), Part 12 (Achieving well-designed places and Part 13 (Protecting Green Belt land) of the National Planning Policy Framework.

Notes to Applicant

Guidance on preparing Community Use Agreements is available from Sport England. <http://www.sportengland.org/planningapplications/> For artificial grass pitches it is recommended that you seek guidance from the Football Association/England Hockey/Rugby Football Union on pitch construction when determining the community use hours the artificial pitch can accommodate.

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.

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.

The Applicants attention is drawn to your obligations to ensure the protection of bats under The Conservation of Habitats and Species Regulations 2010 (as amended). It is therefore recommended to resurvey the trees prior to the flooding lights first coming into use to ensure that no bats are roosting within the trees.

Change of use from Office (B1) to Residential (C3) and side extension of less than 50% of the existing floor area.

Councillor Wilkinson left the meeting.

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 details within the Application Form, the OS Location Plan and following Drawings 1898-01 "Site Plan", 1898-02 "Existing Floor Plan", 1898-03 "Existing Elevations", 1898-04 "Proposed Floor Plan" and 1898-05 "Proposed Elevations" submitted on the 3rd January 2019 and the email dated 15th February 2019 received from the applicant / agent confirming the description of works. The development shall thereafter be undertaken in accordance with these details.
3. No works permitted under Class A, B, C, D or E of Part 1 Schedule 2 of the Town & Country Planning (General Permitted Development) (England) Order 2015 (or in any provision equivalent to that Class in any Statutory Instrument revoking and re-enacting that Order) shall be undertaken without the prior written permission of the Local Planning Authority.
4. Prior to commencement of any external works, details of the Electric Vehicle charging point to be provided at the hereby approved dwelling, to include the 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.

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 any future development does not impact on the openness of the Green Belt or the reasons for including land within it, in accordance with the aims of the National Planning Policy Framework (2019) Policy 3 of the Aligned Core Strategy (2014) and Policies 12 and 13 of the Local Planning Document (2018).
4. 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.

Reasons for Decision

In the opinion of the Borough Council the proposed development would not cause harm to the openness of the Green Belt, is visually acceptable, results in no significant impact on the amenity of neighbouring residential properties and would not have any adverse impacts on Highway Safety. The development therefore accords with the objectives of the National Planning Policy Framework, Policies A, 3, 8 and 10 of the Aligned Core Strategy, and Policies LPD 11, 12, 13, 32, 57 and 61 of the Local Planning Document.

Notes to Applicant

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 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.

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

129 APPLICATION NO. 2019/0034 - BURNTSTUMP COTTAGE, BURNTSTUMP HILL, ARNOLD, NG5 8PQ

Demolition of existing single storey rear extension, erection of two storey rear extension and conversion of existing garage to en-suite.

The Service Manager – Development Services advised Members that the application had been referred to Planning Committee as the agent was related to a member of staff at Gedling Borough Council and therefore, in accordance with the Council's constitution, the application had been referred to Planning Committee.

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 application form & site location plan, ref: PDL-08-100 Rev 2 received on 22nd January 2019, revised plan submitted on the 4th February 2019, ref: PDL-22-004 Rev 2 and revised block plan received on the 12th February 2019, ref: PDL-22-005 Rev 1. The development shall thereafter be undertaken in accordance with these plans/details.
3. The materials used in any exterior work shall be of a similar appearance to those used in the construction of the exterior of the existing dwelling house.

Reasons

1. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt.
3. To ensure the details of the development are satisfactory, in accordance with the aims of Policy 10 of the Aligned Core Strategy (September 2014).

Reasons for Decision

In the opinion of the Borough Council the proposed development would not have any detrimental impact on the openness or character of the Green Belt, and is considered to be appropriate development within the Green Belt. It is also considered that the proposed development will result in no undue impact on the amenity of adjacent properties or on highway safety. The proposal therefore accords with Policy 3, Policy 10 of the Aligned Core Strategy 2014, Policy LPD13, LPD19, LPD32, LPD35, LPD 57 and LPD 61 of the Local Planning Document 2018, Policies 2, 3 & 7 of the Papplewick Neighbourhood Plan as well as the Policies contained within the National Planning Policy Framework (2019) and Policy SPZ 3 of the Greater Nottinghamshire Landscape Character Assessment.

Notes to Applicant

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

The 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 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.

130 ENFORCEMENT REF. 0072/2018 - LAND AT ROSE COTTAGE, GOOSEDALE LANE, BESTWOOD

Cllr Wilkinson joined the meeting.

Unauthorised storage container, material change of use of agricultural land to garden and untidy land.

The Service Manager – Development Services informed the committee that further to the publication of the report, an agent acting on behalf of the owner of the land had advised that the container would be removed by Friday the 5th April and arrangements were currently being made for the rubble to be collected from the site but that his recommendation was unchanged. A further compliance check would be undertaken after the 5th April, and if the breach of planning control had been addressed by the land owner, it would not be necessary to serve a notice.

RESOLVED that:

The Service Manager, Development Services, be authorised to take all enforcement action including the service of any necessary enforcement notices and in conjunction with the Director of Organisational Development & Democratic Services, proceedings through the courts if required to ensure the unauthorised storage container is removed and the land is tidied and returned to its lawful use.

131 ENFORCEMENT REF. 0052/2018 - NOTTINGHAM CARE VILLAGE, 168 SPRING LANE, LAMBLEY

Unauthorised construction of a car park.

