



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

# Agenda

## Council

Date: **Wednesday 27 January 2021**

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Time: **6.00 pm**

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Place: **Virtual Meeting**

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For any further information please contact:

**Caroline McCleary**

Democratic Services Officer

0115 901 3910

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# Council

## Membership

<b>Mayor</b>	Councillor Sandra Barnes
<b>Deputy Mayor</b>	Councillor Meredith Lawrence

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

### WEBCASTING NOTICE

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## SUMMONS

A meeting of the Borough Council will be held virtually on Wednesday 27 January 2021 at 6.00 pm to transact the business as set out below.



Mike Hill  
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 18 November 2020 11 - 13
- 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.

Question from Councillor Sam Smith to the Portfolio Holder for Public Protection:

"We have all seen an increase in anti-social behaviour in our Wards over the past year. Can the Cabinet Member responsible inform us of how this data is collected by the Council and what plans the Council has in place to reduce anti-social behaviour across the Borough?"

<b>9</b>	<b>Council Tax Reduction Scheme</b>	<b>15 - 25</b>
	Report of the Director of Corporate Resources	
<b>10</b>	<b>Referral from Appointments and Conditions of Service Committee: Pay Policy Statement 2021-22</b>	<b>27 - 86</b>
	Report of the Service Manager Organisational Development.	
	Council is recommended to:	
	Adopt the pay policy statement for publication on the Council's website.	
<b>11</b>	<b>Overview and Scrutiny Annual Report</b>	<b>87 - 92</b>
	Report of the Democratic Services Officer.	
<b>12</b>	<b>Independent Remuneration Panel - Report and recommendations for 2021/22</b>	<b>93 - 99</b>
	Report of the Democratic Services Manager.	
<b>13</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 Wednesday 21 October 2020 of Planning Committee</b>	<b>101 - 132</b>
<b>b</b>	<b>Minutes of meeting Tuesday 3 November 2020 of Environment and Licensing Committee</b>	<b>133 - 135</b>
<b>c</b>	<b>Minutes of meeting Wednesday 4 November 2020 of Joint Consultative and Safety Committee</b>	<b>137 - 139</b>
<b>d</b>	<b>Minutes of meeting Monday 9 November 2020 of Overview and</b>	<b>141 - 145</b>

## **Scrutiny Committee**

<b>e</b>	<b>Minutes of meeting Thursday 12 November 2020 of Cabinet</b>	<b>147 - 151</b>
<b>f</b>	<b>Minutes of meeting Wednesday 18 November 2020 of Appointments and Conditions of Service Committee</b>	<b>153 - 155</b>
<b>g</b>	<b>Minutes of meeting Tuesday 24 November 2020 of Audit Committee</b>	<b>157 - 159</b>
<b>h</b>	<b>Minutes of meeting Tuesday 1 December 2020 of Environment and Licensing Committee</b>	<b>161 - 162</b>
<b>i</b>	<b>Minutes of meeting Wednesday 2 December 2020 of Planning Committee</b>	<b>163 - 181</b>
<b>j</b>	<b>Minutes of meeting Tuesday 8 December 2020 of Environment and Licensing Committee</b>	<b>183 - 185</b>
<b>k</b>	<b>Minutes of meeting Thursday 10 December 2020 of Cabinet</b>	<b>187 - 188</b>
<b>l</b>	<b>Minutes of meeting Wednesday 16 December 2020 of Appointments and Conditions of Service Committee</b>	<b>189 - 192</b>
<b>m</b>	<b>Decisions made under delegated authority</b>	<b>193 - 194</b>
<b>14</b>	<b>To consider comments, of which due notice has been given, under Standing Order 11.03(a).</b>	
<b>15</b>	<b>To consider motions under Standing Order 12.</b>	

### Motion One

Fireworks are used by people throughout the year to mark different events.

While they can bring much enjoyment to some people, they can cause significant problems and fear for other people and animals. They can be a source of fear and distress for many animals (including pet animals, farm livestock and wildlife). Animals affected not only suffer psychological distress but can also cause themselves injuries – sometimes very serious ones – as they attempt to run away or hide from the noise.

This Council therefore resolves to:

- 1) Require all public firework displays within the local authority boundaries to be advertised in advance of the event, allowing residents to take precautions for their animals and vulnerable people.
- 2) Actively promote a public awareness campaign about the impact of fireworks on animal welfare and vulnerable people – including the precautions that can be taken to mitigate risks.
- 3) Write to the UK Government and Gedling Borough's two local Members of Parliament urging them to introduce legislation to limit the maximum noise level of fireworks to 90dB for those sold to the public for private displays and to support the RSPCA in their campaign to ensure the safety of all animals.
- 4) Encourage local suppliers of fireworks to stock 'quieter' fireworks for public display.
- 5) Write to the Leader and Chief Executive of Nottinghamshire County Council inviting and encouraging them to also take the action outlined in points 1 – 4 above.
- 6) Work with Nottinghamshire County Council and all other relevant authorities to ensure existing legislation regarding purchase of and setting off fireworks is enforced across our borough and county.

Proposed: Cllr Rachael Ellis

Seconded: Cllr Des Gibbons

### Motion Two

This Council notes:

Bees and other pollinators play an essential role in the Earth's ecosystems. Bees and other pollinators are vital to our food crops, our gardens and our countryside, but they are declining – some species have become extinct, others are declining in range. Bees not only maintain biodiversity but also pollinate plants which produce food. The Government has estimated that these pollinators are worth around £500 million to the UK food and fruit industries alone; bees therefore help keep healthy habitats for people and nature.

This pollinator decline is due to various external influences. These causes

include disease, climate change, loss of habitat and the use of insecticides such as neonicotinoids ('neonics'). Neonicotinoid use has been linked in a range of studies to adverse ecological effects, including honeybee colony collapse disorder.

The World Health Organisation's cancer agency has recently declared that herbicides that include glyphosate are probably carcinogenic to humans. Glyphosate lab trials have shown impact on bee behaviours, although not on their foraging efficiency.

Local authorities already have a Duty to have regard to the conservation of biodiversity in exercising their functions, introduced by the Natural Environment and Rural Communities Act, which came into force on 1 October 2006. The Duty affects all public authorities and aims to raise the profile and visibility of biodiversity, to clarify existing commitments with regard to biodiversity, and to make it a natural and integral part of policy and decision making. Conserving biodiversity includes restoring and enhancing species' populations and habitats.

This Council further notes:

The UK Government pledged to back the 2018 EU ban on all outdoor uses of the neonicotinoid thiamethoxam. At the time, Michael Gove, then the Environment Secretary, said: "The weight of evidence now shows the risks neonicotinoids pose to our environment, particularly to the bees and other pollinators which play such a key part in our £100bn food industry, is greater than previously understood ... We cannot afford to put our pollinator populations at risk."

He also wrote in the Guardian ('The evidence points in one direction – we must ban neonicotinoids' - 9 Nov 2017): "Unless the evidence base changes again, the government will keep these restrictions in place after we have left the EU."

This Council therefore resolves to:

- 1) Write to the Environment Secretary and Gedling Borough's local Members of Parliament, condemning the UK Government's recent authorisation in England of the use of a pesticide containing the neonicotinoid thiamethoxam, despite an EU-wide ban on its outdoor use two years ago and an explicit Government pledge to keep the restrictions.
- 2) Call on the UK Government to fund proper research into the hazards of glyphosphates on human and nature's health.
- 3) Cease the use of neonicotinoids and glyphosphates on all public access land that it manages in a proactive effort to reverse the destruction of the bees and pollinators and protect human health.
- 4) Explore other ways in which to enhance and protect bee and pollinator habitats and encourage environmental growth. This Council will therefore

produce a Bee/Pollinator Action Plan. This action plan could include:

- a) Protecting pollinator habitats via the planning process.
- b) Encouraging all new developments to provide for pollinators.
- c) Stopping the use of insecticides on local authority land.
- d) Establishing wildflower meadows on un-used areas of parks and public greenspace.
- e) Planting pollinator-friendly plants as part of amenity planting in parks, gardens and green spaces.
- f) Planting trees for bees – blossom producing spring flowering trees such as apple, cherry, hawthorn, blackthorn, willow.
- g) Working with Nottinghamshire County Council to manage road verges for spring and late summer flowers.

Proposed: Cllr Michael Payne

Seconded: Cllr Kathryn Fox

### Motion Three

This Council notes:

- 1) The provisional Local Government Finance Settlement for 2021/22, which was published by the Secretary of State for Housing, Communities & Local Government on 17 December 2020.
- 2) Core Spending Power is the Government's own measure of the resources available to local councils to fund service delivery – it sets out the money that has been made available to local councils through the Local Government Finance Settlement.

This Council is disappointed that:

- 1) For the second successive year, Gedling Borough Council is the worst affected council in England in terms of change in Core Spending Power from 2015-16 to 2021-22.
- 2) As a result of Government policy and decisions, Gedling Borough Council has received a 20.2% reduction in Core Spending Power between 2021-22 and 2015/16.

The Council further notes:

- 1) By comparison, twenty councils have received a greater than 20.5% uplift in Core Spending Power in 2021/22 compared to 2015/16 and that 18 of the 20 are Conservative controlled.

This Council agrees:

- 1) To use all available resources to:



- a) ensure residents and businesses across our borough are aware of the disproportionate way Gedling Borough has been negatively affected by successive Local Government Finance Settlements since 2015/16, in terms of change in Core Spending Power.
  - b) lobby the Government to reverse this unfair and unjust treatment of Gedling Borough's local communities.
- 2) That all members of the Council will be invited to sign the letter being sent by the Leader and Deputy Leader of the Council to the Secretary of State for Housing, Communities and Local Government and Gedling Borough's two local Members of Parliament, urging them to reverse the unfair and unjust treatment of Gedling Borough Council in this year's provisional Local Government Finance Settlement (as set out above).

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*Sources: Link to official Government data showing Gedling Borough Council is the worst affected in England in terms of Core Spending Power in 2021/22 compared to 2015/16: <https://www.gov.uk/government/publications/core-spending-power-provisional-local-government-finance-settlement-2021-to-2022>*

Proposed: Cllr Michael Payne

Seconded: Cllr John Clarke

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## MINUTES COUNCIL

**Wednesday 18 November 2020**

Councillor Sandra Barnes (Mayor)

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

### **40 OPENING PRAYERS**

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

### **41 APOLOGIES FOR ABSENCE**

None.

### **42 MAYOR'S ANNOUNCEMENTS**

The Mayor commented on the success of the Remembrance Sunday War Memorial Tour, which involved her touring the Borough, laying a wreath and paying her respects at seven separate locations. The Mayor also wished to thank local vicars who attended at each war memorial to join her in a short prayer.

The Mayor thanked the Director of Organisational Development and Democratic Services, who was attending her last meeting of Council. A number of Members also thanked her for her integrity, diligence and support during her time at the Council and wished her well in her new role.

**43 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 16 SEPTEMBER 2020**

**RESOLVED:**

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

**44 DECLARATION OF INTERESTS**

None received.

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

None received.

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

None received.

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

None received.

**48 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, comments were made and responded to by the appropriate Cabinet Member or Committee Chair.

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

None received.

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

None received.

**COVID-19 RESPONSE**

Consideration was given to a report of the Service Manager Community Relations, updating Members on the Council's on-going Covid-19 response work.

Under this item, the Leader updated Members with the latest numbers in the area since publication of the report. A copy of the update would be circulated to Members after the meeting.

**RESOLVED UNANIMOUSLY to:**

- 1) Note the content of the report;
- 2) Send a letter from the Leader, Deputy Leader and Chief Executive to all officers of the Council to thank them for their hard work and dedication to service during this pandemic;
- 3) Send a letter from the Leader, Deputy Leader and Chief Executive to local emergency services, the NHS, partner organisations and volunteers to thank them for the work they have been doing during this pandemic; and
- 4) Make use of the Council's social media platforms to thank all local businesses and residents for their understanding and fortitude in supporting Gedling Borough Council to help keep our communities safe during this pandemic.

The meeting finished at 6.50 pm

Signed by Chair:

Date:

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## Report to Council

**Subject:** Council Tax Reduction Scheme

**Date:** 27 January 2021

**Author:** Director of Corporate Resources and S151 Officer

### Purpose

This report seeks approval for the current Council Tax Reduction Scheme (CTRS) to continue without revision in 2021/22.

### Recommendation(s)

#### THAT:

The Council Tax Reduction Scheme (CTRS) 2021/22, to apply from 1 April 2021, be approved and adopted by full Council, and that there are no changes to the CTRS for working age people as described in Section 2 of this report, except for the annual uprating and amendments of allowances and premiums in line with Housing Benefit levels.

