



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

# Agenda

# Council

Date: **Wednesday 18 September 2019**

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Time: **6.00 pm**

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Place: **Council Chamber**

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For any further information please contact:

**Alec Dubberley**

Service Manager, Democratic Services

0115 901 3906

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# Council

## Membership

### **Mayor**

Councillor Sandra Barnes

### **Deputy Mayor**

Councillor Meredith Lawrence

Councillor Michael Adams  
Councillor Peter Barnes  
Councillor Chris Barnfather  
Councillor Pat Bosworth  
Councillor Michael Boyle  
Councillor Nicki Brooks  
Councillor John Clarke  
Councillor Liz Clunie  
Councillor Bob Collis  
Councillor Jim Creamer  
Councillor Boyd Elliott  
Councillor David Ellis  
Councillor Rachael Ellis  
Councillor Roxanne Ellis  
Councillor Andrew Ellwood  
Councillor Paul Feeney  
Councillor Kathryn Fox  
Councillor Des Gibbons  
Councillor Helen Greensmith  
Councillor Gary Gregory

Councillor Jenny Hollingsworth  
Councillor Mike Hope  
Councillor Rosa Keneally  
Councillor Ron McCrossen  
Councillor Viv McCrossen  
Councillor Barbara Miller  
Councillor Simon Murray  
Councillor Julie Najuk  
Councillor Marje Paling  
Councillor John Parr  
Councillor Michael Payne  
Councillor Alex Scroggie  
Councillor Martin Smith  
Councillor Sam Smith  
Councillor Jennifer Thomas  
Councillor Clive Towsey-Hinton  
Councillor John Truscott  
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 18 September 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 meeting held on 17 July 2019. 9 - 12
- 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.

Questions received from Councillor Adams

Question 1

Flooding in Arnold

The recent awful flooding in Arnold, apparently brought about as a result of the

Gedling Borough Council maintained lagoon bursting its banks for the 3rd time in 10 years despite this supposedly being 'a once in 50 x year event', has raised huge concerns locally around the ability of the council to properly protect the welfare and wellbeing of its residents. I wonder how many times do residents on Bentwell Avenue in particular, the elderly, families with young children and other vulnerable residents, have to resort to their house insurers (where possible) to try and restore normality to their home, before the council properly exercises its responsibilities, acts positively and stops blaming the weather and indeed everyone else. When I personally attended on site at the lagoon, even my untrained eye could see that it was thick with silt and massively overgrown with trees and large shrubs. It certainly did not give the impression of a well maintained site. Can the Leader of the Council therefore explain details of the schedule of maintenance for the lagoon and brook that leads to the bottom of the gardens on Bentwell Avenue and confirm how that is complied with and checked by officers, and verified as sufficiently operable by those with appropriate expertise, including Nottinghamshire County Council as the Lead Flood Authority and/or the Environment Agency?

## Question 2

### Neighbourhood Police Team

During the 2019 local election campaign, Labour election literature committed to specifically providing the Gedling area with 5 additional police officers. The leaflet, promoted by the Deputy Leader Michael Payne, specifically stated "We will create a new local neighbourhood policing team – putting 5 additional police officers back on our streets". Can the Leader confirm as to how this Labour Administration intends to carry out that pledge and outline exactly which authority or legislation gives a District Council the power or indeed ability, to usurp the role of the Chief Constable in allocating additional Police Officers to the Gedling area and to determine their duties and responsibilities.

- |           |   |                |
|-----------|---|----------------|
| <b>9</b>  | <b>Changes to Representation on Committees.</b>   | <b>13</b>      |
|           | Report of the Service Manager Democratic Services.  |                |
| <b>10</b> | <b>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).</b> |                |
| <b>a</b>  | <b>Minutes of meeting Tuesday 25 June 2019 of Joint Consultative and Safety Committee</b>   | <b>15 - 18</b> |
| <b>b</b>  | <b>Minutes of meeting Thursday 27 June 2019 of Cabinet</b>  | <b>19 - 21</b> |

<b>c</b>	<b>Minutes of meeting Thursday 4 July 2019 of Standards Committee</b>	<b>23 - 25</b>
<b>d</b>	<b>Minutes of meeting Tuesday 9 July 2019 of Environment and Licensing Committee</b>	<b>27 - 30</b>
<b>e</b>	<b>Minutes of meeting Wednesday 10 July 2019 of Appointments and Conditions of Service Committee</b>	<b>31 - 33</b>
<b>f</b>	<b>Minutes of meeting Tuesday 23 July 2019 of Audit Committee</b>	<b>35 - 37</b>
<b>g</b>	<b>Minutes of meeting Thursday 1 August 2019 of Cabinet</b>	<b>39 - 42</b>
<b>h</b>	<b>Minutes of meeting Tuesday 6 August 2019 of Environment and Licensing Committee</b>	<b>43 - 45</b>
<b>i</b>	<b>Minutes of meeting Wednesday 7 August 2019 of Planning Committee</b>	<b>47 - 71</b>
<b>j</b>	<b>Minutes of meeting Tuesday 27 August 2019 of Joint Consultative and Safety Committee</b>	<b>73 - 75</b>
<b>11</b>	<b>To consider comments, of which due notice has been given, under Standing Order 11.03(a).</b>	<b>77</b>
<b>12</b>	<b>To consider motions under Standing Order 12.</b>	

Motion One

This Council:

- 1) Notes that the safeguarding of children and other vulnerable individuals within the community is of paramount importance to all who hold public office.

- 2) Is aware of recent criticisms of other surrounding authorities for a failure to exercise due diligence in carrying out their safeguarding functions in respect of children within their care.
- 3) Notes that, whilst Officers may primarily exercise the day to day functions of safeguarding on behalf of local authorities, that Elected Members equally have a responsibility to ensure that:
  - a) Those functions are indeed carried out diligently and effectively;
  - b) That vulnerable children and others potentially at risk in the community are protected by appropriate policies and procedures;
  - c) That Elected Members themselves set an appropriate leadership example in exercising their duties and responsibilities.
- 4) Recognises the importance of ensuring that everyone representing Gedling Borough Council, who may come into contact with such vulnerable children and other individuals in the course of their duties, are themselves above reproach.
- 5) Should seek to provide reassurance to our Gedling community by ensuring that all Elected Members are themselves made subject to a DBS check upon taking office.
- 6) Instructs the Monitoring Officer to consider and put in place a mechanism to ensure that appropriate DBS checks are carried out and recorded in a register against the name of all Elected Members.

Proposer: Councillor Adams  
Seconder: Councillor Smith

### Motion Two

This Council notes:

- i) the Ministry of Housing, Communities & Local Government's August announcement to allocate a £1 billion Future High Streets fund to 100 high streets across England
- ii) the Ministry of Housing, Communities & Local Government's decision on 6 September 2019 to invite 100 towns across England to benefit from the £3.6 billion new 'Towns Fund' and the announcement by Secretary of State for Housing, Communities and Local Government that each of those towns will receive up to £25 million
- iii) the lack of transparent application process for the Government's new 'Towns Fund', the absence of any published criteria for the Government's decision to choose the 100 towns over others and the Conservative Government's inclusion of eleven places in the new

'Towns Fund' that are in the top seventeen Conservative Party general election target constituencies in England

- iv) the inclusion of the Secretary of State for Housing, Communities and Local Government's own town of Newark-on-Trent in the Government's new 'Towns Fund' announced on 6 September 2019

This Council regrets:

- i) the Government's disappointing decision to reject Gedling Borough Council's bid for a share of the £1 billion Future High Street Fund for Arnold town centre and choosing 100 other places instead
- ii) the decision of the Conservative Government to turn its back on Gedling Borough by not including any of Gedling Borough's towns as beneficiaries of the multi-million pound new 'Towns Fund' announced on 6 September 2019

This Council agrees:

- i) that all members of the Council will be invited to sign the letter being sent by the Leader of the Council to the Prime Minister and Secretary of State for Housing, Communities and Local Government demanding they:
  - a) reconsider their decision to exclude Gedling Borough's towns from the 100 announced beneficiaries of the new 'Towns Fund' and calling on them to ensure towns in our borough receive a fair share of the funding available
  - b) immediately publish the criteria used for determining the 100 towns to benefit from the new 'Towns Fund' and which Government Minister made the decision to approve the list of the 100 towns announced on 6 September 2019

Proposer: Councillor Payne

Seconder: Councillor Clarke

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## MINUTES COUNCIL

Wednesday 17 July 2019

Councillor Sandra Barnes (Mayor)

Present: Councillor Meredith Lawrence Councillor Gary Gregory  
Councillor Michael Adams Councillor Jenny Hollingsworth  
Councillor Peter Barnes Councillor Mike Hope  
Councillor Chris Barnfather Councillor Rosa Keneally  
Councillor Pat Bosworth Councillor Ron McCrossen  
Councillor Michael Boyle Councillor Viv McCrossen  
Councillor Nicki Brooks Councillor Barbara Miller  
Councillor John Clarke Councillor Simon Murray  
Councillor Liz Clunie Councillor Julie Najuk  
Councillor Bob Collis Councillor Marje Paling  
Councillor Jim Creamer Councillor John Parr  
Councillor Boyd Elliott Councillor Martin Smith  
Councillor David Ellis Councillor Sam Smith  
Councillor Rachael Ellis Councillor Jennifer Thomas  
Councillor Andrew Ellwood Councillor Clive Towsey-Hinton  
Councillor Paul Feeney Councillor John Truscott  
Councillor Kathryn Fox Councillor Henry Wheeler  
Councillor Des Gibbons Councillor Paul Wilkinson  
Councillor Helen Greensmith

Absent: Councillor Roxanne Ellis, Councillor Michael Payne and Councillor Alex Scroggie

### 17 **OPENING PRAYERS.**

The Mayor's Chaplain, Reverend Sally Baylis, delivered opening prayers.

### 18 **APOLOGIES FOR ABSENCE.**

Apologies for absence were received from Councillors Roxanne Ellis, Payne and Scroggie.

### 19 **MAYOR'S ANNOUNCEMENTS.**

The Mayor informed Members about some of the recent engagements she had undertaken and thanked those who attended the Flag Raising Ceremony and the Civic Service. The Mayor was pleased to see Councillor Gregory and wished him a speedy recovery.

The Mayor informed Members that she had arranged a Charity Quiz Night on 5<sup>th</sup> September, which would be hosted by Councillors Viv and Ron McCrossen at the Civic Centre.

**20 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETINGS HELD ON 24 APRIL AND 22 MAY 2019**

**RESOLVED:**

That the minutes of the meeting held on 24 April 2019, having been circulated, be approved as a correct record, subject to an amendment at item 55 to correct the spelling of Jed Clarke to Ged Clarke.

Vote: 23 For, 0 Against, 15 Abstentions

**RESOLVED:**

That the minutes of the meeting held on 22 May 2019, having been circulated, be approved as a correct record.

Vote: 38 For, 0 Against, 15 Abstentions

**21 DECLARATION OF INTERESTS.**

None.

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

None.

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

None.

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

None.

**25 AMENDMENTS TO THE CODE OF CONDUCT**

Consideration was given to a report of the Director of Organisational Development and Democratic Services seeking approval for an amended Code of Conduct, required to implement the best practice recommendations set out in the Committee on Standards in Public Life report, following the review of local government ethical standards.

**RESOLVED to:**

- 1) Approve the amended Code of Conduct at Appendix 1 to the report; and
- 2) Authorise the Monitoring Officer to make the necessary amendments to the constitution to incorporate the amended Code.

Vote: 38 For, 0 Against, 0 Abstentions

**26 REFERRAL FROM CABINET: ANNUAL TREASURY ACTIVITY REPORT 2018/19**

Consideration was given to a report of the Deputy Chief Executive and Director of Finance, which was referred to Council by Cabinet.

**RESOLVED:**

To approve the Annual Treasury Activity Report as required by the Regulations.

Vote: 38 For, 0 Against, 0 Abstentions

**27 REFERRAL FROM CABINET: GEDLING PLAN AND BUDGET OUTTURN AND BUDGET CARRY FORWARDS 2018-19**

Consideration was given to a report of the Senior Leadership Team, which had been referred to Council by Cabinet.

**RESOLVED to approve:**

- 1) The capital carry forwards of £261,000 included in Appendix 6 to the report for non-committed schemes in excess of £50,000;
- 2) The overall method of financing of the 2018-19 capital expenditure as set out in paragraph 2.7.5 of the report; and
- 3) The capital determinations regarding financing and debt provisions as set out in paragraph 2.7.7 of the report.

Vote: 38 For, 0 Against, 0 Abstentions

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

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

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

None received.

**30 TO CONSIDER MOTIONS UNDER STANDING ORDER 12.**

None received.

The meeting finished at 6.30 pm

Signed by Chair:  
Date:



## **Report to Council**

**Subject:** Changes to Representation on Committees.

**Date:** 18 September 2019

**Author:** Service Manager Democratic Services

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### **1. Purpose of the Report**

For Council to approve changes to the memberships of the Environment and Licensing and the Licensing Act Committees following a request from the Labour Group Business Manager.

#### **Recommendations**

To approve the following change to representation on the Environment and Licensing and the Licensing Act Committees:

- a) Councillor Rachael Ellis to replace Councillor Gary Gregory as substitute member.

### **2. Proposal**

The Labour Group Business Manager has requested that Councillor Gary Gregory is replaced as a substitute member of the Environment and Licensing and Licensing Act Committees by Councillor Rachael Ellis with immediate effect.

### **3. Financial Implications**

There are no financial implication arising from this report.

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## **MINUTES JOINT CONSULTATIVE AND SAFETY COMMITTEE**

**Tuesday 25 June 2019**

Councillor Alex Scroggie (Chair)

Present: Councillor Roxanne Ellis                      Councillor Jennifer Thomas  
          Councillor Paul Feeney                        Councillor Paul Wilkinson  
          Councillor Helen Greensmith  
Unison: Alan Green                                        Gill Morley  
          Alison Hunt

Absent:    Councillor Boyd Elliott

Officers in Attendance:            D Archer, A Dubberley and M Hill

**1            APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.**

Apologies for absence were received from Councillor Elliott.

**2            TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 26 FEBRUARY 2019.**

**RESOLVED:**

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

**3            DECLARATION OF INTERESTS.**

None.

**4            SICKNESS ABSENCE AND TRENDS.**

The Service Manager Organisational Development introduced a report, which had been circulated in advance of the meeting, informing the Committee of the current levels of sickness absence in the organisation and to examine trends.

**RESOLVED:**

To note the report.

**5            CURRENT STAFFING ISSUES**

The Service Manager Organisational Development introduced a report which had been circulated in advance of the meeting, giving information of interest about issues relating the Council's workforce

**RESOLVED:**

To note the report.

**6 MINOR STAFFING CHANGES**

The Service Manager Organisational Development introduced a report which had been circulated in advance of the meeting, informing the Committee that there had been minor changes to the establishment agreed since the last meeting.

**RESOLVED:**

To note the report.

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

None.

**8 EXCLUSION OF PRESS AND PUBLIC**

**RESOLVED:**

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

**9 BUYING OF ADDITIONAL HOLIDAY.**

The Service Manager Organisational Development introduced a report, which had been circulated in advance of the meeting, proposing to close the formal consultation on the proposal to introduce a new policy to allow the buying of additional leave, inviting comments from the Committee.

Members also considered additional documents, which were circulated prior to the meeting, containing consultation responses from UNISON.

The Committee heard from members of the UNISON Committee before making their recommendations.

**RESOLVED to:**



- 1) Close the formal consultation on the proposal to introduce new policy allowing the buying of additional holiday and time away from work; and
- 2) Recommend to the Appointments and Conditions of Service Committee that the Policy should be introduced subject to the following comments:
  - a) The Senior Leadership Team should make it clear to Line Managers that any request to “buy” additional leave should be allowed wherever possible;
  - b) Recommend that the suggestion to ensure requests are determined within two weeks is taken forward; and
  - c) That the Senior Leadership Team should review any rejections for the purchase of additional leave at their weekly meeting to ensure that the policy is being consistently applied.