RESOLVED:

That the Service Manager, Development Services, be authorised to take all enforcement action including the service of any necessary enforcement notices and in conjunction with the Director of

Organisational Development & Democratic Services, proceedings through the courts if required to ensure the car park is removed and the land to be reinstated to its previous undeveloped state.

132 APPEAL DECISION - 218 KENRICK ROAD, MAPPERLEY

The proposed demolition of the existing dwelling on the site and the erection of three dwellings on the site.

RESOLVED:

To note the information.

133 PLANNING DELEGATION PANEL ACTION SHEETS

RESOLVED:

To note the information.

134 FUTURE PLANNING APPLICATIONS

RESOLVED:

To note the information.

135 ANY OTHER ITEMS WHICH THE CHAIR CONSIDERS URGENT

None.

The meeting finished at 7.20 pm

Signed by Chair:

Date:

This page is intentionally left blank

DECISIONS MADE UNDER DELEGATED AUTHORITY

<u>Business</u>	<u>Summary</u>	<u>Ref.</u>	<u>Date</u>	<u>Portfolio</u>
Gedling Borough Consultation Draft Statement of Community Involvement May 2019	Approval of the Consultation Draft Statement of Community Involvement for the purposes of public consultation.	D855	12/04/2019	Growth and Regeneration
Transfer of the freehold interest in the open space land at Hollinwood Lane, Calverton	Approval of the transfer of the freehold interest in the open space which is to be used as play area	D844	11/04/2019	Resources and Reputation
Fees and Charges 2019/20 - Communications	Approval of new fees and charges	D852	11/04/2019	Resources and Reputation
Discretionary Disabled Facilities Grant for circumstances outside the current policy	Approval to award a Discretionary Disabled Facilities Grant for circumstances outside the current policy	D856	10/04/2019	Public Protection
Station Road demolition	Approval for demolition of the Council owned properties on Station Road.	D845	08/04/2019	Growth and Regeneration
PASC Pet Cremation Service Fees and Charges 2019/20	Approval of new fees and charges	D854	29/03/2019	Environment
Miscellaneous Planning Administration Charges 2019/20	Approval of new fees and charges	D851	28/03/2019	Growth and Regeneration

Energy Company Obligation: Flexible Eligibility Statement of Intent	Approval to increase fees and administration charges by 3% year on year from 01 April 2014 and implement the increased fees (approximately 20%) from 1st April 2019.	D839	27/03/2019	Growth and Regeneration
Private Sector Housing Civil Penalties Policy	Adoption of a Private Sector Housing Civil Penalties Policy to enable the Council to issue civil penalties as an alternative to prosecution for certain housing offences under the Housing Act 2004.	D847	27/03/2019	Public Protection
Private Sector Housing Enforcement Policy and Fit and Proper Policy	Adoption of a revised Private Sector Housing Enforcement Policy to replace the existing policy adopted in 2010.	D846	27/03/2019	Public Protection
Planning Pre-Application Advice Charges	Approval of new fees and charges	D849	26/03/2019	Growth and Regeneration
Linby Neighbourhood Plan - Decision Statement	Authorisation to publish the Decision Statement for the Linby Neighbourhood Plan and to proceed to referendum.	D848	21/03/2019	Growth and Regeneration
Transfer of the freehold interest in land at Georgia Drive, Redhill	Approval for the transfer of the freehold interest in the land at Georgia Drive, Redhill	D843	14/03/2019	Resources and Reputation
Letting of part Civic Centre to Gedling Homes	Approval to enter into a lease with Gedling Homes Limited for part of the Civic Centre	D842	14/03/2019	Resources and Reputation
Community Centre Fees and Charges 2019/20	Approval of new fees and charges	D812	12/03/2019	Community Development
Public Protection Fees and Charges 2019/20	Approval of new fees and charges	D841	06/03/2019	Public Protection

Arnold Market Demolition	Approval of delegated authority to demolish the buildings at Arnold Market	D837	07/03/2019	Growth and Regeneration
Leisure Fees and Charges 19/20	Approval of new fees and charges	D835	06/03/2019	Housing, Health and Wellbeing
Approval of Hourly Rates for providing Legal Services to other Public Authorities	Approval of the proposed hourly rates set out in the not for publication appendix to this report for the provision of legal services to other public authorities.	D836	05/03/2019	Leader of the Council
Transfer of the freehold interest in open space land at Jumelles Drive & Church Meadow, Calverton	Approval for the transfer of the freehold title of two open space areas of land located at Jumelles Drive and Church Meadow Drive, Calverton	D838	01/03/2019	Resources and Reputation
National Non-Domestic Rates Local Discretionary Relief Year 3	Approval for the Council's guidance for determining an application for local discretionary relief (year 3) (2019/20).	D813	01/03/2019	Resources and Reputation
Minor amendments to the Data Protection Policy	To approval of minor amendments.	D809	14/02/2019	Leader of the Council
Legal Representation in the Magistrates' Court	Authorisation for an employee, to appear on behalf of the Council in proceedings before the Magistrates' Court	D810	08/02/2019	Leader of the Council
National Non-Domestic Rates - Discretionary Relief Application	Consideration of an application for discretionary relief under section 47 of the Local Government Finance Act 1988.	D810	31/01/2019	Resources and Reputation
National Non-Domestic Rates - Discretionary Relief Application	Consideration of an application for discretionary relief under section 47 of the Local Government Finance Act 1988.	D714	31/01/2019	Resources and Reputation

This page is intentionally left blank