## 1 Background

- 1.1 Members will recall that from 1 April 2013, the Council Tax Benefit Scheme was replaced by a localised support scheme for Council Tax known as the Council Tax Reduction Scheme (CTRS). All billing authorities (district and unitary authorities) were required to devise their own scheme for working age claimants. Pensioners are protected by Government legislation and continue to receive discount equivalent to that received under the Council Tax Benefit Scheme i.e. up to 100%.
- 1.2 On 19 December 2012, following a full consultation exercise, Gedling Borough Council adopted a Council Tax Reduction Scheme very similar to the previous national Council Tax Benefits scheme, enabling a maximum award entitlement of up to 100% discount but with the following main differences for working age claimants:

- a) No entitlement to CTRS for claimants whose savings were greater than £6,000;
  - b) Removal of the Second Adult Rebate;
  - c) A flat rate non-dependant deduction of £7.50 for each adult member of the household;
  - d) Automatic backdating of CTRS for a maximum of 3 months; and
  - e) Entitlement to the extended payments “back to work” incentive for the long term unemployed, increased from four weeks to twelve weeks.
- 1.3 On 22 January 2014, Council resolved to adopt a CTRS that included provision to allow for the annual uprating of allowances and premiums without this being classed as a material change to the scheme.
- 1.4 Since the 22 January 2014 the Council has continued with its CTRS without revision, and this is the scheme currently in use by the Council.
- 1.5 Paragraph 5 of Schedule 1A to the Local Government Finance Act 1992 requires the Council to consider whether the CTRS is to be revised or replaced for each financial year. The Act required that where the scheme is to be revised or replaced, the Council has to have made a decision no later than 31 January in the financial year preceding that for which the revision or replacement scheme is to have effect.
- 1.6 The Council Tax Reduction Scheme (Amendment) England S.I. 2017 No. 1305 amended the date of 31 January to 11 March to allow for a longer period of consideration and consultation if required.

#### Funding Arrangements

- 1.7 At the outset of the CTRS scheme in 2013/14 Central Government provided non-ring-fenced grant funding to Gedling via the Revenue Support Grant mechanism. Revenue Support Grant has been reduced year on year and was fully removed from the 2019/20 financial settlement.
- 1.8 Since 2013/14, the resulting shortfall in funding of the CTRS has had to be met by a combination of:
- Raising more income through further changes to Council Tax empty property discounts/premiums;
  - Additional income through the Business Rates Retention Scheme;
  - Raising income or reducing expenditure through other service area efficiencies.
- 1.9 The other option for meeting any shortfall in funding is to reduce the total spend on the CTRS i.e. change from a 100% scheme.
- 1.10 The 2020/21 scheme was agreed by full Council in January 2020 based on a reducing caseload and expenditure forecast of £7.2m. However, due to the



Covid-19 pandemic, the Council has received higher numbers of applications for Council Tax Support. The current caseload has increased by an average of 240 claims since the start of the financial year and together with other changes in circumstances this means CTRS expenditure is now expected to be around £7.7m at the year-end (March 2021). The costs of CTRS are proportionately shared by the Council and the major preceptors.

- 1.11 With the Coronavirus Job Retention Scheme (furlough scheme) due to end in April 2021 it is projected that the caseload will increase further in 2021/22. Council tax increases are also expected to be applied by the major preceptors in 2021/22 and therefore CTRS expenditure is expected to increase again.

## **2 Proposal**

- 2.1 An objective review of the CTRS for the 2021/22 financial year has been completed and has considered alternative options for amending the current CTRS against the backdrop of the financial challenges being faced by working families due to the Covid-19 pandemic.
- 2.2 Of the £7.7m estimated 2020/21 cost of the CTRS, £3.1m is awarded to those customers of a pensionable age with £4.6m awarded to the working age client group. Any reductions to the Council's CTRS expenditure are only available in respect of our Working Age claimants as pensioners are 100% protected.
- 2.3 The total number of working age claimants is in the region of 4,300 households on low incomes, of which 2,800 are classed as Vulnerable groups. "Vulnerable groups" are households where the claimant or their partner is in receipt of Disability Living Allowance or Personal Independence Payments, or the household includes a disabled child.
- 2.4 During 2020/21 the Government recognised some of the financial challenges being faced by working families as a result of Covid-19 and provided Council Tax Hardship funding of £873,000 which the Council is using to reduce the 2020/21 Council Tax liability for working families in receipt of CTRS by up to £450, and to date this has provided support to over 2,200 households. Whilst the CTRS caseload is expected to increase further in 2021/22, as detailed above, there is currently no indication that government hardship funding support at the same level will be available for claimants next year meaning that pressures will be increased for this financially vulnerable group.
- 2.5 The Government has announced a Local Council Tax Support Grant for 2021/22 which is being provided directly to Billing and Major Precepting

Authorities to cover some of the additional cost associated with increases in CTRS caseload.

#### Review of the options

- 2.6 There is a fine balance between the cost of the scheme, the available funding, and the ability of people on low incomes being able to afford to pay their council tax. As the current CTRS offers a maximum award of 100% any alternative option is based upon reducing the level of financial support to low income working age claimants which may then deliver a saving for the Council.
- 2.7 The individual option that would generate the highest saving for the Council and which would be simple to administer, would be to reduce the current maximum entitlement from 100% to, for example, 90% or 80% therefore requiring all working age households to pay a minimum of at least 10% or 20% of their annual council tax bill. For example, each household in a Band A property in a non-parished area, who currently has a zero Council Tax charge would be required to pay £268 pa (based on 2020/21 Council Tax levels) if the maximum award is reduced to 80%. The total annual savings that would be generated and shared proportionately by the Council and major preceptors would be in the region of:
- Reducing the maximum award to 90% would make a saving of £460,000 (GBC saving of 9.24% amounts to £42,500);
  - Reducing the maximum award to 80% would make a saving of £920,000 (GBC saving 9.24% amounts to £85,000)
- 2.8 Whilst these savings in total are significant, this would require 4,800 low income households to start paying Council Tax that have not done so before, and this will require an increase in administration resources to manage the additional collection and recovery workload, particularly as council tax arrears would be expected to increase. This could negate any anticipated savings for Gedling, because Gedling will pay the full costs of the additional officers whilst only keeping our share (9.24%) of any additional amount collected.
- 2.9 Many Councils that have implemented this option, including some in Nottinghamshire, have previously reported that their Council Tax in-year collection rate decreased and that this was entirely due to their scheme change so it is probable that the savings detailed above would be lower, particularly in the early years of the introduction of such a change. Nationally, studies have shown that if the Council was minded to change the scheme, the best results in terms of maintaining cash collection levels would

be to incrementally change the scheme e.g. a 10% reduction in year one and then reducing the scheme year on year

- 2.10 Nationally and locally, households reliant on financial support such as the CTRS are considered some of the most financially vulnerable residents. For Gedling, this has been evidenced by the increase in claimant reliance on the Council's Discretionary Housing Payments scheme and the Housing Needs Repossession Prevention support scheme. Consequently, these households would have even greater difficulty than other households in being able to afford increases in their expenditure, and it would therefore be more likely that their Council Tax would remain unpaid. It would also be more difficult to collect, and households may be subject to court action and associated Magistrates Court and Enforcement Agency fees.
- 2.11 The DCLG have previously issued guidance on administrative matters to be considered in any CTRS, such as duties to vulnerable people, and that schemes should contain work incentives. Gedling's CTRS currently contains all of these in the form of income and earnings disregards (in line with housing benefit levels) and protection from restricted liability for severely disabled people.

### Conclusion

- 2.12 It is concluded that a reduction in CTRS for Gedling's most financially vulnerable households combined with the difficulties of collection, when compared to the potential savings for Gedling, would not yield any major financial or social benefit for the Council at a time of major economic uncertainty and the likely ongoing challenges the Covid-19 pandemic will present to our residents. The Government is providing grant to Councils which is intended to cover the costs of increased CTRS caseload so there is no current pressure to make additional savings from changes to the CTRS scheme for caseload increases.
- 2.13 It is proposed that the current Council Tax Reduction Scheme continues for the financial year 2021/22 without revision, except for any relevant national uprating which is covered within the current scheme, enabling the current maximum award entitlement to continue at 100% discount to ensure our financially vulnerable households continue to be supported.

## **3 Alternative Options**

- 3.1 There are a variety of alternative options available to amend the CTRS, all of which require a reduction in financial support to working age claimants, and which in the current financial climate due to the impact of the Covid-19 pandemic, are not recommended. The option that individually delivers the largest reduction in CTRS support is the percentage reduction in the award,

as detailed in paragraph 2.7 above. Examples of other alternative options and their potential impact on individual households include:

- Council Tax Band Restriction – For example, a claimant in a Band C property would only get the CTRS level of a Band A property. Typically, for a household of 2 parents and two children in a Band C property on Job Seekers Allowance this would mean paying £447 per year or £8.58 per week.
- Increase non-dependant deduction – under the current scheme any entitlement to CTRS is reduced by £7.50 per week for any additional resident over the age of 18. One option for consideration is to increase the deduction from £7.50 per week to £10.00, increasing the cost per household to £130.00 per year.
- Reduce the capital limit – the limit of a claimant's savings in the current scheme before being excluded from CTRS is £6,000. This limit could be reduced, for example to £2,000, which would mean in the region of 250 to 300 households would no longer be entitled to a discount.

3.2 The implementation of any proposed change to the CTRS would be subject to a period of public consultation.

3.3 There is not the option to do nothing, as the Council is required to make a decision on this matter.

## **4 Financial Implications**

4.1 The total discounts given under the CTRS are estimated to be £8m for the 2021/22 financial year, of which Gedling's share is £0.7m. The Council's current MTFP assumes continuation of the CTRS without revision and does not anticipate any savings from a change to the scheme. This indicates affordability of the scheme in 2021/22, if agreed by Council. This excludes the financial impact of an increased caseload but the Government has announced a Local Council Tax Support Grant for 2021/22 which is intended to meet some additional costs associated with increases in CTRS caseload. Major Preceptors will also receive a Local Council Tax Support Grant directly so there is no pressure to make savings by applying reductions directly to CTRS claimants in 2021/22.

## **5 Legal Implications**

5.1 Section 13A of The Local Government Finance Act 1992 ("the Act") requires billing authorities to make a scheme specifying the reductions which apply

to amounts of council tax payable (CTRS). Schedule 1A of the Act, and regulations made thereunder, provide the statutory framework for billing authorities in relation to the CTRS and provide detail as to what must and what could be included in a CTRS. The Act requires authorities for each financial year to consider whether to revise or replace its CTRS by 11 March in the preceding financial year. This report reflects that statutory consideration.

## **6 Equalities Implications**

- 6.1 The Equality Impact Assessment (EIA) for the Scheme has been reviewed with no issues identified if the scheme continues without revision as recommended and is shown in Appendix 1.

## **7 Carbon Reduction/Environmental Sustainability Implications**

- 7.1 None arising.

## **8 Appendices**

- 8.1 Appendix 1 – Equality Impact Assessment (EIA)

## **9 Background Papers**

- 9.1 Current Council Tax Reduction Scheme.

## **10 Reasons for Recommendations**

- 10.1 To comply with the requirements of Paragraph 5 of Schedule 1A to the Local Government Finance Act 1992 and the Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012/2885

### **Statutory Officer approval**

**Report authored by the Chief Financial Officer**  
**Date: 19 January 2021**

**Approved by the Monitoring Officer**  
**Date: 15 January 2021**

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## Appendix 1: Council Tax Reduction Scheme Equality Impact Assessment

Council Tax Reduction Scheme					
The main objective of Council Tax Reduction Scheme report		To consider the options for revising the existing Council Tax Reduction Scheme and its implications.			
<p>What impact will this Council Tax Reduction Scheme report have on the following groups? Please note that you should consider both external and internal impact:</p> <ul style="list-style-type: none"> <li>• External (e.g. stakeholders, residents, local businesses etc.)</li> <li>• Internal (staff)</li> </ul>					
Please use only 'Yes' where applicable		Negative	Positive	Neutral	Comments
Gender	External			X	
	Internal			X	
Gender Reassignment	External			X	
	Internal			X	
Age	External			X	The scheme does include age as a criteria, but there is no new impact from this report.
	Internal			X	
Marriage and civil partnership	External			x	
	Internal			x	
Disability	External			x	The scheme does include disability as a criteria, but there is no new impact from this report.

	Internal			X	
Race & Ethnicity	External			X	
	Internal			X	
Sexual Orientation	External			X	
	Internal			X	
Religion or Belief (or no Belief)	External			X	
	Internal			X	
Pregnancy & Maternity	External			X	
	Internal			X	
Other Groups (e.g. any other vulnerable groups, rural isolation, deprived areas, low income staff etc.). Please state the group/s:	External			X	The scheme considers vulnerable groups and low income households, but there is no new impact from this report.
	Internal			X	



Is there is any evidence of a high disproportionate adverse or positive impact on any groups?		No	No proposed changes to the scheme.
Is there an opportunity to mitigate or alleviate any such impacts?			N/A
Are there any gaps in information available (e.g. evidence) so that a complete assessment of different impacts is not possible?		No	
In response to the information provided above please provide a set of proposed actions including any consultation that is going to be carried out:			
Planned Actions	Timeframe	Success Measure	Responsible Officer

#### Authorisation and Review

Completing Officer	P Whitworth
Authorising Head of Service	J Davies
Date	07/01/2021
Review date ( if applicable)	No review required

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## Report to: Appointments and Conditions of Service Committee

**Subject:** Localism Act: Pay Policy Statement

**Date:** 16 December 2020

**Author:** Service Manager; Organisational Development

### 1. Purpose of the report

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

#### Recommendation

The Appointments and Conditions of Service Committee is **recommended** to:

- a) Approve the proposed Pay Policy Statement and method of implementation and
- b) Recommend the referral of the Pay Policy Statement to Council for adoption and for subsequent publication on the Council's website.