**10**

## **PAY PROTECTION AND DISCRETIONARY PAYMENTS**

The Service Manager Organisational Development introduced a report, which had been circulated prior to the meeting, proposing to close formal consultation on proposals to vary current arrangements relating to pay protection and discretionary payments made for redundancy and “efficiency of the service” dismissals, inviting comments from the Committee.

Members also considered additional documents, which were circulated prior to the meeting, containing consultation responses from UNISON.

The Committee heard from members of the UNISON Committee before making their recommendations.

Councillor Thomas left the meeting at 7:15 pm

### **RESOLVED to:**

- 1) Close the formal consultation on the proposal to vary policy; and
- 2) Recommend to the Appointments and Conditions of Service Committee that the policies should be amended as set out in the report subject to the following alterations:
  - a) For redundancy the statutory payment should be made plus up to 50% of the discretionary amount;

- b) For dismissals for the reason of efficiency of service, the discretionary payment should be capped at up to 50% of the equivalent statutory redundancy payment; and
- c) That pay protection arrangements should apply at 100% for the first year, 50% for the second year and no protection thereafter.

The meeting finished at 7.30 pm

Signed by Chair:  
Date:

## MINUTES CABINET

Thursday 27 June 2019

Councillor John Clarke (Chair)

Councillor Peter Barnes  
Councillor David Ellis  
Councillor Gary Gregory

Councillor Jenny Hollingsworth  
Councillor Viv McCrossen  
Councillor Henry Wheeler

Absent: Councillor Michael Payne

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

**8 APOLOGIES FOR ABSENCE.**

Apologies for absence were received from Councillor Payne.

**9 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 24 MAY 2019**

**RESOLVED:**

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

**10 DECLARATION OF INTERESTS.**

None

**11 ESTABLISH A BUDGET FOR MUIRFIELD ROAD RECREATION GROUND PLAY AREA REDEVELOPMENT**

The Deputy Chief Executive and Director of Finance introduced a report, which had been circulated in advance of the meeting, seeking approval to establish a capital budget for the redevelopment of Muirfield Road Recreation Ground Play Area.

In response to a question from Councillor McCrossen, the Chief Executive said that a review of which of the Council's parks were earmarked for re-development would be carried out to ensure that works were prioritised appropriately.

**RESOLVED:**

To approve the capital budget of £100,000 for the redevelopment of the Muirfield Road Play Area which is to be fully funded by external grant funding from the FCC Communities Foundation Ltd.

## **12 MAKE LINBY NEIGHBOURHOOD PLAN**

The Service Manager Planning Policy introduced a report, which had been circulated in advance of the meeting, seeking approval to “make” the Linby Neighbourhood Plan.

### **RESOLVED to:**

- 1) “Make” the Linby Neighbourhood Plan, at Appendix A to the report, in accordance with the Neighbourhood Planning (General) Regulations 2012;
- 2) Authorise the Service Manager Planning Policy to publicise the decision made by Council and the Linby Neighbourhood Plan document in accordance with the 2012 Regulations – confirming that the neighbourhood plan has been made; and
- 3) To delegate authority to the Service Manager Planning Policy to make any minor factual, typographical or formatting amendments to the Linby Neighbourhood Plan as appropriate prior to publication.

## **13 GEDLING CONVERSATION AND SATISFACTION SURVEY 2019**

The Director of Organisational Development and Democratic Services introduced a report seeking agreement for the programme of activities for the Gedling Conversation and Satisfaction Survey 2019.

Following a comment from Councillor McCrossen it was agreed to explore the potential for including some questions in the residents’ survey specifically targeted towards young people, possibly with the help of the Youth Council.

### **RESOLVED:**

To approve the programme of activities for the Gedling Conversation and Satisfaction Survey 2019 as set out in the report.

## **14 S106 CONTRIBUTIONS 2018/19**

The Deputy Chief Executive and Director of Finance introduced a report, which had been circulated in advance of the meeting, providing an update on Section 106 contributions had received and the contributions that have been agreed through the planning process but have yet to be received.

Members raised concern about what was happening with education contributions that were sent directly to the County Council and it was agreed to look at this, potentially through the Overview and Scrutiny Committee.

**RESOLVED:**

To note the contents of the report.

**15 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.

It was noted that the Statement of Community Involvement report was now planned to be considered at the September meeting.

**RESOLVED:**

To note the report.

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

Under this item Councillor McCrossen spoke about the potential to allocate funds towards the provision of events/activities for young people in the school holiday period considering that county youth centres are closed.

The meeting finished at 2.45 pm

Signed by Chair:

Date:

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## **MINUTES STANDARDS COMMITTEE**

**Thursday 4 July 2019**

Councillor Michael Boyle (Chair)

Councillor Rachael Ellis  
Councillor Andrew Ellwood  
Rosalie Hawks  
Councillor Mike Hope

Councillor Simon Murray  
Councillor Martin Smith  
Councillor Clive Towsey-Hinton

Absent: Councillor Michael Payne, Councillor Pat Bosworth  
and Patricia Woodfield

Officers in Attendance: Helen Barrington

Independent Person: John Baggaley

### **1 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.**

Apologies for absence were received from Councillor Michael Payne, Councillor Pat Bosworth and Patricia Woodfield.

Councillor Rachael Ellis attended as a substitute.

### **2 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 21 FEBRUARY 2019.**

#### **RESOLVED:**

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

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

None.

### **4 GIFTS AND HOSPITALITY 2018/19**

The Director of Organisational Development and Democratic Services introduced a report, which had been circulated prior to the meeting, informing members of gifts and hospitality received between 1 April 2018 and 31 March 2019.

#### **RESOLVED:**

To note the report.

**5 IMPLEMENTATION OF THE BEST PRACTICE RECOMMENDATIONS FROM THE COMMITTEE ON STANDARDS IN PUBLIC LIFE REPORT - 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, seeking agreement of the action plan, amended Code of Conduct and amended Arrangements for Dealing with Complaints required to implement the best practice recommendations set out in the Committee on Standards in Public Life report following the review of local government ethical standards.

**RESOLVED that:**

- 1) The action plan for implementing the best practice recommendations set out in the Committee on Standards in Public Life report at Appendix 2 be approved;
- 2) Subject to minor additions agreed at the meeting, the amended Code of Conduct at Appendix 3 be agreed and referred to Council for approval; and
- 3) Subject to minor amendments agreed at the meeting, the amended Arrangements for Dealing with Complaints at Appendix 4 be approved.

**6 UPDATE ON CODE OF CONDUCT TRAINING AND REGISTER OF MEMBERS' INTERESTS (BOROUGH AND PARISHES) FOLLOWING THE MAY 2019 ELECTIONS**

The Director of Organisational Development and Democratic Services introduced a report, which had been circulated prior to the meeting, informing members about the code of conduct training delivered to Borough Councillors following the elections in May 2019 and the current position with regard to the Register of Members' Interests forms received from Borough and Parish Members and Co-opted Members.

**RESOLVED:**

To note the report and agree that after the Borough Council has adopted its revised Code of Conduct, the Chair of the Committee to write to all Parish Councils requesting that they adopt the new code and offering flexible Code of Conduct training to Parish Councillor and Clerks.

**7 CODE OF CONDUCT COMPLAINTS UPDATE**



The Director of Organisational Development and Democratic Services introduced a report, which had been circulated prior to the meeting, informing members of complaints received between 13 February 2019 and 24 June 2019. The Director of Organisational Development and Democratic Services verbally updated the committee that the two complaints outstanding at the time of drafting the report had been determined and the details will be reported to the next meeting.

**RESOLVED:**

To note the report.

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

None.

The meeting finished at 7.45 pm

Signed by Chair:  
Date:

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disclosure of exempt information as defined in Paragraph 7 of Part 1 of Schedule 12A of the Local Government Act 1972.