### 2. Background

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

Section 38 of the Localism Act 2011 requires local authorities to publish a Pay Policy Statement by 31 March each year for the following financial year. Other regulations also require the Council to openly publish certain information and of particular relevance to the Pay Policy Statement is the statutory Local Government Transparency Code 2015. This report presents a proposal for the Gedling Borough Council Pay Policy Statement 2021-22.

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

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

The Statement must include the definition of lowest-paid employees adopted by the authority and the reasons for adopting that definition.

The Statement must include the authority's policies relating to the:

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

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

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

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

The term 'Chief Officer' referred to above includes:

- The Head of Paid Service designated under section 4(1) of the Local Government and Housing Act 1989 (the Chief Executive)
- The Monitoring Officer designated under section 5(1) of that Act
- A statutory Chief Officer mentioned in section 2(6) of that Act (the Director of Corporate Resources & Section 151 Officer)
- A non-statutory Chief Officer mentioned in section 2(7) of that Act (the Director of Health and Community Wellbeing by virtue of reporting directly to the Head of Paid Service);
- A deputy Chief Officer mentioned in section 2(8) of that Act (all Heads of Service by virtue of reporting directly to statutory and non-statutory Chief Officers).

Of the above listed posts only the Chief Executive, Directors and Heads of Service on Pay Band 4 are paid a salary above £70,000 per annum which is the value of the Senior Civil Service minimum pay band recommended under the Code of Practice for Data Transparency at which information on roles and remuneration of senior officers is published.

The full statement shows that the Borough Council's local ratio of highest:lowest pay rates is 6.34:1 - this compares favourably with the ratio of 20:1 suggested as a reasonable maximum figure in the original Hutton review into fair pay, and the many examples found in the private sector where multiples way in excess of this are not uncommon.

Local authorities were already required to publish under the Accounts and Audit (England) Regulations 2011 (Statutory Instrument 2011/817), both the number of employees whose

remuneration in that year was at least £50,000 and details of remuneration and job title of certain senior employees whose salary is at least £50,000.

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

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

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

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

The data to be collected, relevant at 31 March 2017 and each year thereafter is the:

- Mean gender pay gap
- Median gender pay gap
- Mean gender pay gap in bonus pay
- Median gender pay gap in bonus pay
- Percentage of males and females in each of the four pay quartiles.

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

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

Appendix 1 shows the proposal for the full Pay Policy Statement for Gedling Borough Council for the year 2021-22.

During any year, changes to policy approved by Committee and minor amendments to levels of earnings resulting from annual nationally-determined pay awards may be made to the published policy during the year without further referral back to Council. Otherwise, each year a Pay Policy Statement will be brought back to Council for formal approval and adoption.

### **Context and comparator data**

To give context to the data contained in this year’s Pay Policy Statement, comparator data from neighbouring authorities is shown below. The data is drawn from published Pay Policy Statements which will show pay rates and other data that were current at November last year whereas the data for Gedling is shown as current at November this year. As such the comparator information is shown for general indicative purposes only, perhaps with the “ratio data” being the most relevant to consider.

	<b>Actual data at 30/11/20</b>	<b>Stated or derived data from 2020/21 Pay Policy Statements</b> (Data assumed current at <b>January 2020</b> unless otherwise stated)							
	<b>Gedling BC</b>	<b>Ashfield DC</b>	<b>Bassetlaw DC</b>	<b>Broxtowe BC</b>	<b>Mansfield DC (All data from 2019/20)</b>	<b>Newark &amp; Sher DC</b>	<b>Rushcliffe BC</b>	<b>Nottm City</b>	<b>Notts CC (Feb 2019)</b>
Ratio of highest to lowest pay	6.22:1	6.06:1	6.22:1	6.38:1	6.40:1	7.03:1	6.35:1	9.78:1	10.06:1
Ratio of highest to average (mean) pay	4.52:1	N/a	4.68:1 (March 19)	N/a	4.60:1	N/a	N/a	6.64:1 (exc chief officers)	N/a
Ratio of highest to median pay	5.63:1	4.69	5.43:1 (March 19)	5.36:1	5.26:1	6.09:1	N/a	N/a	8.83:1
Average (mean) pay (equivalent full time salary)	£25,539	N/a	£25,042 Derived	N/a	£23,511	N/a	N/a	£25,578  (average exc chief officers)	N/a
Median pay (equivalent full time salary)	£20,493	£23,836	£21,583 Derived	£21,516 Derived (at 1/4/20 - current year)	£20,541	£20,471	N/a	N/a	£20,402
Highest paid worker (exc allowances etc) Top of grade assumed unless stated otherwise	£115,453 (lowest point on salary scale)	£111,690  (top of scale £117,810)	£117,200	£115,328	£108,120	£124,668	£110,283	£169,810	£180,424
Lowest paid worker (FTE salary- not training post)	£18,562	£18,426	£17,375 Derived	£18,070 (at 1/4/20 - current year)	£16,881	£17,723	£17,364	£17,364	£17,941 (inc. Living Wage supplement)

#### 4. Proposal

The Pay Policy Statement is a factual statement of information relating to the council. It is therefore proposed to ask the committee to firstly approve the proposed Pay Policy Statement for 2021/22 including its method of implementation and secondly to recommend the referral of the Pay Policy Statement to Council for adoption and for subsequent publication on the Council's website.

## **5. Alternative Options**

The publication of a Pay Policy Statement is required in law and the method by which it is published is specified. The alternative would be to not publish a statement although this would contravene legislation.

## **6. Legal Implications**

The proposed Pay Policy Statement has been drafted to meet the requirements of the Localism Act 2011, the Local Government Transparency Code 2014, the requirements of the Accounts and Audit (England) Regulations 2011, the Equality Act 2010 (Gender Pay Gap Information) Regulations 2017, the Trade Union (Facility Time Publication Requirements) Regulations 2017 and other best practice guidance offered by the Local Government Association and the Association of Local Authority Chief Executives.

The Localism Act in itself does not necessarily require the Authority to publish actual salary band amounts, however, other regulations and best practice do lead us to this position, particularly for Chief Officers. In the spirit of openness and transparency the proposed Pay Policy Statement encapsulates the principles derived from these myriad sources.

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

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

## **7. Financial Implications**

The Pay Policy Statement only reports information about the council. It does not in itself commit the organisation to any spend and as such there is no financial impact.

## **8. Equalities Implications**

Although in itself the Pay Policy Statement does not have any equalities impact there are a number of items that are reported that do have a bearing on equality reporting within the council, for example the annual reporting of the council's gender pay gap.

## 9. Carbon Reduction/Environmental Sustainability Implications

No environmental sustainability implications are identified.

## 10. Appendices

Appendix 1: Pay Policy Statement 2021/22

## 11. Background Papers

There are no additional background papers

### Statutory Officer approval

**Approved by:**

Chief Financial Officer

**Date:**

27 November 2020

**Approved by:**

Monitoring Officer

**Date:**

26 November 2020



# Gedling Borough Council; Pay Policy Statement 2021-22

## 1. Introduction

Section 38 of the Localism Act 2011 requires local authorities to publish a Pay Policy Statement by 31 March each year. The purpose of the Statement is to increase accountability in relation to payments made to senior members of local authority staff by enabling public scrutiny.

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

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

## 2. Pay Policy Statement; Executive Summary

Details necessary for publication are explored fully in this Pay Policy Statement in sections three and four. The Executive Summary does not reflect all information required or recommended in the legislation and guidance described in the introduction above; however, it is designed to show key information in a simple, digestible format. Unless otherwise stated, data in these tables is current at 30 November 2019.

### General Council pay data

Lowest rate of pay (Exc Training Grade)	£9.62 (£18,562 p.a. full time)
Median rate of pay	£10.62 per hour (£20,493p.a. full time)
Mean rate of pay	£13.21 per hour (£25,539p.a. full time)
Highest rate of pay	£59.80 per hour (£115,453 p.a. full time)
Expression (as a multiple) of highest rate of pay against:	
Lowest pay:	6.22 times greater
Median pay:	5.63 times greater
Mean pay:	4.52 times greater

## Job-related information for Chief Officers

Job Title of Senior posts <sup>1</sup>	Substantive post-Salary Band p.a. (pay pts in scale)	Enhancement to basic pay or Addition to basic pay (not related to main job)	For Senior Posts : Number of staff reports & total budget <sup>2</sup> (Headcount @01/11/20)
<b>Chief Executive</b>	£115,453 – £117,591 £119,729 Progression is performance-related	Yes- Election fees	63 staff (467 total)  Total budget (19/20) £44.773.322
<b>Directors</b> i) Director of Corporate Resources & Section 151 Officer  ii) Corporate Director (Environment, Communities & Leisure)	£77,862 £80,082 £83,424  Progression is performance-related for all posts	No	i) 133 staff  ii) 271 staff
<b>Head of Service - Band 4 +5%;</b> • Governance & Customer Svs (includes Monitoring Officer role)	£70,074 - £72,264 - £74,456	No	
<b>Heads of Service - Band 4;</b> • Finance and ICT • Regeneration and Welfare • Development and Place • Environment • Communities and Leisure	£66,738 - £68,823 - £70,911	No	
<b>Head of Service – Band 3;</b> • HR, Performance and Service Planning	£58,395 - £60,486 - £62,565	No	

<sup>1</sup> As defined in Recommended Code of Practice for Data Transparency

<sup>2</sup> Total current gross expenditure budget (2018/19); includes employee costs.

### **3. Setting the scene**

#### **3.1 Pay Strategy**

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

#### **3.2 Gender Pay Gap**

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

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

The data to be collected, relevant at 31 March 2017 and at that "snapshot date" each year thereafter is the:

- Mean gender pay gap
- Median gender pay gap
- Mean gender pay gap in bonus pay
- Median gender pay gap in bonus pay
- Percentage of males and females in each of the four pay quartiles.

As required in law, both our gender pay gap data and a written statement to add context to the data are available on our public-facing website

<http://www.gedling.gov.uk/council/aboutus/financeandaccounts/opendata/genderpaygapdata/> and on the government website <https://gender-pay-gap.service.gov.uk/>

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

#### **3.2 Other relevant information**

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

- 3.2.1. As at November 2020, Gedling Borough Council employed 467 people (361.73 full time equivalents).
- 3.2.2. Of our posts, 10 are governed by the national conditions of service relating to the Joint Negotiating Committees (JNC) for Chief Executives and Chief Officers, these being the Chief Executive, two Directors and seven. All other employees work within the national conditions of service covered by the National Joint Council (NJC) for Local Government Employees.
- 3.2.3. These national conditions of service are added to, and amended by, local terms and conditions detailed in the Employee Handbook and further modified at an individual level by Statements of Employment (contracts) applying to particular employees or posts.

- 3.2.4. For the purposes of the Localism Act, report must be made on the pay policies relating specifically to “Chief Officers”. In the Act, included in the definition of what is a “Chief Officer” are any posts, statutory or not statutory, that report direct to the Chief Executive, or to a post that reports immediately to the Chief Officer. The purpose is to ensure that “Deputy Chief Officer” posts are included in the pay policy. Locally, for Gedling Borough Council this means that the Chief Executive, Directors and Heads of Service are covered in the Pay Policy Statement.
- 3.2.5. Policies relating to the setting of pay are determined by committee. Currently such decisions fall under the remit of the Appointments and Conditions of Service Committee (ACSC). Historically, all major decisions relating to pay policies have been the subject of consultation with the recognised unions representing employees of the Council, either direct with the unions, or more usually through discussion at the Joint Consultative and Safety Committee (JCSC) which is the recognised forum for formal consultation between employee representatives and the employer.
- 3.2.6. The Council has embraced the principles of Single Status (a term designed by national employers’ groups and trade unions to describe the equal treatment, in respect to terms and conditions, of all employees) since 2001. Gedling was one of the first local authorities in the region to formally implement the national NJC Job Evaluation Scheme. A pay policy was written at this time to reflect how NJC pay was to be applied within this scheme and this is shown at Appendix i. The NJC Job Evaluation Scheme continues to be used and pay grades are established using this tool for all NJC posts. Job assessment is carried out jointly by both management and union representatives.
- 3.2.7. The grading of JNC Head of Service posts is undertaken by Senior Leadership Team and is based on a locally-determined scoring matrix. This matrix and the scoring system used to determine grades are shown at Appendix ii. Pay grades for Directors and the Chief Executive are determined by Committee (ACSC).
- 3.2.8. The filling of, or promotion to all posts, be they governed by NJC or JNC conditions of service are dealt with under the same defined protocols. The general protocol for the filling of vacancies is shown at Appendix iii with a description of how this protocol is applied in a practical context shown at Appendix iv.
- 3.2.9. Other than in cases where there is a need to prevent redundancy through possible redeployment of existing employees, or where efficiencies or improved working can potentially be realised, all permanent vacancies are advertised externally and all appointments are made on merit as required by the Local Government and Housing Act 1989. There is an additional recognised protocol (appendix v) that allows temporary vacancies for periods of less than one year to be filled internally.
- 3.2.10. Appointments to the post of Chief Executive or Director are made by the Appointments and Conditions of Service Committee, subject to no objections being raised by Cabinet. Appointment to all other posts including Chief Officers defined within the Localism Act is made by officers delegated to act on behalf of the Chief Executive. The Council’s constitution governs this process.

- 3.2.11. Dismissal of Statutory Officers (Head of Paid Service, Monitoring Officer and Chief Financial (Section 151) Officer) is made through the Appointments and Conditions of Service Committee which will first consider the case and make an initial determination that will be subsequently referred to an Independent Panel charged with making a recommendation to Council at which a decision will be taken to approve or reject the dismissal. Dismissal of Directors that are not Statutory Officers will not be referred to an Independent Panel. Dismissal from all other posts including Chief Officers defined within the Localism Act is made by the Chief Executive or to officers delegated to act on behalf of the Chief Executive. The Council's constitution sets out the process for dismissal of Statutory Officers and other Chief Officers. Where they exist, model procedures contained within national Chief Officers' terms and conditions will be used as guidance.
- 3.2.12. In respect to appointment to any post, where the grade of a post comprises a range of pay points, the general practice is that appointment is made to the bottom pay point other than in cases where the successful candidate can demonstrate that their experience or skill set is of relevant and exceptional nature. In such cases, for officers working under NJC conditions, a Head of Service may agree to commencement at a higher pay point. For a JNC post, the decision about pay on appointment will rest with the appointing officer or committee as appropriate.
- 3.2.13. For Directors governed by JNC conditions, pay at appointment and subsequent advancement through the pay grade is determined by the Chief Executive following consultation with the Appointments and Conditions of Service Committee as detailed in Appendix vi-a. The same general principles governing application of pay points apply both to external appointment and internal promotion.
- 3.2.14. A similar scheme linking pay to performance exists for the Chief Executive. This is shown at Appendix vi-b
- 3.2.15. The Council has an established training grade which mirrors the national pay rates for apprentices. The policy relating to the application of this arrangement was adopted in September 2016. Although potentially applicable to a training post of any type, the grade is designed to be applied specifically to apprentices employed directly by the Council.
- 3.2.16. As a general principle and where business need allows, the Council supports the sharing of posts (job share) between two or more people. Appointments will be made on merit. Appointment for any job share partner will be made within the confines of the pay grade, determined through job evaluation and within the principles as described above in relation to the determination of starting salary.
- 3.2.17. In 2013 supplementary guidance was offered by the Department for Communities and Local Government under section 40 of the Localism Act 2011 about decisions relating to appointments and dismissal from senior posts where the costs of such decisions are likely to be high. The Secretary of State considers that a salary of £100,000 is the right level for the threshold of such decisions.

In the year 2020/21 the only post at this pay level is that of Chief Executive. This post is defined as "senior" for the purpose of this guidance and consequently decisions relating to appointment and dismissal will be determined by full Council

following recommendation made by the Appointments and Conditions of Service Committee. This arrangement is incorporated within the Council's constitution.

- 3.2.18. Already published elsewhere in this Pay Policy Statement are the Council's key documents relating to severance policies and discretionary compensation for employees, including senior officers in the event of redundancy.
- 3.2.19. Access to the full set of local pension discretions required under Regulation 60(5) of the LGPS 2013 are shown on the Council's website under the "How we work" section at [https://www.gedling.gov.uk/media/gedlingboroughcouncil/documents/council/aboutus/policies/Pension%20Discretions%20Policy%20\(July%202019\).pdf](https://www.gedling.gov.uk/media/gedlingboroughcouncil/documents/council/aboutus/policies/Pension%20Discretions%20Policy%20(July%202019).pdf)
- These discretions were approved as formal policy of the Council by the Appointments and Conditions of Service Committee in March 2015 and updated by the committee in 2019. In accordance with legal requirement the policy statements have been drafted to balance financial, business and employee needs and public interest as well as taking into account the general principle that no policy statement can unduly fetter the employer's ability to make decisions.
- 3.2.20. From 1 April 2017 all overtime (voluntary), stand-by and call out payments are enhanced by 7.69% to reflect the need to recognise an average of these payments for a four week holiday period each year (the period for which "normal pay" needs to be maintained). Any contractual overtime will be recognised as normal pay for the purpose of all holidays taken.
- 3.2.21. As required by the Transparency Code, structure diagrams of the Council showing all posts, including vacant posts, and pay bands are maintained on the Council's website together with contact details for Chief Officers.
- 3.2.22. The 2015 Transparency Code required information about trade union facility time to be published and this requirement has subsequently been extended by the Trade Union (Facility Time Publication Requirements) Regulations 2017. This is the amount of time that is allowed by the organisation for the representatives of the recognised trade unions to participate in approved union activities. For this Council the information is as follows:

3.2.22.1. There are 10 staff that are recognised as representatives (the Executive). This equates to 9.1 full time equivalents (FTEs).

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

Proportion of time	Number of union Reps
0% (less than 1%)	0
1- 50%	10
51-99%	0
100%	0

3.2.22.3. It is estimated that the total salary cost of union representatives undertaking union duties and activities over a year is £11,182. Of this £10,479 was spent on trade union facility time (duties) and £703 on trade union activities. The proportion of the cost of trade union activities against facility time cost is 6.29%.

3.2.22.4. It is estimated that the spending on all union business by representatives, as a percentage of the total pay bill, is 0.1%. The percentage for union facility time is also 0.1%.

3.3. This Pay Policy Statement is published on the Council's website.

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

### **4.1 Chief Officer pay**

#### **4.1.1 Basic pay**

Pay scales for Chief Officers are shown in the Executive Summary table. These are current up to 30 November 2020.

#### **4.1.2 The setting of basic pay grades and pay rates**

There are a number of existing decisions and policies that determine Chief Officers' overall pay policy.

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

The ACSC approved a performance-related pay scheme that applies all Directors and another for the Chief Executive. These are shown at Appendix vi-a and b respectively. These schemes also confirm that appointment is generally at the bottom point of the pay scale and that progression through the scale is through satisfactory performance only.

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

As part of the implementation of the NJC national Job Evaluation Scheme in 2001, a pay policy was adopted by committee in 2001 (Appendix i). Basic job grades are still determined using this scheme and the basic principles set out therein. With the implementation of the job evaluation scheme came the setting of a "pay line" that equates each job's evaluation points to a job grade. The pay policy for the Council's NJC staff defines how national spinal column points are associated to local job grades and is shown in Appendix i (and also as part of the Pay Strategy at Appendix iB).

The national pay awards for the period 2020/21 are reflected in the pay information for Gedling Borough Council shown in this Pay Policy Statement. Each year the 30 November is used as the reference period for pay information. For both JNC and NJC employees the national pay award applied from April 2020 equated to a headline figure of 2.75% for most employees although the lowest pay points in the pay spine achieved a higher percentage increase to reflect the government's ambition relating to the National Living Wage. Also, from 1 April 2019 the national pay spinal column points were renumbered and the new points including the associated rates of pay were applied into our local pay scales.

#### **4.1.3 Enhancements to Chief Officers' basic pay**

Following the review of local pay in 2016 pay grades have largely been simplified and are now designed to reflect a fair market rate for the job. Consequently previous policies that allowed additional enhanced payments to be applied either to Chief Officer or other NJC employees have now been removed other than for the Head of Governance and Customer Services where a 5% allowance is paid in recognition of the post also being the council's monitoring officer.

#### **4.1.4 Additional payments made to Chief Officers**

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

Payments to the Returning Officer are governed as follows:

For national and European elections, fees are prescribed by the Electoral Commission.

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

#### **4.2 Salary protection**

The Council's Pay Protection Policy was reviewed during 2019. A full description of the policy is shown at Appendix vii. This Pay Protection Policy applies to all employees of the Council, including Chief Officers as defined in the Localism Act. In essence, should a case of pay protection arise, for example due to redeployment or down-grading of a post, protection between an employee's salary at that time and the value of their new substantive post will apply in the following way:

- 100% for one year
- 50% for year two
- .

Salary protection would not occur in cases where a post holder was down-graded to work of lower pay following disciplinary action.



## **4.3 Lowest-pay and the relationship with highest pay**

### **4.3.1. Definition; “lowest pay”**

The definition of “lowest pay” for the purpose of this Pay Policy Statement is, “The lowest spinal column point in the national pay spine that is used within the local pay and grading structure of the Council for non-training posts. As at November 2020 this is Spinal Column Point 3”.

The Council’s current Pay Strategy is shown at Appendix iA and the general Pay Policy is shown at Appendix i. This policy reflects the decision to adopt the national pay spine to form the basis of our grading structure. National spinal column points were renumbered with effect from April 2019 and the revised points were incorporated into the Council’s local grading system.

### **4.3.2. Definition; “highest pay”**

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

### **4.3.3 Relationship between highest and lowest pay**

When expressed as a multiplier of pay, the Chief Executive’s salary is:

- 6.22 times greater than the lowest pay rate of the Council
- 4.52 times greater than the mean pay rate of the Council
- 5.63 times greater than the median pay rate of the Council

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

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

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

This relationship will be reported annually for comparison purposes.

The rates of for lowest, mean, median and highest pay are included in the Executive Summary table.

## **4.4 Payments made to Chief Officers on ceasing office**

### **4.4.1 Conduct and Capability Policies**

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

Changes and variation to these policies are made following consultation with recognised unions and formal adoption by the Appointments and Conditions of Service Committee.

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

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

#### **4.4.2 Ill health retirement**

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

#### **4.4.3 Termination of employment; Redundancy, efficiency and general pension discretions**

The Council’s Appeals and Retirements Committee has authority to make payment within the approved Early Retirement and Redundancy Policy (Appendix viii). The scheme of compensatory payment is clearly identified in this policy and is based on the table of compensation defined within the Employment Rights Act 1996. Under this local policy, for redundancy, payment including both statutory and discretionary payments is limited to a maximum of 39 weeks’ pay and 9 weeks’ pay for dismissal for reason of ‘efficiency of service’.

The policies relating to redundancy and ‘efficiency of service’ are formally adopted by the Council and are drafted within the legislative framework of the Local Government (Early Termination of Employment)(Discretionary Payments) (England and Wales) Regulations 2006. Specifically, the policies reflect the need to define “a week’s pay” and to detail the Council’s severance payments. For removal of doubt, the Council currently defines “a week’s pay” for the purpose of calculation of compensatory redundancy payments as “actual pay” rather than the statutory maximum figure.

Access to the full set of local pension discretions required under Regulation 60(5) of the LGPS 2013 are shown on the Council’s website under the “How we work” section at [https://www.gedling.gov.uk/media/gedlingboroughcouncil/documents/council/aboutus/policies/Pension%20Discretions%20Policy%20\(July%202019\).pdf](https://www.gedling.gov.uk/media/gedlingboroughcouncil/documents/council/aboutus/policies/Pension%20Discretions%20Policy%20(July%202019).pdf)

These discretions were approved as formal policy of the Council by the Appointments and Conditions of Service Committee in March 2015 and subsequently updated in July

2019 and detail the full range of policy decisions made that relate to payment of, or limitation to payment of pension benefits applicable to any employee.

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

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

## **5. Review and publication**

This Pay Policy Statement will be reviewed annually and reported to Council for approval.

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

## Appendices

## Pay Strategy

### Purpose

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

### Pay

#### Strategic Principles

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

#### Operational Practices

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

## **Equality**

### **Strategic Principles**

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

### **Operational Practices**

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

## **Benefits and reward**

### **Strategic principles**

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

### **Operational practices**

- We provide practical support to improve the wellbeing of employees. This is achieved through practical measures such as the “Employee Assistance Programme” available to all employees and designed to support employees through problems relating to mental health and financial and relationship difficulties.

- Adoption of flexible and agile working practices whenever practical to enable employees to deliver first rate service in ways that help them to balance personal and work commitments.
- Access to an employee benefits package, “Gedling Lifestyle” that helps to maximise employees’ earnings.
- Membership of “Our Gedling”, providing access for all employees to a range of events and activities designed to enhance personal wellbeing and health and to support a sense of community and engagement with work colleagues.
- Through active engagement with the workforce, employees’ perception of happiness in the workplace is measured and reported. Issues of common concern are identified and actions developed to improve both employee wellbeing and workplace efficiency.

## **Pay protection**

### **Strategic principles**

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

### **Operational practices**

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

## **Redundancy**

### **Strategic principles**

- Where possible the Council aims to redeploy employees rather than to declare redundancy.
- When this is not possible the Council will apply redundancy payments that recognise the need to balance support for the employee against the need to exercise appropriate restraint in the use of public money.

### **Operational practices**

- The Early Retirement and Redundancy Policy, and the Protocol for Enabling Employee Security documents are used to assist the transition of employees between posts in appropriate circumstances.
- Employees returning to work with the Council following redundancy from either our own organisation or a similar public sector organisation will have applied to them any financial penalty required either by legislation or through national terms and conditions.