**15 CHANGE OF CIRCUMSTANCE OF A HACKNEY CARRIAGE / PRIVATE HIRE DRIVERS LICENCE - KS**

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 of a Joint Hackney Carriage/Private Hire Driver's Licence for KS.

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

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

**16 APPLICATION FOR A ONE YEAR JOINT HACKNEY CARRIAGE / PRIVATE HIRE DRIVERS LICENCE - AM**

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 AM.

AM 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 AM's application for a Joint Hackney Carriage/Private Hire Driver's Licence for 1 year with a warning to complete all the paperwork and inform the Council of any future offences.

**17 APPLICATION FOR A ONE YEAR JOINT HACKNEY CARRIAGE / PRIVATE HIRE DRIVERS LICENCE - AH**

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 AH.

AH 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 AH's application for a Joint Hackney Carriage/Private Hire Driver's Licence for 1 year.

Councillor Hope left the meeting.

**18 APPLICATION FOR A ONE YEAR JOINT HACKNEY CARRIAGE / PRIVATE HIRE DRIVERS LICENCE - SAI**

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 SAI.

SAI 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 SAI's application for a Joint Hackney Carriage/Private Hire Driver's Licence for 1 year subject to completion of Safeguarding Training, with a warning to take note of the 'Plying for Hire' terms and conditions of his licence.

The meeting finished at 6.20 pm

Signed by Chair:

Date:

## **MINUTES APPOINTMENTS AND CONDITIONS OF SERVICE COMMITTEE**

**Wednesday 10 July 2019**

Councillor John Clarke (Chair)

Councillor Michael Payne	Councillor Chris Barnfather
Councillor Michael Adams	Councillor Marje Paling
Councillor Sandra Barnes	Councillor John Truscott

Absent: Councillor Bob Collis

Officers in Attendance: K Bradford, D Archer and C Goodall

### **7 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.**

Apologies were received from Councillor Collis with Councillor Truscott attending as substitute.

### **8 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 31 MAY 2019.**

#### **RESOLVED:**

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

### **9 DECLARATION OF INTERESTS.**

None.

### **10 ANY OTHER ITEM WHICH THE CHAIR CONSIDERS URGENT.**

None.

### **11 EXCLUSION OF PRESS AND PUBLIC**

#### **RESOLVED:**

That, 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 report on the grounds that the report involves the likely disclosure of exempt information as defined in Paragraph 4 of Part 1 of Schedule 12a of the Local Government Act 1972.

## **12 BUYING ADDITIONAL LEAVE OR TIME AWAY FROM WORK**

The Service Manager Organisational Development introduced a report, which had been circulated prior to the meeting, notifying Members of the outcome of the consultation process and the recommendations made by the Joint Consultative and Safety Committee of 25 June in order to inform the committee's decision in respect to policy implementation.

After discussion it was agreed to support the comments made by the JCSC subject to clarifying that line managers needed to determine applications under the scheme in a set number of working days rather than two weeks.

### **RESOLVED to:**

- 1) Support the comments made by the Joint Consultative and Safety Committee, plus the response from Council management, subject to clarifying the amount of time line managers should take to determine any applications under the scheme;
- 2) Authorise implementation of the proposed Time Out policy as originally drafted and shown in the Senior Leadership Team report (at Appendix A, Annex 1 to the report) subject to incorporating the comments made by the JCSC and supported by the Committee; and
- 3) Authorise the Service Manager, Organisational Development, under the direction of the Chief Executive, to make the drafting changes to the original policy as determined by committee and communicate the new policy to employees.

## **13 DISCRETIONARY REDUNDANCY PAYMENTS AND PAY PROTECTION**

The Service Manager Organisational Development introduced a report, which had been circulated prior to the meeting, notifying the Committee of the outcome of the consultation process and the recommendations made by the Joint Consultative and Safety Committee of 25 June in order to inform the committee's decision with respect to policy implementation.

After discussion it was

### **RESOLVED to:**

- 1) Implement the proposed policy in relation to Pay Protection as originally drafted and shown in the ACSC report of 31 May (at Appendix A, Appendix 4 to the report) subject to reflecting that



pay protection is applied at 100% for one year and at 50% for a second year with no further protection beyond this;

- 2) Implement the revised policies as drafted and shown in the ACSC report of 31 May (at Appendix A, Appendix 5 to the report) in relation to Discretionary Exit Payments (both redundancy and efficiency of the service) with modifications to reflect that payment of an additional mandatory award equivalent to 30% of statutory redundancy pay (at actual week's pay) is applied in all cases of dismissal due to reason of redundancy and reason of efficiency of the service (calculated on a notional value as if a redundancy);
- 3) Confirm that statutory redundancy payments should be based on an actual week's pay;
- 4) Amend the general content and layout of both the Pay Protection and the Early Retirement and Redundancy Policies, as shown at the policies in Appendix A to the report in order to reflect current organisational structure and more efficient processes and practice;
- 5) Implement policy change to affect all future dismissals from the Council where the effective date of dismissal (last date of employment) is on or after 1 September 2019; and
- 6) Authorise the Service Manager, Organisational Development, under the direction of the Chief Executive, to make the drafting changes to the original policies as determined by the committee and communicate the new policy to employees at the point of implementation.

The meeting finished at 4.00 pm

Signed by Chair:  
Date:

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## **MINUTES AUDIT COMMITTEE**

**Tuesday 23 July 2019**

Councillor Bob Collis (Chair)

Councillor Meredith Lawrence      Councillor Kathryn Fox  
Councillor Liz Clunie                  Councillor Helen Greensmith  
Councillor Boyd Elliott

Absent:                                  Councillor Jennifer Thomas

Officers in Attendance:          A Ball, C Goodall and M Hill

**11            APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.**

Apologies were received from Councillor Thomas.

**12            DECLARATION OF INTERESTS.**

None.

**13            TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE  
MEETING HELD ON 28 MAY 2019**

**RESOLVED:**

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

**14            MAZARS EXTERNAL AUDIT REPORT 2018/19**

Alison Pipes, Audit Manager for Mazars introduced the External Audit Report for 2018/19, which had been circulated prior to the meeting, informing members of the key findings arising from audit work for the period.

**RESOLVED**

To note the Mazars external audit report for 2018/19.

**15            ANNUAL GOVERNANCE STATEMENT AND STATEMENT OF  
ACCOUNTS 2018/19**

The Deputy Chief Executive and Director of Finance introduced a report ,which had been circulated prior to the meeting, seeking approval of the Council's Annual Governance Statement for 2018/19 and the Statement of Accounts for 2018/19.

**RESOLVED:**

- 1) To approve the Annual Governance Statement for 2018/19 at Appendix 1 to the report;
- 2) That following approval of the Annual Governance Statement, to consider the Statement of Accounts for 2018/19;
- 3) To approve the Statement of Accounts for 2018/19, at Appendix 2 to the report, subject to the satisfactory conclusion of the audit with no material amendments;
- 4) To note the Narrative Statement on pages 3 to 15 of the Statement of Accounts at Appendix 2 to the report;
- 5) To agree the Letter of Representation at appendix 3 to the report; and
- 6) To delegate authority to the Deputy Chief Executive and Director of Finance to make any minor changes necessary prior to publication of the Statement of Accounts and the Annual Governance Statement. Such changes will not alter the material content of Appendix 2 to the report.

**16 CORPORATE RISK MANAGEMENT SCORECARD**

The Service Manager Financial Services introduced a report which had been circulated prior to the meeting, updating members on the current level of assurance that can be provided against each corporate risk.

**RESOLVED:**

To note the progress of actions identified within the Corporate Risk Register.

**17 INTERNAL AUDIT PROGRESS REPORT 2019/20**

The Deputy Chief Executive and Director of Finance introduced a report, which had been circulated prior to the meeting, summarising the outcome of the internal audit activity completed by the RSM Internal Audit Team for the period April 2019 to June 2019.

**RESOLVED:**

To note the actions taken or to be taken.

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

None.