## **Pensions**

### **Strategic principles**

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

### **Operational practices**

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

## **Legislation**

### **Strategic principles**

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

### **Operational practices**

- Tax and other statutory deductions including national insurance contributions will be made within legislation and under guidance of government agencies for employees, workers and contractors.



**Policy statement to link pay to performance; NJC employees**

- Usually employees appointed to a new post will start at the bottom incremental point of the grade for the post. Where it can be demonstrated through the selection process that the appointee has relevant experience or qualifications, the Head of Service may elect to appoint at a higher incremental point.
- Employees will progress to the next incremental point on their grade on 1 April of each year except where the employee has been in post less than six months. When an employee has been in post for less than six months at 1 April, they will progress to the next incremental point six months after appointment and thereafter on 1 April each year. This reflects national NJC conditions of service.
- Employees will normally progress automatically through the incremental scale as described above. In the exceptional circumstances that an employee is not meeting standards of performance or behaviour required then the Head of Service, after consultation with a senior HR officer, may withhold an increment. Any such action will be supported by an adverse probation report, extension of probationary service or other formal performance review mechanism.
- The reasons for withholding an increment will be explained to the employee and guidance given about areas for improvement such that incremental progression can continue when standards are met.
- Where an employee is dissatisfied with the reasons for withholding an annual increment, they may appeal in writing to the Chief Executive or other nominated JNC senior officer who will review the decision of the Head of Service. This appeal is final.

## **Contractual terms to link pay to performance; Chief Executive and Directors**

### **Chief Executive; Pay and Performance Policy**

- The ACSC will determine to which point within the scale the appointment will be made taking into account appropriate experience and skill set.
- A formal performance and pay review will be conducted annually prior to the anniversary of appointment.
- The performance and pay review will be conducted by the ACSC.
- Should the ACSC determine that performance meets or exceeds the expected standards then annual progression of pay will be applied until the top pay point of the scale is reached. Once the top pay point is reached pay will remain at this level whilst performance continues to meet or exceed expected standards.
- Should the ACSC determine that performance is unsatisfactory then consideration will be given to applying the following process relating to pay:
  - if the post holder is at the bottom or middle point of the pay scale at the time of the review then there will be no progression to the next pay point until a future review by the ACSC confirms satisfactory performance. This review will normally take place a year later although the ACSC may choose to conduct an interim review at an earlier date if this is appropriate.
  - if the post holder is at the top point of the pay scale at the time of the review then from the anniversary of the appointment date pay will be reduced to the middle point of the pay scale and held at that point until satisfactory performance is confirmed through a future review which will be undertaken as described above.

### **Director; Pay and Performance Policy**

- Appointment to any Director posts will be made at the bottom scale point of a three-point pay scale.
- A formal performance review will be conducted by the Chief Executive to determine suitability to progress to the mid-point of the grade after one year's service in post and following consultation with the Appointments and Conditions of Service Committee.
- Should the Chief Executive determine that performance is unsatisfactory, pay will remain at the bottom point of the pay grade
- Payment of the top pay point of the grade to be determined annually by formal performance review conducted by the Chief Executive and following consultation with the Appointments and Conditions of Service Committee. Subject to satisfactory performance, payment of the top pay point will be made following two years' service in post and, again subject to satisfactory performance, annually thereafter. Should the Chief Executive determine that performance is unsatisfactory, pay will remain at, or be reduced to, the mid-point of the pay grade.
- The detail of the performance review process is determined by the Chief Executive.

## **Contractual terms to link pay to performance; Head of Service**

### **Heads of Service Pay and Performance Policy**

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

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

## Market Supplements

- The pay and grading structure has been set to reflect the relative values of jobs within this organisation and at pay levels which reflect the general local employment pay levels. This has been achieved through the national job evaluation scheme for NJC officers and a local job evaluation scheme for Heads of Service. However, there may be occasions where it is necessary to enhance the pay levels of specific groups of employees where it is proven that it is difficult to attract and retain employees because of external pay levels. Where such situations are identified, additional market factor supplements may be agreed.
- Payment of market factor supplements will be made taking into account the following factors:
  - Evidence of high levels of turnover in the particular staff group
  - Evidence of difficulties in recruiting to posts ie by low response rates to advertisements or inability to attract suitable candidates
  - Comparison with like jobs in other local authorities and more widely in the sector
- All current employees within the group affected will receive the payment.
- Clear criteria for receiving the payment will be determined such as the possession of specific qualifications and length of experience as examples.
- The supplement will be a number of increments applied to the normal spinal column points associated with the substantive grade. The number of increments awarded will be informed by the evidence supporting the payment of the market factor supplement.
- Payment will be made for a specific time period (normally up to 3 years as a maximum initially). The application of a supplement is not open-ended and the timing of a formal review will be identified when the arrangement is proposed.
- At the point of review, the supplement may be extended or removed. Where it is determined that a supplement is to be withdrawn, employees in receipt of these will be given 12 months' notice of withdrawal. At the end of that time they will revert to the substantive salary for their post.
- Senior Leadership Team will determine whether a supplement should be applied to specific posts, the number of additional pay points to be awarded and over what length of time, and will determine the action to be taken as the result of any review.

## Gender Pay Gap data as at 31 March 2020

- Mean gender pay gap; 2.5%
- Median gender pay gap; 0.00%
- Bonus\* payments: Men 1.4% Women 0.7%
- Mean gender pay gap in bonus\* pay; 1.7%
- Median gender pay gap in bonus\* pay; 1.7%

- Percentage of males and females in each of the four pay quartiles:

Upper quartile:	men	49.7%
	women	50.3%
Upper middle quartile:	men	44.8%
	women	55.2%
Lower middle quartile:	men	56.9%
	women	43.1%
Lower quartile:	men	49.3%
	women	50.7%

\* For the purpose of reporting, market supplement payments are included as “bonus payments”

### Narrative

In summary, the gender pay gap remains low and is broadly within the parameters that might be expected for similar public sector organisations (as indicated in 2019 data). The quartile distribution is generally well-balanced. Although the data contained within the analysis is not a matter of concern, the organisation will continue to be aware of the need to aspire to a gender-neutral state in terms of mean pay differential.

The mean gender pay gap is slightly higher this year than last although as the organisation is relatively small a change of only a few post holders (including casuals) working at the “snapshot” date can have a material effect on the data shown as a percentage. Moving from a female to a male Chief Executive will have had an impact on the outturn.

Although the percentage gender pay gap for bonus payments (market supplement payments) slightly favours men the sample set is very small (six employees; two women, four men) with the difference between male and female mean bonus being only £50 over the year.

The outturn showing a mean gender pay gap of 2.53% and no median gap suggests that over the whole workforce, although the middle pay point in the spread of employee pay is the same between men and women, proportionately men do earn slightly more than women. The quartile data shows that for three out of the four quartiles (including the upper pay quartile) there are proportionately slightly more women than men. For the first time there are proportionately more men than women in the lower middle quartile. The inference drawn when considering the quartile data alongside the mean gender pay gap is that although there are more women in

most of these quartile divisions, on average within the quartiles men hold very slightly better-paid jobs than women.

The organisation considers itself to be caring and recognises the complex needs of its employees through the practical application of supportive working practices. Practical measures to support such statements include the adoption of flexible working arrangements implemented through its employment policies.

Although the organisation does not yet have a neutral mean gender pay gap, the gap continues to remain low relative to many other businesses. This positive position reflects the organisation that we aspire to be; a fair place to work and one in which supportive employment policies go hand-in-hand with an established and transparent job evaluation scheme. A risk to the ability to further improve the mean gender pay gap is that the organisation is relatively small and the change in occupation of a few of the Council's most senior posts could have a material effect on the outturn. A watching brief will be maintained each year and should the outturn worsen then an appropriate action plan will be identified.

## **Pay Policy – Single Status Employees**

### **1. Purpose of Policy**

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

### **2. Objectives**

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

### **3. Pay Points**

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

### **4 Pay Award**

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

### **5 Incremental Progression**

- a. All jobs will be allocated to a scale consisting of a number of incremental points not exceeding 5. The scales will not overlap and depending on the final grading structure may not be continuous with the national spinal column points.
- b. In most cases employees appointed to a new post will start at the bottom incremental point of the grade for the post. Where it can be demonstrated through the selection process that an individual candidate has relevant experience or qualifications, appointment at a higher incremental point may be justified. This should be agreed by the Corporate Director following consultation with personnel to ensure consistency both within Departments and across the Authority.
- c. Employees will progress to the next incremental point on their grade on 1 April of each year except where the employee has been in post less than 6 months. Where an employee has been in post less than 6 months at 1 April, they will progress to the next incremental point 6 months after appointment and thereafter on 1 April each year.
- d. Employees will progress automatically through the incremental scale in accordance with paragraph c. In the exceptional circumstances that an employee is not meeting output and quality standards expected for a post the Corporate Director, after consultation with the Head of Service for HR may withhold an increment. Any such action will be supported by an adverse probation report, extension of probationary service or other formal performance review mechanism.



- e. The reasons for withholding an increment will be explained to the employee and guidance given about areas for improvement such that incremental progression can continue when standards are met.
- f. Where an individual employee is dissatisfied with the reasons for withholding an annual increment, they may appeal in writing to the Head of Paid Service, who will review the decision of the Corporate Director.

## **6. Market Factor Supplements**

- a. The pay and grading structure has been set to reflect the relative values of jobs within this organisation and at pay levels which reflect the general local employment pay levels. However, there may be occasions where it is necessary to enhance the pay levels of specific groups of employees where it is proven that it is difficult to attract and retain employees because of external pay levels. Where such situations are identified, additional market factor supplements may be agreed.
- b. Payment of market factor supplements will be made taking into account the following factors:
  - Evidence of high levels of turnover in the particular staff group
  - Evidence of difficulties in recruiting to posts ie by low response rates to advertisements or inability to attract suitable candidates
  - Comparison with like jobs in other local authorities and more widely in the sector
  - All current employees within the group affected will receive the payment
  - Clear criteria for receiving the payment must be determined ie possession of specific qualifications and length of experience etc.
  - Payment will be made for a specific time period (normally up to a maximum of three years initially). Where it is determined that the supplements can no longer be justified, employees in receipt of these will be given 12 months' notice of withdrawal. At the end of that time they will revert to the substantive salary for their post.
- c. The amount to be awarded will be determined by the evidence gathered to support the need for a market factor supplement that would indicate the appropriate salary levels. The supplement will be a number of increments above the top of the grade, paid on a monthly basis.
- d. Senior Leadership Team will determine to which posts a market factor payment will be made and to the value of this payment.

## **7. Temporary Additional Responsibilities**

In some situations employees may carry out a different role from their substantive job. Where such situations occur, the employee will receive the appropriate rate for carrying out these duties for the period they do so. For all other occasions they will be remunerated at the rate for the job undertaken.

**8. Revised grading structure** (updated for April 2016 following implementation of local pay changes and April 2019 to reflect changes to national spinal column point numbering)

<b>Evaluated points for job</b>		<b>New grade</b>	<b>National Spinal Column Points in grade Revised April 2019</b>	
From	To		From	To
200	270	Band 1	1	1
271	310	Band 2	2	3
311	350	Band 3	4	5
351	395	Band 4	6	8
396	440	Band 5	11	14
441	475	Band 6	16	20
476	515	Band 7	22	24
516	540	Band 8	26	28
541	580	Band 9	29	31
581	620	Band 10	33	35
621	650	Band 11	36	38
651	695	Band 12	39	41
696	735	Band 13	42	50
736	800	Band 14	54	56

Band 1 is available as a training grade. Band 2 is the minimum rate of pay for job evaluated posts.

## Head of Service- assessment model

Appendix ii

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

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

## General Principles

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

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

Pay Band	% of Directors maximum pay	Evaluated points total
Band 1	55-60%	5-7
Band 2	60-65%	8-10
Band 3	70-75%	11-13
Band 4	80-85%	14-15

## Heads of Service; linkage of pay to performance

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

- Should pay be reduced, this change will be applied for a minimum of six months. The length of reduction will be determined by the director. At the end of the period defined by the director, during which time progress against an improvement plan will be monitored, should improvement be satisfactory then pay will be returned to the previous pay point.
- If pay is frozen then progress against an improvement plan will be monitored. If performance or behaviour does improve sufficiently then from the point at which this determined by the director then progression will be made to the next pay point. If further progression within the grade is possible then the top pay point will be paid one year from the date that the pay had been “un-frozen”.
- The above measures may be applied outside a formal capability procedure. If, however, the measures are applied to a Head of Service and the measures are applied for a year or more, it is likely that the matter will be dealt with under a formal capability procedure.
- The broad terms and process of the Capability Procedure defined in the Employee Handbook will be used to deal with any serious or persistent problems of capability and the use of this formal procedure may be applied either in conjunction with or separate to the measures relating to pay freezing or reduction.
- A final right of appeal exists to a director’s decision to freeze or reduce pay, or to the length of time for which this pay detriment is applied. This appeal should be addressed to, and will be dealt with by the Chief Executive or an officer nominated by the Chief Executive.