The meeting finished at 6.05 pm

Signed by Chair:  
Date:

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## **MINUTES CABINET**

**Thursday 1 August 2019**

Councillor John Clarke (Chair)

Councillor Peter Barnes  
Councillor David Ellis

Councillor Jenny Hollingsworth  
Councillor Viv McCrossen

Absent: Councillor Michael Payne, Councillor Gary Gregory  
and Councillor Henry Wheeler

Officers in Attendance: K Bradford, H Barrington, M Hill, D Wakelin and  
L Mellors

**17 APOLOGIES FOR ABSENCE.**

Apologies for absence were received from Councillors Payne, Gregory  
and Wheeler.

**18 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE  
MEETING HELD ON 27 JUNE 2019.**

**RESOLVED:**

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

**19 DECLARATION OF INTERESTS.**

None.

**20 REPORT AND RECOMMENDATIONS OF THE HOUSEHOLD  
REFUSE RECYCLING SCRUTINY WORKING GROUP**

The Chair of the Household Refuse Recycling Working Group  
introduced a report, which had been circulated in advance of the  
meeting, on the final report and recommendations of the Household  
Refuse Recycling Working Group.

**RESOLVED to:**

- 1) Thank the working group for the report; and

- 2) Refer the report to the appropriate Cabinet Member in order for a response to be made to the Overview Scrutiny Committee at the next meeting.

**21 PRUDENTIAL CODE INDICATOR MONITORING 2019/20 AND QUARTERLY TREASURY ACTIVITY REPORT FOR QUARTER ENDED 30 JUNE 2019**

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 2019/20 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 2019/20 for Quarter 1 at Appendix 1 to the report, and the Prudential and Treasury Indicator Monitoring 2019/20 for Quarter 1, at Appendix 2 to the report.

**22 QUARTERLY (Q1) BUDGET MONITORING AND VIREMENT REPORT**

The Deputy Chief Executive and Director of Finance introduced a report, which had been circulated prior to the meeting, providing details of the likely year-end financial position as at the end of quarter 1 of the 2019/20 financial year.

**RESOLVED to:**

- 1) Approve the General Fund Budget virements set out in Appendix 1 to the report;
- 2) Note the use of reserves and funds during quarter one as detailed in Appendix 2 to the report; and
- 3) Approve the changes to the capital programme included in paragraph 2.3 of the report.

**23 GEDLING PLAN QUARTER 1 PERFORMANCE REPORT**

The Chief Executive introduced a report, which had been circulated prior to the meeting, providing information about Council performance during quarter one of 2019/20.

**RESOLVED:**

To note progress against improvement actions and performance indicators in 2019/209 Gedling Plan.



**24 GEDLING BOROUGH HOUSING DELIVERY ACTION PLAN AND FIVE YEAR HOUSING LAND SUPPLY ASSESSMENT 2019**

The Service Manager Planning Policy introduced a report, which had been circulated prior to the meeting, presenting the Housing Delivery Action Plan and the updated Five Year Housing and Land Supply assessment.

Members were informed of a required amendment paragraph 1.28 of the report, where the date range should read “1 April 2019 to 31 March 2024” at the fifth bullet point.

**RESOLVED to:**

- 1) Approve the Gedling Borough Housing Delivery Action Plan 2019 for publication; and
- 2) Note the Gedling Borough Five Year Housing Land Supply 2019.

**25 ANNUAL REPORT OF THE SENIOR INFORMATION RISK OWNER 2018/19**

The Director of Organisational Development and Democratic Services introduced a report, which had been circulated prior to the meeting, summarising the work of the Senior Information Risk owner during the 2018/19.

**RESOLVED to:**

- 1) Note the annual report of the Senior Information Risk Owner 2018/19;
- 2) Endorse the Information Governance Framework; and
- 3) Approve the continuation of the arrangements relating to the Data Protection Officer.

**26 REGULATION OF INVESTIGATORY POWERS ACT 2000 (RIPA) ANNUAL AUDIT AND UPDATE**

Consideration was given to a report of the Service Manager – Legal Services, which had been circulated in advance of the meeting, updating Members on the Council’s use of powers under the Regulation of Investigatory Powers Act 2000 (RIPA) between 1 April 2018 and 31 March 2019 in line with the Council’s RIPA policy.

**RESOLVED:**

To note the report.

**27 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.

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

Under this item Cllr McCrossen spoke about the Youth Programme being introduced over this year's school holidays to provide events/activities for young people and congratulated the Community Relations Team for their hard work pulling the programme together.

The meeting finished at 3.25 pm

Signed by Chair:  
Date:

## **MINUTES ENVIRONMENT AND LICENSING COMMITTEE**

**Tuesday 6 August 2019**

Councillor Marje Paling (Chair)

Present: Councillor Nicki Brooks                      Councillor Sam Smith  
          Councillor Pat Bosworth                    Councillor Clive Towsey-Hinton  
          Councillor Roxanne Ellis                   Councillor John Truscott  
          Councillor Des Gibbons                    Councillor Paul Wilkinson

Absent:    Councillor Boyd Elliott and Councillor Julie Najuk

Officers in Attendance:                      A Dubberley, R Pentlow, L Splaine and F Whyley

**19                      APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.**

Apologies were received from Councillors Elliott and Najuk.

**20                      TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE  
MEETING HELD ON 9 JULY 2019.**

**RESOLVED:**

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

**21                      DECLARATION OF INTERESTS.**

None.

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

None.

**23                      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.

**24 CHANGE OF CIRCUMSTANCES OF HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE - KNM**

Consideration was given to a report of the Director of Health and Community Wellbeing, which had been circulated prior to the incident, regarding a change of circumstance of a Joint Hackney Carriage/Private Hire Driver's License for KNM.

KNM attended the meeting and addressed the Committee.

In making it's 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 suspend the Hackney Carriage/Private Hire Driver's Licence held by KNM for a period of 28 days, giving KNM 21 days to surrender the licence and to issue a warning to the driver to ensure that a similar incident does not happen again.

KNM was advised of the right of appeal against the decision of the Committee.

**25 CHANGE OF CIRCUMSTANCES OF HACKNEY CARRIAGE/PRIVATE HIRE DRIVER - MN**

Consideration was given to a report of the Director of Health and Community Wellbeing, which had been circulated prior to the incident, regarding a change of circumstance of a Joint Hackney Carriage/Private Hire Driver's License for MN.

MN attended the meeting and addressed the Committee.

In making it's 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 MN, giving MN 21 days to surrender the licence.

MN was advised of the right of appeal against the decision of the Committee.

**CHANGE OF CIRCUMSTANCES OF HACKNEY  
CARRIAGE/PRIVATE HIRE DRIVER - AASS**

Consideration was given to a report of the Director of Health and Community Wellbeing, which had been circulated prior to the incident, regarding a change of circumstance of a Joint Hackney Carriage/Private Hire Driver's License for AASS.

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

AASS was advised of the right of appeal against the decision of the Committee.

The meeting finished at 6.00 pm

Signed by Chair:  
Date:

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## **MINUTES PLANNING COMMITTEE**

**Wednesday 7 August 2019**

Councillor John Truscott (Chair)

In Attendance: Councillor Paul Wilkinson                      Councillor Meredith Lawrence  
Councillor Chris Barnfather                      Councillor Ron McCrossen  
Councillor Jim Creamer                      Councillor Barbara Miller  
Councillor David Ellis                      Councillor Marje Paling  
Councillor Rachael Ellis                      Councillor John Parr  
Councillor Andrew Ellwood                      Councillor Sam Smith  
Councillor Mike Hope                      Councillor Henry Wheeler  
Councillor Rosa Keneally

Absent: Councillor Michael Adams, Councillor Peter Barnes and  
Councillor Alex Scroggie

Officers in Attendance: M Avery, K Cartwright, C Goodall and S Pregon

### **13 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.**

Apologies for absence were received from Councillors Adams, Barnes and Scroggie. Councillors Creamer, McCrossen and Smith attended as substitutes.

### **14 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 19 JUNE 2019.**

#### **RESOLVED:**

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

### **15 DECLARATION OF INTERESTS**

The Chair declared a collective non-pecuniary interest in items 7 and 8 on the agenda as the land was in the ownership of Gedling Borough Council.

Councillor Rachael Ellis declared a non-pecuniary interest in item 7 on the agenda as a member of the Warren Action Group.

**PLANNING APPLICATION 2018/0607 - LAND NORTH WEST, PARK ROAD, CALVERTON.**

Outline planning application for up to 365 No. dwellings with all matters reserved except access, with access served from Park Road and Collyer Road.

George Breed, a representative of the applicant, spoke in support of the application.

The Service Manager – Development Services clarified that the report stated that the bus service improvements were to enhance the 747 service and recommended that this was amended to also permit the contribution to be expended on any alternative bus service serving the site.

After discussion and on the requisition of two Members, the motion to grant planning permission was put to a named vote and the motion was carried.

**For the Motion:**

Councillor C Barnfather  
Councillor D Ellis  
Councillor A Ellwood  
Councillor M Lawrence  
Councillor B Miller  
Councillor J Parr  
Councillor J Truscott

Councillor J Creamer  
Councillor R Ellis  
Councillor R Keneally  
Councillor McCrossen  
Councillor M Paling  
Councillor S Smith  
Councillor P Wilkinson

**Against the Motion:**

Councillor M Hope

**Abstentions:**

Councillor H Wheeler

**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 spaces, healthcare facilities, education, bus stop improvements, bus service improvements, maintenance of open space areas and drainage features not adopted or within the curtilage of the dwellings 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 Site Location Plan drawing no 7043-L-01 Rev A; Illustrative Layout drawing no 7403-L096 Rev J (With regards to the accesses onto Park Road and Collyer Road and new proposed footway along Park Road only); Proposed Park Road Access and Fire Appliance Swept Path Analysis drawing no 001 and Proposed Collyer Road Access and Fire Appliance Swept Path Analysis drawing no 002 received 25th June 2019. 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 dwellings 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, a detailed remediation scheme (to bring the site to a condition suitable for the intended use by removing unacceptable risks to critical receptors) should be submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures.

In the event that remediation is required to render the development suitable for use, the agreed remediation scheme shall be implemented in accordance with the approved timetable of works.

Prior to occupation of any building(s) a Verification Report (that demonstrates the effectiveness of the remediation carried out) must be submitted and approved in writing by the Local Planning Authority.

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

- 7 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 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.

- 8 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.
- 9 Prior to commencement of the development a site specific Construction Environmental 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 approved CEMP shall be implemented throughout the construction works undertaken on site.
- 10 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.
- 11 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 in accordance with the approved details prior to the first occupation of the development hereby approved.
- 12 The reserved matters application for the development hereby permitted shall include detailed plans and particulars relating to the hedgerow replanting scheme to compensate for the loss of any existing hedgerow within the site. Details of the proposed arrangements for future management and maintenance of any hedgerows shall also be submitted. Thereafter, the scheme shall be implemented in full accordance with the approved details.

- 13 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 a statement of significance and research objectives; 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.
- 14 Prior to first occupation of the development hereby approved construction details of the proposed 2.0m wide footway on the northern side of Park Road along the sites frontage, as illustratively shown in outline on plan titled Illustrative Layout drawing no 7403-L-06 Rev J, shall be submitted to and approved in writing by the Local Planning Authority. The approved footway arrangement and associated works shall thereafter be implemented prior to first occupation of the development hereby approved.
- 15 The development shall not be brought into use until the new junctions to serve the proposed development, as shown for indicative purposes only on Park Road and Collyer Road plans reference 'A114074 - 001 and 002 have been provided in accordance with detailed plans which are first to be submitted and approved in writing to the satisfaction of the Local Planning Authority.
- 16 No above ground works shall take place until a Travel Plan has been submitted and approved in writing with the Local Planning Authority. The Travel Plan shall be implemented upon commence

of the development hereby approved in with the provisions and timescales set out with the Travel Plan.

17. No part of the development of any phase shall begin until details of the proposed landscaping and highway verges have been submitted and approved in writing by the Borough Council. Details shall include location, species, size, a written specification including, grass seed mix, cultivation and grass establishment as well as measures to prevent ingress of roots into the adjacent highway construction. Any trees shall be located such that they do not obscure visibility to vehicles accessing or using the adjacent highway.
18. No development, including any demolition and site clearance, shall take place 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:
  - a) the means of access for demolition and construction traffic;
  - b) parking provision for site operatives and visitors;
  - c) the loading and unloading of plant and materials;
  - d) the storage of plant and materials used in constructing the development;
  - e) the erection and maintenance of security hoarding, including decorative displays and facilities for public viewing, where appropriate;
  - f) wheel washing facilities (including full details of its specification and siting)
  - g) measures to control the emission of dust and dirt during construction; and
  - h) a scheme for recycling/disposing of waste resulting from and construction works.
  - i) a traffic management plan including lorry routeing, access and signage for the construction period
19. No buildings shall be occupied until the associated parking areas and manoeuvring areas have been provided, drained and surfaced in accordance with the details that have been previously submitted to and approved in writing by the Borough Council. The facilities so provided shall not be used, thereafter, for any purpose other than the parking and manoeuvring of vehicles, unless otherwise agreed in writing by the Local Planning Authority.

### **Reasons**

1. To comply with the requirements of Section 92 of the Town and Country Planning Act 1990. The application is expressed to be in

outline only in accordance with Article 5 of the Town and Country Planning (Development Management Procedure)(England) Order 2015.

- 2 To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.
- 3 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 that existing trees and hedges are adequately protected.
- 8 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 paragraph 35 of the National Planning Policy Framework and policy LPD11 of the Councils Local Plan.
- 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 the National Planning Policy Framework and policy LPD11 of the Councils Local Plan
- 10 In the interests of protecting ecological interests
- 11 In the interests of protecting ecological interests.
- 12 In the interests of enhancing ecological provision on the site.
- 13 To safeguard any potential archaeological remains.
14. In the interest of sustainable travel.
15. In the interest of highway safety, and to ensure sufficient junction capacity to serve the development
16. In the interest of sustainable travel.

17. To ensure the proposed landscaping works do not compromise road safety
18. In the interests of highway safety and to protect the amenities of the area
19. To ensure adequate off-street parking provision is provided in connection with the development and to ensure surface water from the site is not deposited on the public highway.

### **Notes to Applicant**

It is the responsibility of the developer to ensure that the provision of EV 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.

Severn Trent Water advises that there is a public sewer located within the application site. Public sewers have statutory protection by virtue of the Water Industry Act 1991 as amended by the Water Act 2003 and you may not build close to, directly over or divert a public sewer without consent. You are advised to contact Severn Trent Water to discuss your proposals. Severn Trent Water will seek to assist you in obtaining a solution which protects both the public sewer and the proposed development. You may obtain copies of current guidance notes and application forms from their website ([www.stwater.co.uk](http://www.stwater.co.uk)). Should you require any further information please contact Severn Trent Water directly.

The availability of the rights of way adjacent to and within the site must not be affected or obstructed in any way by the proposed development at this location unless subject to appropriate diversion or closure orders.

Western Power Distribution has electricity network within close proximity to this development, a full diversion would be required of the electricity assets at site.

With regards to the any future reserved matters application regarding landscaping, the proposed landscaping scheme should include the mitigation measures outlined within section 4 of the Ecological Appraisal dated May 2018.

With regards to condition 9, the CEMP must be prepared with due regard to the guidance set out in the London Best Practice Guidance on the Control of Dust and Emissions from Construction and Demolition.

Any security lighting / floodlighting to be installed, shall be designed, located and installed so as not to cause a nuisance to users of the highway. The details of any such lighting shall be submitted to and approved by the Local Planning Authority (together with a lux plot of the estimated luminance).