## **Enabling employment security - Protocol for managing changes in posts throughout the Council**

Updated December 2016

### **1. Background**

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

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

### **2. Aim**

The aim of this protocol is to :

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

### **3. Vacancy Management**

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

- Confirmation by Senior Leadership Team that a vacant post can be filled.
- Consider, in liaison with Personnel Services, whether there are redeployees/ secondees identified across the Council for whom this post is suitable, or with some adjustment to the requirements it would be suitable. If so then redeployees/ secondees will be placed in the post. (see section 4.1 below).
- If there are no suitable candidates from posts at risk, then the post will initially be advertised internally. Managers will take a flexible approach to the requirements in the person specification such that existing employees can more easily be considered for the post. This may mean that the grade is reduced and/or there is a training period required before the individual can be placed on the full grade.

- Internally advertised posts might be on a permanent or temporary basis (where for example it is dependent on funding). Existing employees who take a temporary post will not lose their employment rights and at the end of the temporary appointment the aim will be for them to revert to either their existing job or an equivalent.
- Posts that are not filled internally will be advertised externally; however they will be on a temporary (less than) 12 month basis unless the Chief Executive determines that there are exceptional circumstances that justify the offer of a permanent position.
- New employees will be employed for a temporary period of less than 12 months. At the end of the temporary contract the post should be filled with an existing permanent employee or frozen. Extensions of employment for a new employee in any job, beyond 12 months will not be permitted, without the approval of the Chief Executive.

#### **4. Identification of Posts 'at risk'**

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

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

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

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

##### **4.1 Same or Lower Graded Redeployments**

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

posts. The posts offered may be on a lower grade than the post-holders currently occupy. The Council's protection policy will apply.

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

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

## **5. Secondments**

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

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

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

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

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



The protocol in such situations is as follows:

### **5.1 Same or lower Grade Secondments Identified**

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

### **6. Higher Graded Secondment or Redeployment Identified**

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

If the higher graded post is within the contained professional area where there is an identified reduction then the applicants can be restricted to the group of employees 'at risk'. Appointment to the post will be on merit.

Redeployment at a higher grade may be a temporary or permanent arrangement depending on the circumstances. If the arrangement is temporary, at the end the individual is placed back into being 'at risk' and this protocol will continue to apply.

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

### **7. Equality and Diversity Implications**

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

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

## **8. Training and Development**

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

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

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

(P&R Committee September 2010; minor wording update December 2016)

## **Further guidance for managing changes in posts throughout the council**

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

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

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

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

## **Procedure for filling temporary vacancies**

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

### **Temporary Recruitment**

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

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

- Traineeships of up to a year are excluded from this arrangement to only advertise internally; all such vacancies will be advertised externally.
- Where a post becomes permanent after being occupied for a temporary period of any length, the vacancy will be advertised externally (unless employment rights have been accrued in which case it may be necessary to place the post holder into the permanent post without further process).
- Normally, where a short-term vacancy is identified, it will be filled by the above methods. In certain circumstances, particularly those where a reduced (partial) set of tasks or responsibilities need to be picked up within a team, the vacancy is specific and technical in nature, or the need to fill is exceptionally urgent, then an honorarium arrangement may be appropriate.

### **Honoraria**

- A manager may seek, in conjunction with the Head of Service for HR, to apply an honorarium in the following circumstances:
- A vacancy exists in the existing team and it is decided jointly by the Head of Service and Head of Service for HR that the vacancy should be filled on a short-term basis, but that there is not a need to fill the post at its full grade; the range of duties and level of responsibilities are reduced. OR
- In the short-term, additional duties and responsibilities are required of one or more post holders to recognise particular business needs even though there is no specific vacancy at a more senior level.
- When a “Principal Officer” (those posts graded at pay band 10 and above)

formally covers some or all of the duties of a more senior post for a period of more than four weeks it may be appropriate to apply an honorarium arrangement as for other posts.

- Honoraria payments will not normally go on beyond one year.
- The level of payment will normally be set at a fixed spinal column point or salary figure to represent the additional duties and responsibilities to be carried out by the employee.
- The level of payment will be agreed between the Head of Service and Head of Service for HR. This may be done by establishing a “felt-fair” spinal column point between the employee’s current pay point and the level of duties and responsibilities expected. Where it is difficult or contentious to identify a point in this way, job evaluation may be used to identify an appropriate pay band and then a point to be applied within this band will be agreed by the Head of Service and Head of Service for HR.
- Selection for honoraria may take place in a number of ways:  
Where particular, specific skills are required and it is reasonable to expect that only one post holder will meet the criteria at a particular work base (for example, Civic Centre, specified Leisure Centre), the Head of Service may, following consultation with, and agreement by, Head of Service for HR, identify a particular individual to whom they wish to offer an honorarium.
- Where a number of people within a team might be expected to be able to work up to a higher level, but people outside the team would not be expected to have the current skill-set required, the Head of Service would be expected, with appropriate assistance from Personnel Services to identify if there would be interest from a number of people to act up into a more senior role. If this were the case, the Head of Service would need either to offer the opportunity to all interested parties on some fair rota basis or decide on a single candidate following some formal assessment process similar to a recruitment exercise, such as a targeted interview (although this would not necessarily require application form). This exercise might be site-specific if there was a business or operational need to not alter or change staffing arrangements between work sites (for example; opportunity to act up to a duty manager role at a leisure centre may only be offered to employees currently working at that site).
- In cases where there is potential for a particular vacant role to be filled by employees from other teams, locations or services within the Council, unless there was a specific urgent need to find someone to carry out a particular role for a short length of time in which case either of the two above scenarios might apply, then the process to identify suitable candidates would mirror the steps for temporary employment above, including appropriate advertisement (in effect, it would be a recruitment exercise rather than an honorarium arrangement).
- Where a decision is taken to fill a post on a permanent basis that has been occupied at part or full duties by someone on an honorarium basis, the vacancy will be advertised externally.

## **Pay policy governing Directors' pay;**

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

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

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

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

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

## **Pay and performance policy governing the Chief Executive's pay**

### **1. General principles**

Appointment to the post of Chief Executive will be within the local pay scale determined by the Appointments and Conditions of Service Committee (ACSC). The pay scale of the Chief Executive stands alone and is not linked to pay rates of other posts within the Council.

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

### **2. Progression and payment within scale**

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

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

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

- Should the ACSC determine that performance is unsatisfactory then consideration will be given to applying the following process relating to pay:
- if the post holder is at the bottom or middle point of the pay scale at the time of the review then there will be no progression to the next pay point until a future review by the ACSC confirms satisfactory performance. This review will normally take place a year later although the ACSC may choose to conduct an interim review at an earlier date if this is appropriate.
  - if the post holder is at the top point of the pay scale at the time of the review then from the anniversary of the appointment date pay will be reduced to the middle point of the pay scale and held at that point until satisfactory performance is confirmed through a future review which will be undertaken as described above.

### **3. Assessment of performance and feedback**

#### **3.1 Assessment by ACSC**

The annual performance assessment will be undertaken each year by the ACSC. There will be no officer input in the assessment discussion.

The assessment will be made by the committee against a number of criteria and the Chief Executive's performance against each criterion will be assessed as being below expectation/ meeting expectation/ exceeding expectation.

As a majority committee view, if performance against each criterion is assessed as meeting or exceeding expectation then pay progression (or maintenance of the top pay point in the scale) will be applied from the anniversary date of appointment for another year. If performance against any of the criteria is assessed by the ACSC as being below expectation then consideration will be given to the freezing of pay at the current pay point or reduced from the top pay point and frozen at the middle pay point as described above.

If the ACSC determines that performance is below that which is expected then other improvement measures may be applied including formal capability procedures that would mirror in appropriate ways, the general process applied to NJC staff and as described in the Employee Handbook. Before applying such process the ACSC will take appropriate advice from the Monitoring Officer (or Deputy) and the Head of Service responsible for HR.

The ACSC will consider the Chief Executive's performance against this list of criteria:

- The leadership and management of the Council to achieve high standards of service and performance.
- To provide the necessary support to enable Elected Members to effectively carry out their role.
- To ensure effective and timely communication and advice is offered to Group Leaders on key matters.

- To effectively manage the interface between Elected Members and Senior Officers.
- The development and maintenance of effective partnerships for the benefit of borough residents.
- To guide and bring forward policy development to ensure the delivery of the Council's vision and priorities.
- To support Elected Members to engender an appropriate workplace culture that is reflected across the organisation.
- The provision of sound electoral process and practice.
- How effectively the Council's services have been delivered within budget and as described within the Gedling Plan.

These criteria will be assessed by the ACSC as a whole and a majority view reached. In addition to the assessment of these criteria, the committee will also identify expectations for the delivery of key objectives or tasks during the following year to which it wishes to draw particular attention, together with any development needs that are perceived for the Chief Executive. A simple form (appendix A) will be used to summarise the committee's majority view. This will be used as the basis on which feedback will be given and the form will be stored on the Chief Executive's personal file. The assessment criteria are drawn from the post's job description; these criteria may be altered by the ACSC to reflect changes to the job requirements of the post should they change over time.

### **3.2 Feedback to the Chief Executive**

The views of the ACSC will be fed back in person to the Chief Executive by the Leader, Deputy Leader and the Opposition Leader.

This feedback will confirm:

- The criteria against which performance is meeting or exceeding expectation with examples given of observed behaviours, actions or outcomes where possible and appropriate.
- The criteria against which performance is below that which is expected. The "performance gap" will be specified and detail of future expectations will be made clear. If more of a formal capability procedure is to be applied, this will be made clear following appropriate officer advice.
- The pay point to be applied from the anniversary of appointment for the following year (or until an interim review if this is to be sooner).
- Expectations for delivery by the Chief Executive of key objectives or tasks over the coming year to which the ACSC wishes to draw particular attention; these may be existing or newly identified.
- Through discussion with the Chief Executive what, if any, development needs exist and how might these be effectively addressed. Further personal or professional development may be identified by Elected Members or by the Chief Executive even if performance is already high. As appropriate, a development plan will be agreed in principle.



#### **4. General principles**

The meeting at which feedback is given will be discursive in nature with opportunity for the Chief Executive to identify their own examples of good performance and achievement and to fully explore areas for improvement suggested by the ACSC to ensure that there is full understanding of expectations.

The meeting of the ACSC to discuss performance, and the feedback meeting with the Chief Executive will both be treated as confidential.

There is no further right of internal appeal by the Chief Executive against any decision taken by the ACSC in respect to the Chief Executive's performance or pay.

**Performance and Pay Assessment of Chief Executive**  
**Appointments and Conditions of Service Committee Summary Assessment**  
**Date:**

Criteria	Assessed as (tick one):			Additional and supporting comments
	Below expectation	Meeting expectation	Exceeding expectation	
The leadership and management of the Council to achieve high standards of service and performance.				
To provide the necessary support to enable Elected Members to effectively carry out their role.				
To ensure effective and timely communication and advice is offered to Group Leaders on key matters.				
To effectively manage the interface between Elected Members and Senior Officers.				
The development and maintenance of effective partnerships for the benefit of borough residents.				
To guide and bring forward policy development to ensure the delivery of the Council's vision and priorities.				
To support Elected Members to engender an appropriate workplace culture that is reflected across the organisation.				
The provision of sound electoral process and practice.				
How effectively the Council's services have been delivered within budget and as described within the Gedling Plan.				

Expectations for delivery of key objectives or tasks to be delivered during the coming year to which the ACSC wishes to draw particular attention.	
Potential personal development needs identified by the ACSC for discussion with the Chief Executive	

### Chief Executive's Pay:

In accordance with the approved local pay and performance policy for the Chief Executive, the Appointment and Conditions of Service Committee authorises the Chief Executive's pay to be either:

Moved to the next point within the pay scale or maintained at the top pay point

Or

Frozen at the current pay point (or reduced from the top pay point to the middle point)


This decision will be reviewed either in:

One year

Or

At an earlier date which is:

☐

Signed by the Chair of the Appointments and Condition of Service Committee:

This record will be retained on the Chief Executive's personal file.

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### **Pay Protection Policy**

The general policy of the Council is that pay protection is applied over a two year period at a protected rate of 100% in the first 12 months and 50% in the second 12 months from the date of commencing a post at a lower grade.

## **EARLY RETIREMENT AND REDUNDANCY POLICY**

Applying from 1 September 2019

### **1. Objectives**

To identify the process by which the organisation manages early retirement, flexible retirement and redundancy.

To identify how the organisation aims to mitigate redundancy.

To identify local discretions that are applied to cases of early retirement including dismissals due to reason of redundancy or efficiency of the service.

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

### **2. Discretions**

In accordance with the legal requirement under Regulation 60(5) of the Local Government Pension Scheme 2013 a range of local discretion policy statements have been adopted by the Council. These discretions are published on the Council's website.

Relevant to this policy is the discretion applied through the Local Government (Early Termination of Employment) (Discretionary Compensation) (England And Wales) Regulations 2006 (Regulation 5) under which statutory redundancy payments are calculated using an actual week's pay.

A fixed discretionary payment will be made for all dismissals due to the reason of redundancy or efficiency of the service. For redundancy dismissals this will be a compensatory payment equivalent to 30% of the value of the statutory redundancy payment (calculated using actual week's pay); this to be paid in addition to any required statutory redundancy payment. For dismissals due to efficiency of the service a compensatory payment will be made equivalent to 30% of the value of a notional redundancy payment calculated using actual week's pay as if the reason for dismissal was redundancy; there is no provision for any statutory payment and no other compensatory payment will be made.

For these reasons of dismissal (redundancy or efficiency), should the employee be age 55 or above and a member of the Local Government Pension Scheme then pension will be released at the point of dismissal.

### **3. Redeployment (mitigating redundancy)**

3.1 Prior to dismissal due to reasons of redundancy, efficiency of the service, capability or ill-health, appropriate opportunities for suitable redeployment will be explored. Where these exist employees at risk will be considered for placement into other posts through the processes identified in existing Council protocols.

3.2 Although the process for redeployment is governed by the processes identified in the Council protocols, in general terms support to employees potentially under threat will be offered. Such support might include:

- To make reasonable adjustments to duties and workplace to accommodate the employee's needs
- To offer reasonable training and development where appropriate to enable the employee to undertake the duties of the redeployment within a reasonable length of time
- To offer general support for skills development including trial interviews, C.V. writing and training in application form completion
- To offer trial periods of 4 weeks in a potentially suitable alternative post as required in the Employment Protection (Consolidation) Act and to extend this if it will assist in securing a redeployment
- To notify and consult with the Trade Unions as required by legislation.

3.3 Where suitable alternative employment exists in the view of the Council, employees are expected to engage with the redeployment process. Failure to do so may affect the reason for dismissal (the Council may take the view that there is no redundancy to declare if suitable redeployment opportunities are rejected) and this may mean that redundancy payment is not made and that pension is not released.

Employees at risk are expected:

- To give meaningful consideration of redeployment opportunities made available to them
- To undertake required training and development in order to undertake the duties of a suitable post
- To make every effort to mitigate the requirement for redeployment by actively seeking alternative employment
- To undertake trial periods with a positive approach to ensuring the redeployment will be successful

### **3.4 Protection**

In any redeployment situation where an employee is redeployed to a lower-graded

post or where a post grade is reduced then the provisions of the Council's Pay Protection Policy will apply. Consideration will be given to assistance with excess travelling expenses should there be a change of base. Reimbursement will be made in accordance with local policy. An allowance may also be considered for excess travelling time incurred by a move of base. Both excess travelling expenses and additional travelling time will be applied in accordance with local policy that exists at the date of the start of the new post.

The Council's Pay Protection Policy is shown at Appendix 18 and the Disturbance Allowance Scheme at Appendix 19.

### 3.5 Procedure

The report proposing structural changes will be brought to Senior Leadership Team to seek support.

If supported, this report will be used as the basis of consultation with employees directly affected by the proposals and trade unions. Unless agreed otherwise or a longer period of time is required by law, a period of at least 30 days will be given for consultation.

Should proposals be contentious in nature or if the proposals have a substantial effect in the ways that services might be delivered then the period of consultation will normally close at a meeting of the Joint Consultative and Safety Committee (JCSC). For proposals that are not contentious in nature then consultation may take place without formal consideration by the JCSC with the proposal only being reported later as an information item.

Normally the implementation of structural change will be made by the Head of Paid Service. On occasions where the proposals are, in the opinion of the Head of Paid Service, significant in nature (whole service change, politically sensitive or whole council / senior management restructure) or require additional budget then the decision for implementation will be taken by the Appointments and Conditions of Service Committee or Full Council as the Head of Paid Service considers appropriate.

Employee consultation will allow for individual or group meetings with the manager proposing the structural change. An HR Officer will be present at such meetings at the request of either party.

More general emotional support for affected employees will be offered through the Council's Employee Assistance Programme or another similar service.

## **4. Policies and Procedures**

### 4.1. Capability due to ill-health (and ill-health retirement)

This arises when an employee is no longer able to carry out the duties of their post, or comparable due to ill health and in the Council's opinion as the employer, there is no opportunity to redeploy to another suitable post within the organisation. This dismissal is for the reason of capability due to ill-health. Advice will normally be obtained from

an Occupational Health Consultant to support the decision to dismiss for this reason.

For employees who are members of the Local Government Pension Scheme (LGPS) who are proposed for dismissal due to reason of capability due to ill-health then advice will be taken to determine if release of an ill-health retirement pension is possible and at what “tier” within the scheme. Release of a pension under these circumstances will only be authorised by the Council where this decision is supported by advice from an independent Occupational Health Consultant as identified in the LGPS.

The payments made under the tiers of the LGPS are defined in Regulation. There is no scope for additional discretionary payment for any capability dismissals (including ill-health retirements) to be made other than through the Council’s Industrial Injury Policy. Decisions to dismiss due to reason of capability rest with the Chief Executive or managers delegated to act on their behalf including Directors and Heads of Service.

## 4.2 Flexible Retirement

The Local Government Pension Scheme Regulations (LGPS) allows members aged 55 or over, with their employer’s consent, to take their pension following a reduction in grade or hours and opt to receive the immediate payment of their pension benefits whilst still working. The Council has published its discretion decisions relating to flexible retirement. In essence, a request for flexible retirement made by an employee will be supported if it suits the business need and a financial business case can be supported. For employees aged between 55 and 59 there will always be a cost to the council for flexible retirement (and for some employees aged 60 or over on a case-by-case basis) and this cost will need to be accounted for in any decision made.

The local Flexible Retirement Policy is shown at Appendix A.

Where an employee makes a request to retire flexibly, they must first gain support for the reduction in working hours or pay grade from their Head of Service. If there is no pension strain cost then the decision will rest with the Head of Service. An employee taking early retirement will normally receive a reduced pension and in this case there should be no pension strain cost to be met by the employer. In any case where the early release of pension would result in a pension strain cost to the authority, approval for the release of pension will be subject to permission from the Council through the Appeals and Early Retirement Committee.

## 4.3 Redundancy

### 4.3.1 Definition

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

- the employer has ceased, or intends to cease, to carry on the business for the purposes of which the employee was employed or has ceased, or intends to cease, to carry on that business in the place where the employee was so employed; or



- the requirements of that business for employees to carry out work of a particular kind, or for employees to carry out work of a particular kind in the place where they were so employed, have ceased or diminished or are expected to cease or diminish.

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

#### 4.3.2 General Procedure

Where a potential redundancy situation arises there will be consultation with the Trade Unions and affected employees as required by the Trade Union and Labour Relations (Consolidation) Act. The periods of time set aside for consultation will meet with legislative requirement as a minimum. Through local convention, for proposals that affect fewer than 20 employees, where possible a consultation period of at least 30 days will also be applied.

The reasons for proposing a redundancy and the business case to support the proposal will be clearly stated and made available during consultation.

Efforts will be taken to avoid redundancies, whether voluntary or compulsory through the following steps:

Release any temporary employees with less than two years' service to provide vacancies for employees at risk

Identify other existing vacancies of a similar work type either for deletion to make the necessary saving or for redeployment for employees at risk

When appropriate in the view of the organisation, search for volunteers for redundancy where their release would provide redeployment for an employee at risk

Freeze of relevant vacancies to ensure redeployment opportunities are maximised

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

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

#### 4.3.3 Discretionary payments relevant to redundancy

Decisions made under local discretions relevant to pension payment are detailed in the Council's full set of local discretions that are published on our website. The relevant discretions to redundancy payment are made under the Local Government (Early Termination of Employment)(Discretionary Compensation) (England and Wales) Regulations 2006. Appendix B sets out how redundancy payments will be made and reflects these discretions.

In summary;

- The Council has determined that redundancy payments will be calculated on

actual week's pay.

- A fixed additional local payment will be made for all dismissals due to the reason of redundancy. For redundancy dismissals this will be a compensatory payment equivalent to 30% of the value of the statutory redundancy payment (calculated using actual week's pay); this to be paid in addition to any required statutory redundancy payment.

#### 4.4 Efficiency of the Service

The LGPS recognises as a reason for release of pension, dismissals due to "efficiency of the service"; it is a form of early retirement. In essence a dismissal of this type will arise due to concerns expressed by the employer about the general business efficiency on the part of the employee and may relate to a single or combination of factors.

Subject to an employee being at least age 55 with appropriate service length then early retirement and release of pension may be granted in cases where there is demonstrable business benefit to the Council (this may be financial or related to improvement in performance or quality of service delivery) arising from the decision.

The Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006 do allow for compensatory payments to be made and the Council has exercised its discretion as follows:

- A fixed local payment will be made for all dismissals due to the reason of efficiency of the service. For dismissals due to efficiency of the service a compensatory payment will be made equivalent to 30% of the value of a notional redundancy payment calculated using actual week's pay as if the reason for dismissal was redundancy; there is no provision for any statutory payment and no other compensatory payment will be made.

This is detailed in Appendix B.

### 5. Financial Implications

Employing departments are required to identify how the costs of redundancy or early retirement (other than ill-health) will be met as part of any proposals for organisational change.

5.1 For ill health retirements, this will not be necessary. Such dismissals will be based on personal circumstances of the employee and not on the organisational need. Costs of ill-health retirement will be met through shared corporate costs that are applied by the Pension Administering Authority (Nottinghamshire County Council) following a triennial actuarial revaluation of pension scheme costs.

5.2 For early retirement cases proposed on grounds of efficiency of the service the Head of Service will need to identify how any pension strain costs arising from a decision can be met together with the costs arising from local discretionary payments. Subject to budgetary provision existing, authority to dismiss for this reason where there are no pension strain costs lies with the relevant Head of Service. Where pension strain costs will be payable by the Council then authority to implement the decision will

rest with Senior Leadership Team. It may not be necessary for savings to be fully identified in order for authority to be given; an overall business case will be considered and benefits to the Council assessed by Senior Leadership Team.

5.3 For proposed redundancy (including early retirement cases) the Head of Service will need to identify how any redundancy (statutory and local costs) and pension strain costs arising from a decision can be met. Statutory and local redundancy payments will be made. As redundancy will arise from structural change then a fully costed proposal will be considered by Senior Leadership Team.

5.4 In cases where early release of pension is requested through flexible retirement, a decision will be made taking into account both the financial business case and issues of service improvement. The process for decision-making is detailed in section 4.2.

## **FLEXIBLE RETIREMENT POLICY**

### **1. The Scheme**

Employees aged 55 or over are able to draw their pension benefits whilst continuing in employment on reduced hours or on a reduced grade with the consent of the Council. This is known as 'flexible retirement'.

Employees whose request for flexible retirement is supported may continue to pay into the Local Government Pension Scheme to build up further benefits in the Scheme up to the age of 75.

Employees age 55 or over with long service will not normally incur a cost for the Council if they retire on a flexible basis as there will be no strain cost (usually the pension to be drawn is reduced at the employee's cost, not the council's). In these cases the granting of a request for flexible retirement will be taken by the relevant Head of Service and will be based on the operational effectiveness of the proposed arrangement. In effect, in these cases the arrangement is merely an agreed contractual change (reduction in hours or grade) and the claiming of the pension is a matter for the employee not the Council as employer. The Council through its published suite of discretions available under the Local Government Pension Scheme Regulations has determined that decisions where a pension strain cost would be payable by the Council would need to be referred to the Appeals and Retirements Committee and would be dependent on a costed business case.

When a request for flexible retirement is received, managers must consult with Personnel Services before any decision is communicated to the employee. Personnel Services will advise on process and obtain confirmation from the Pension Administering Authority (Nottinghamshire County Council) of any potential strain costs.

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

An alternative option to reduction in hours with pension is reduction in grade with pension. If an employee wishes to draw their pension linked to a reduction in their grade this will be subject to an appropriate review to consider the business case for agreeing to the arrangement in the same way as if the request had been made for a reduction in hours. There is no automatic right to be transferred into a lower-graded post, or for the duties within an existing post to be reduced or diminished, and an employee wishing to take this option will normally be expected to apply for the post in the normal manner and demonstrate competency through an 'on merit' process.

## **2. Appeal**

### **Cases that need to be referred to the Appeals and Retirements Committee**

2.1 A right of appeal exists against any recommendation made to the Appeals and Retirements Committee.

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

### **Cases that are determined by a Head of Service (cases where there is no pension strain or cost to the council)**

2.3 If an employee's request for flexible retirement is refused by a Head of Service the employee may choose to appeal this decision through the Grievance Procedure of the Council.

## **REDUNDANCY AND EARLY RETIREMENT POLICY**

### **1. Dismissal or Early Retirement on Grounds of Redundancy**

1.1 Employees with two or more years' continuous local government service, including service covered by the Redundancy Payments Modification Order (RPMO) who are dismissed by reason of redundancy will receive the statutory redundancy compensation payment as defined within the Employment Rights Act 1996).