Reason: To protect drivers from uncontrolled light sources near the public highway

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

The grant of planning permission for this development does not authorise the obstruction or the stopping up or diversion of this highway and an unlawful obstruction to the right of way/highway is a criminal offence and may result in the obstructing development being required to be removed

An application to stop up the highway can be made on behalf of the developer by Nottinghamshire County Council at the expense of the developer. This is a separate legal process and the Applicant should contact the County Highway Authority for details.

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.

No vegetation clearance or ground works shall take place on site during the bird nesting season (1st March to 31st August inclusive in any given year), unless pre-commencement checks for nesting birds have been undertaken by an appropriately qualified ecologist. If any nesting birds are found to be present, details of any proposed mitigation measures shall be submitted to and approved in writing by the Borough Council before the development commences. The mitigation measures shall be implemented in accordance with the approved details before development commences, unless otherwise prior agreed in writing by the Borough Council.



**PLANNING APPLICATION 2018/0347 - LAND BETWEEN MANSFIELD ROAD AND CALVERTON ROAD ARNOLD.**

Outline planning application for up to 148 No. dwellings with all matters reserved except access.

Steve Wright, a local resident, spoke in objection to the application.

The Service Manager – Development Services, introduced the report and informed Members of an error at paragraphs 4.2 and 7.33 regarding the education contributions, which incorrectly stated the contribution for secondary provision was £540,480,072. This should read "... and a sum of £540,480 is sought for the cost of expansion of secondary school places at Redhill Academy – there would be a need for 24 new places at a cost of £22,520 per place."

**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, maintenance of open space areas and drainage features not adopted or within the curtilage of the dwellings, healthcare facilities, 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 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 Amended Site Location Plan drawing no 002\_A; Indicative Site Layout (with regards to the proposed access and realigned Arch Hill); Amended Proposed Access Arrangements General Arrangements & Signalised Junction drawing no 17-0622/002 Rev B and Proposed Site Access

Arrangements General Arrangement & Priority Accesses drawing no 17-062/003 (attached at Appendix B of Transport and Drainage Matters-Designers Response) received 26<sup>th</sup> November 2018.

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. No above ground works shall commence until a proposed replacement tree planting scheme has been submitted to and approved in writing by the Local Planning Authority to mitigate for the loss of any existing tree within the site. The specification shall include number, size, species, pit specification and positioning of all trees to be planted, how they will be planted and protected and when planting will occur. The tree planting shall be carried out in accordance with the approved scheme. Any of the trees planted in accordance with the approved specification which within 5 years from the completion of the development are

removed or serious become damaged or diseased shall be replaced within the next planting season.

10. 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 the indicative site layout reference GA\_101\_E, 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.

11. 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 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.

12. 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.

13. 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.

14. 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 external lighting shall be provided in accordance with the approved details and shall be retained as such thereafter for the lifetime of the development.

15. 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.

16. The development hereby approved and any subsequent reserved matters application shall be designed and completed in accordance with section 3 of the Confidential Badger Report relating to landscaping buffer and proposed habitats, protection measures and Monitoring.

17. Prior to first occupation of the development hereby approved, construction details of the site access junction from the A60 Mansfield Road, as show in outline on plan titled: "Proposed Site Access Arrangements General Arrangements + Priority Accesses", reference: 17-0622/003, shall be submitted to and approved in writing by the Local Planning Authority. The approved detailed access arrangement shall thereafter be implemented prior to first occupation of the development.

18. Prior to the construction of the 68<sup>th</sup> dwelling of the development hereby approved, construction details of the revised traffic signal controlled site access junction on the A60 Mansfield Road, as show in outline on plan titled: "Proposed Site Access Arrangements General Arrangements + Signalised Jct", reference 17-0622/002 Revision B, shall be submitted to and approved in writing by the Local Planning Authority. The approved detailed traffic signal controlled access arrangement shall thereafter be implemented prior to construction of the 68<sup>th</sup> dwelling.

19. No above ground works shall take place until a Travel Plan has been submitted and approved in writing with the Local Planning Authority. The Travel Plan shall be implemented upon commence

of the development hereby approved in with the provisions and timescales set out with the Travel Plan.

20. 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 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.
21. Prior to first occupation of the development hereby approved details of future pedestrian connections between the site and Felton Way, and Hadstone Drive to the east of the site shall be submitted to and approved in writing by the Local Planning Authority. The connections shall be provided in accordance with the approved details prior to first occupation of the development hereby approved.
22. Prior to first occupation of the development hereby approved construction details of the widening of the existing footway on the eastern side of Mansfield Road from the proposed site entrance to a point roughly 50m north of the rear boundary of 48 Georgia Drive Lodge Close, including improvement to the lighting of this route, shall be submitted to and approved in writing by the Local Planning Authority. The approved footway widening arrangement and associated works shall thereafter be implemented prior to first occupation of the development hereby approved.
23. Prior to first occupation of the development hereby approved construction details of Improvements to the Rights of Way, specifically footpath 14/20/22, shall be submitted to and approved in writing by the Local Planning Authority. The approved improvements shall thereafter be implemented prior to first occupation of the development hereby approved.
24. 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. 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 replacement of the existing trees that are protected by a TPO
10. To ensure the development is designed and constructed to adoptable standards and appropriately maintained.
- 11 To ensure appropriate access and parking arrangements are available.
  
- 12 To ensure the development is constructed in an appropriate sustainable manner which takes into consideration air quality with in the Borough, and takes into consideration policy LPD11 of the Councils Local Plan.
13. 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.
14. In the interests of protecting ecological interests.
15. In the interests of enhancing ecological provision on the site.
16. In the interests of protecting ecological interests.
17. In the interest of Highway Safety, to ensure adequate access, operational capacity, and associated visibility is provided to the development.
- 18 In the interest of Highway Safety, to ensure adequate access, operational capacity, and associated visibility is provided to the development.
19. In the interest of sustainable travel.
20. To ensure appropriate access and parking arrangements are available.
21. In the interest of sustainable travel.
22. In the interest of sustainable travel
23. In the interest of sustainable travel by means of improving access to existing neighbourhoods and their facilities.
24. To safeguard any potential archaeological remains.



## **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 148 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.

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](mailto: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 comments of the Lead Local Flood Authority are enclosed.

No vegetation clearance or ground works shall take place on site during the bird nesting season (1st March to 31st August inclusive in any given year), unless pre-commencement checks for nesting birds have been undertaken by an appropriately qualified ecologist. If any nesting birds are found to be present, details of any proposed mitigation measures shall be submitted to and approved in writing by the Borough Council before the development commences. The mitigation measures shall be implemented in accordance with the approved details before development commences, unless otherwise prior agreed in writing by the Borough Council.

The Applicants attention is drawn to the Governments Guidance regarding Japanese Knotweed which can be found at:  
<https://www.gov.uk/guidance/prevent-japanese-knotweed-from-spreading>

The Applicants attention is drawn to NCC comments regarding landscaping which should be taken into consideration within the Reserved Matters Application.

With reference to condition 15 the submission of a bat-sensitive lighting scheme, should be developed in accordance with to be developed in accordance with Bat Conservation Trust publication "*Artificial Lighting and Wildlife – Interim Guidance: recommendations to help minimise the impact of artificial lighting*" dated June 2014.

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

**18 PLANNING APPLICATION 2018/0823 - LAND WEST OF WESTHOUSE FARM MOOR ROAD BESTWOOD.**

**Outline planning application for up to 365 No. dwellings with all matters reserved except access, with access served from Park Road and Collyer Road.**

Jack Ashworth, a local resident, spoke in objection to the application.

The Service Manager – Development Services introduced the report.

**RESOLVED to:**

**Grant approval of reserved matters subject to the following conditions:**

1. This permission shall be read in accordance with the following plans:

MRBDR07-SBP-P1 Rev B  
MRBDR06-SLP-P1 (landscaping)  
13152/100-01 Rev f (levels only)  
Materials Schedule 19.07.2019 Rev A

Housetypes:

A1/2018, A2/2018, B6/2017, BGA4/2018, C8/2018, C9/2018, DA3/2018, E20/2018, F5/2018, G7/2018, HA/2018, JD/2018, KA2/2018, KB1/2018, T20/2018, VA/2018, XAA/2018, YAB/2018, Y2/2018, Z4/2018, and X3.

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

Reason: To define the permission, for the avoidance of doubt

2. Notwithstanding the submitted details, prior to the occupation of plots 13-28, precise details of the rear boundary treatment of these plots along the common boundary with The Spinney shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be undertaken in accordance with the approved plans.

Reason: To ensure a satisfactory form of development and in the interests of residential amenity.

**19 PLANNING APPLICATION 2019/0549 - RECREATION GROUND MUIRFIELD ROAD BESTWOOD.**

Installation of a climbing unit in the play area.

**RESOLVED:**

**That the Borough Council GRANTS FULL PLANNING PERMISSION, subject to conditions.**

**Conditions**

1. The development must be begun not later than three years beginning with the date of this permission.
2. This permission shall be read in accordance with the application form and elevation details of the climbing frame received 4th June

2019, Site Location Plan received 12th June 2019 and Proposed Equipment Layout Plan drawing reference Q-23378-J7S7-C Rev O received 12th July 2019. The development shall thereafter be undertaken in accordance with these plans/details.

### **Reasons**

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

### **Reasons for Decision**

In the opinion of the Borough Council the proposed development would enhance and improve the recreational potential or quality of the site and would be visually acceptable in the streetscene. The proposal would not result in a significant undue impact on the amenity of neighbouring properties. Therefore the proposed development would be in accordance with the advice contained within the NPPF (2019), Policy 10, 13 and 16 of the ACS (2014) LPD 20 & LPD32 of the Local Planning Document (2018).

### **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 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](http://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](http://www.groundstability.com).

The applicant is advised that all planning permissions granted on or 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 given that there is no net additional increase of floorspace as a result of the development.

**PLANNING APPLICATION 2019/0226 - 43 BROOK AVENUE  
ARNOLD NG5 7HL.**

**Change of use of land to facilitate vehicular access to dwellinghouse.**

**RESOLVED to:**

**GRANT PLANNING PERMISSION** subject to conditions:

**Conditions**

1. The development must be begun not later than three years beginning with the date of this permission.
2. This permission shall be read in accordance with the application form received on 8th March 2019 and the site location plan received on 26th March 2018. The development shall thereafter be undertaken in accordance with these plans/details.
3. The driveway shall not be brought into use until a dropped vehicular footway crossing is available for use and constructed in accordance with the Highway Authority specification.
4. The driveway shall not be brought into use until the drive/ parking areas are surfaced in a hard-bound material (not loose gravel) for a minimum of 5.5 metres behind the Highway boundary. The surfaced drives and any parking or turning areas shall then be maintained in such hard-bound material for the life of the development.

**Reasons**

1. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt.
3. In the interests of Highway safety.
4. To reduce the possibility of deleterious material being deposited on the public highway (loose stones etc.).

## **Reasons for Decision**

By virtue of the size of the grass verge and the nature of the proposed development, the proposal would not result in any highway safety issues whilst ensuring off-street parking provision for no.43 Brook Avenue, it would not result in a detrimental impact on the visual amenity of the area nor on neighbouring residential amenity. The proposal is in accordance with the advice contained within the NPPF, Policy 10 of the Aligned Core Strategy and policies LPD 32, LPD 57 and LPD 61 of the Local Planning Document.

## **Notes to Applicant**

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

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

The proposal makes it necessary to construct a vehicular crossing over a footway of the public highway. These works shall be constructed to the satisfaction of the Highway Authority. You are, therefore, required to contact the County Council's Customer Services, on telephone 0300 500 80 80, to arrange for these works be carried out.

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](http://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](http://www.groundstability.com).

**21**

## **APPEAL DECISION VALE ROAD COLWICK**

Section 73 application to amend Condition 12 (approved plans) on 2008/0287 (demolish offices, car parking & storage areas & erection of 44 dwellings with associated roads & sewers) and amend previously agreed Section 106 planning obligation to omit the integrated transport

and public open space contributions, and reduce the education contribution from £120,820 to £75,000 on viability grounds.

**RESOLVED:**

To note the information.

**22 GEDLING BOROUGH HOUSING DELIVERY ACTION PLAN AND FIVE YEAR HOUSING LAND SUPPLY ASSESSMENT 2019**

To note the Gedling Borough Housing Delivery Action Plan and the Five Year Housing Land Supply 2019 Assessment which has been updated.

**RESOLVED:**

To note the information.

**23 PLANNING DELEGATION PANEL ACTION SHEETS**

**RESOLVED:**

To note the information.

**24 FUTURE APPLICATIONS**

**RESOLVED:**

To note the information.

**25 ANY OTHER ITEMS WHICH THE CHAIR CONSIDERS URGENT.**

None.

The meeting finished at 7.20 pm

Signed by Chair:  
Date:

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## **MINUTES JOINT CONSULTATIVE AND SAFETY COMMITTEE**

**Tuesday 27 August 2019**

Councillor Alex Scroggie (Chair)

Present: Councillor Roxanne Ellis                      Councillor Paul Wilkinson  
          Councillor Paul Feeney                      Councillor Des Gibbons  
          Councillor Helen Greensmith

Unison: Paul Gibbs                                      Seb Wilkins

Absent:                                      Councillor Boyd Elliott and Councillor Jennifer Thomas

Officers in Attendance:            D Archer, G Ilett, M Hill and L Mellors

### **11            APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.**

Apologies for absence were received from Councillor Thomas, Councillor Gibbons attended as substitute.

### **12            DECLARATION OF INTERESTS.**

None.

### **13            TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 25 JUNE 2019.**

#### **RESOLVED:**

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

### **14            HEALTH AND SAFETY ANNUAL REPORT 2018/19**

The Health, Safety and Emergency Planning Officer introduced a report, which had been circulated prior to the meeting, to provide members with an annual report on matters relating to health and safety.

#### **RESOLVED to:**

- 1) Support the findings of the report and continue to recognise the importance of health and safety;
- 2) Note the report and the agreed SLT H&S action plan for 2019/20;

- 3) Note that SLT considered and agreed in June the HSEPO request for a corporate H&S training budget be established of £6000 per annum.
- 4) Note that SLT considered and agreed in June the HSEPO request for administration support to aid the delivery of eLearning, Asset Register updating, Training Matrix work, and AssessNET – risk assessment module full implementation; and
- 5) Note that SLT considered and agreed in June the HSEPO request for four weeks administration support to aid the delivery of occupational health surveillance.

**15 SICKNESS ABSENCE**

The Service Manager Organisational Development introduced a report, which had been circulated in advance of the meeting, informing the Committee of the current levels of sickness absence in the organisation.

**RESOLVED:**

To note the report.

**16 CURRENT STAFFING ISSUES**

The Service Manager Organisational Development introduced a report, which had been circulated in advance of the meeting, highlighting issues of particular interest that relate to the Council's workforce.

**RESOLVED:**

To note the report.

**17 MINOR CHANGES TO THE ESTABLISHMENT**

The Service Manager Organisational Development introduced a report, which had been circulated in advance of the meeting, informing the Committee of minor changes to the establishment agreed since the last meeting.

**RESOLVED:**

To note the report.

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

None.

The meeting finished at 6.35 pm

Signed by Chair:  
Date:

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**DECISIONS MADE UNDER DELEGATED AUTHORITY**

<b><u>Business (click to view decision)</u></b>	<b><u>Summary</u></b>	<b><u>Ref.</u></b>	<b><u>Date</u></b>	<b><u>Portfolio</u></b>
Consultation Draft Willow Farm Development Brief August 2019	To approve the draft willow farm development brief for public consultation.	D892	05/08/2019	Growth and Regeneration
Proposed Street Names for development on Land at 92 Main Street Calverton	To approve street names for a new housing development.	D887	23/07/2019	Growth and Regeneration
Proposed Land adjacent to Gedling Manor, Wood Lane, Gedling, Nottinghamshire	To approve street names for a new housing development.	D884	04/07/2019	Growth and Regeneration

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