Discretions applied under the Local Government (Early Termination Of Employment) (Discretionary Compensation) (England And Wales) Regulations 2006 by the Council in its published suite of discretions confirms that the redundancy pay calculation will be based on an actual week's pay. In addition under these local discretions the council has determined that a fixed payment will be made for all dismissals due to the reason of redundancy. For redundancy dismissals this will be a compensatory payment equivalent to 30% of the value of the statutory redundancy payment (calculated using actual week's pay); this to be paid in addition to any required statutory redundancy payment.

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

### **2. Early Retirement on Grounds of Efficiency of the Service**

2.1 An employee aged 55 or over with sufficient qualifying service who is granted early retirement through a dismissal due to efficiency of the service will have their occupational (Local Government Pension Scheme) payment released as allowed with the LGPS Regulations.

2.2 Discretions applied under the Local Government (Early Termination Of Employment) (Discretionary Compensation) (England And Wales) Regulations 2006 by the Council in its published suite of discretions confirms that a fixed discretionary payment will be made for all dismissals due to the reason of efficiency of the service. For dismissals due to efficiency of the service a compensatory payment will be made equivalent to 30% of the value of a notional redundancy payment calculated using actual week's pay as if the reason for dismissal was redundancy; there is no provision for any statutory payment and no other compensatory payment will be made.

### **3. Appeal**

There is a right of appeal against any dismissal from the Council including dismissals relating to "early retirement". Any such appeal would be heard by the Appeals and Retirements Committee.

### **4. Relationship with other compromise payments**

This policy determines the compensatory payments to be made for redundancy and efficiency of the service.

Compensatory payments made under this policy stand separately to any compensatory payments made through Settlement Agreements. Payments made under a Settlement Agreement will be authorised by the relevant officer dependent upon the nature of and reason for the settlement payment.



**Subject:** Overview and Scrutiny Annual Report

**Date:** 27 January 2020

**Author:** Democratic Services Officer.

**Purpose of the Report**

To present the Overview and Scrutiny Committee Annual Report to Council.

**Key Decision**

This is not a key decision.

**Recommendation**

Council is recommended to:

Receive the report and, if appropriate, make comments back to the Committee.

**1. Background**

As part of its work programme, the Overview and Scrutiny Committee, is required to prepare an Annual Report which highlights work undertaken by the Committee, over the preceding year, for submission to Council. This report is a summary of the key pieces of work undertaken by the Committee during the year 2018/19 and areas of work identified for improvement during this municipal year.

**3. Background Papers**

None identified.

**4 Financial Implications**

None arising from this report.

**5. Reasons for Recommendations**

To comply with Executive governance arrangements and fulfil the role of the Overview and Scrutiny Committee

## **6. Appendices**

Appendix 1: Overview and Scrutiny Annual Report



# OVERVIEW AND SCRUTINY ANNUAL REPORT 2019/20



The Overview and Scrutiny Annual report highlights activity and the work of the committee and its working groups during the preceding year. Due to the curtailing of the work programme, because to the Coronavirus pandemic, the committee has not been able to complete its 2019/20 work programme. Any outstanding items will be included in the work programme for the upcoming year.

## **What does the Overview and Scrutiny Committee do?**

All local authorities operating a cabinet system will have at least one Overview and Scrutiny Committee. The overview and scrutiny role is carried out by non-cabinet members, Gedling has is one politically balanced committee of thirteen. The committee meets roughly every six weeks and like most council meetings it is open to the public.

The committee is not a decision making body but one which monitors and influences those that do it, is a mechanism for achieving open and democratic accountability.

The role of the Overview and Scrutiny Committee is to ask questions, to assure itself that issues are being addressed and emerging risks are recognised and acted upon. Effective scrutiny utilises information and ideas from a wide range of sources and involves holding the Council and other organisations to account, providing 'critical friend' challenge to the council's executive and other service providers. In doing this Members seek to reflect the aspirations and concerns of local residents and communities.

Scrutiny is a flexible process and can be carried out in a variety of ways. Areas of enquiry can be drawn from:

- Performance reports
- The Corporate Risk Scorecard
- Compliments and Complaints data
- The results of the Gedling Conversation
- Matters of local interest raised by members of the committee
- Issues raised by the wider Council membership
- Public and community engagement.

At Gedling the Overview and Scrutiny Committee's role in performance monitoring enables members to scrutinise detailed performance information on a quarterly basis to help identify areas of performance that require improvement. The committee also considers the Council's Forward Plan. The Forward Plan is a document that contains details of key executive decisions the Cabinet, cabinet members and

officers are likely to take over a four month period, this enables the committee to monitor the executive decision making programme and undertake pre decision scrutiny if they consider there is an issue of concern.

### **What Overview and Scrutiny does not do.**

Overview and Scrutiny is not a mechanism for the investigation of individual complaints, the Council has a separate process for this. It is also not able to look at individual planning or licensing decisions.

### **Work carried out during 2019/20**



In addition there was a training event which included an introductory session on the principles, powers and value of scrutiny, it emphasised the value of developing an effective work programme and highlighted the skills required to conduct effective scrutiny.

### **Scrutiny Working Groups**

Working groups do much of the work of the committee by providing members' with the opportunity to investigate issues in depth and recommend improvements through the gathering, and consideration, of evidence from a broad range of sources. This enables robust and effective challenge, as well as an increased likelihood of delivering outcomes. The Overview and Scrutiny Committee reports its recommendations to the Cabinet which then decides whether the recommendations will be accepted and acted upon, and if not, why not.

### **The Executive /Scrutiny protocol working group**

This review was established to enable the committee to comply with the Ministry of Housing, Communities and Local Government's Statutory Guidance on Overview and Scrutiny in Local and Combined Authorities, issued in May 2019. It included a number of policies and practices that authorities should adopt when carrying out their overview and scrutiny function. The guidance advocated the development of an Executive-Scrutiny protocol which would help define the relationship between the Cabinet and the committee and alleviate any differences of opinion before they manifest themselves. Members' identified a range of behaviours and processes to develop the committee's relationship with cabinet members to improve effectiveness and proposed a set of guidelines to advance this ambition.

### **Economic Development – the opportunity to intervene for social and economic reasons working group.**

This working group considered what additional economic and social benefits needed to be taken into account when property is purchased under Strand 3 of the Commercial Property Investment Strategy (CPIS). The primary motive of the recently adopted investment strategy was to generate additional income. Working group members concluded that whenever possible Strand 3 of the strategy should be used to increase social and economic benefits for the residents of Gedling, developing a range of criteria that needed to be taken into account to support the authority to deliver these benefits when purchasing land or property.

Members had also undertaken some preliminary information-gathering to enable them to participate in the authority's Housing Allocations Consultation, and were commencing a review relating to the recent floods in the borough. This will include examining local and national plans, strategies that underpin flooding responses and plans to mitigate future flooding risk. It is envisaged that this review will commence later this year.

## **Scrutiny Improvement**

In order to comply with the recommendations in the 2019 Ministry of Housing, Communities and Local Government's Statutory Guidance an action plan summarising current practice was developed and improvements to processes to comply with the guidance have been undertaken. Developments included not only establishing an Executive /Scrutiny protocol but also improvements to training, work programming, promotion of the role of scrutiny to the wider authority and providing the committee with information regarding the authority's risk.

## **Future Work Programme 2020/21**

The committee will shortly agree a new work programme for the forthcoming municipal year. Key to developing the overview and scrutiny work programme is ensuring that the issues that really matter to local residents are reflected in the work for the year ahead. Scrutiny of cabinet members will remain central to the work of the committee and working with external organisations will play an important part of the committees work as it looks to find improvements to important local issues. The work programme will be considered at each committee to enable it to remain flexible and to respond to current issues. The committee will strive to continue to deliver an interesting, varied and challenging work programme.



## Report to Council

**Subject:** Independent Remuneration Panel - Report and recommendations for 2021/22

**Date:** 27 January 2021

**Author:** Democratic Services Manager

### Purpose

To inform Council of the latest report from the Council's Independent Remuneration Panel (IRP), relating to member remuneration for 2021/22, and invite Council to consider the recommendations made by the Panel.

### Recommendations

- 1) **To consider the report of the Independent Remuneration Panel and whether to accept the recommendations contained in the report;**
- 2) **Consequent on those recommendations, to agree the schedule of members' allowances for 2021/22 as attached at Appendix 2 to this report; and**
- 3) **To authorise the Monitoring Officer to make appropriate amendments to Part 6 of the Constitution to reflect any changes to the members' allowances scheme agreed.**

### Background

The Council's Independent Remuneration Panel met in December to carry out its annual review of members' allowances.

Following that meeting, the Panel prepared a report to members with regard to the level of members' allowances to be payable for 2021/22.

### Proposal

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

Should Council be minded to accept the Panel's recommendations on Basic Allowances and Special Responsibility Allowances, then the level of allowances to be paid to members for 2021/22 will be as set out at Appendix 2.

### **Financial Implications**

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

### **Appendices**

Appendix 1 – Report of the Independent Remuneration Panel 2021/22

Appendix 2 – Indicative schedule of Members Allowances 2021/22

## **APPENDIX 1**

### Report of the Gedling Independent Remuneration Panel held on 14 December 2020.

#### Introduction

- 1.1 The Independent Remuneration Panel was established under the Local Authorities (Members' Allowances) (England) Regulations 2003 (as amended) to provide advice and recommendations to the Council on its Members' Allowances Scheme and amounts to be paid under it.
- 1.2 The Panel received administrative support from the Service Manager, Democratic Services. Also present at the meeting, in an advisory capacity, were the Monitoring Officer and the Deputy Chief Financial Officer
- 1.3 The Panel's Terms of Reference are as follows:

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

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

The Panel will also:

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

The Panel's operation:

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

#### Process

- 2.1 A Strategic Review of Members' Allowances took place in 2015. The Review looked in detail at all allowances paid to Members including the Basic Allowance and all positions attracting a Special Responsibility Allowance. The Review resulted in a completely rewritten scheme of members' allowances. The Panel made a series of recommendations to Council in March 2016 and a new scheme was agreed by Members.
- 2.2 For the 2020 year, following the 2019 borough elections, Council adopted a revised scheme of members' allowances that better reflected the political makeup of the authority. In particular adjustments to the scheme were made to ensure that the amount of a special responsibility allowance was better aligned to the size of a political group. Council also approved a new list of approved duties and a rate at which dependent carers allowance can be claimed.
- 2.3 As is usual practice, all members of the Council were contacted directly and asked for their views on the current levels of allowances paid to members
- 2.4 No submissions were received from any members of the Council or Political Groups.
- 2.5 All members of the Panel were present for the meeting (John Flowers, Ted Mills and Paul Mullins)



### Panel's Deliberations

- 3.1 The Panel noted that no submissions were received on Members' Allowances from members. Furthermore the panel heard that there had been no material change to duties performed by councillors since the last review.
- 3.2 The Panel heard that the Covid-19 pandemic had been having a serious effect on the council's operations and the financial position for local government remained challenging. The Panel concluded, bearing in mind that no representations from Members had been received, that there was no need to consider putting forward recommendations that would change the allowances scheme.
- 3.3 The Panel next noted that the National Pay Award for Local Government staff was agreed as 2.75% for the current year and that this had also been applied to Senior Managers and therefore members' allowances. For the 2021/22 year, a pay award is yet to be agreed. It was noted, however, that due to the worsening public financial situation there may be a pay freeze for next year. The Panel felt able to confirm their previously held view that Members' Allowances should increase in line with whatever is agreed as the pay award for Senior Managers for 2021/22.

### Basic Allowance

- 3.4 On the issue of the Basic Allowance the Panel noted that no representations had been received from Members and concluded that their findings and recommendations from the previous review were still relevant. A recommendation to increase the basic allowance in line with the staff award was therefore agreed.

### Special Responsibility Allowances (SRAs)

- 3.5 As with the Basic Allowance the Panel felt that no new information had come to light since last meeting and there was no need to suggest any amendments to the levels of Special Responsibility Allowances that are currently paid. A recommendation to increase allowances by in line with the staff award for senior managers was therefore agreed.
- 3.6 Finally the Panel considered the allowances paid to co-opted members as well as mileage, subsistence and dependent carers'

allowances. As these had all been reviewed earlier in the year the panel concluded that no adjustments to these were necessary.

#### Recommendations

- 1) That all Allowances paid to Elected Members payable from 1 April 2021 should be increased in line with the pay award made to senior local government staff once it is known; and
- 2) That no other changes to the members' allowances scheme should be made for the 2021/22 year.

**APPENDIX 2 (figures to be increased in line with the 2021/22 pay award)**

**From 1 April 2021 until 31 March 2022 inclusive:**

	<b>Percentage of the Leader's Allowance</b>	<b>Per Annum (£)</b>
Leader of Council	100%	14,787
Deputy Leader of the Council	80%	11,830
Cabinet Members	50%	7,394
Leader of Main Opposition Group	25% plus £154 per elected member	4,930
Leader of Minority Opposition groups	Flat fee of £154 per elected member	308 (x 2 groups)
Level One Committee Chair (Planning and Environment and Licensing Committees)	35%	5,176
Level Two Committee Chair (Audit and Overview and Scrutiny Committees)	25%	3,697
Level Three Committee Chair (Joint Consultative and Safety and Standards Committee)	10%	1,479
Business Manager of Majority and Main Opposition Groups	Flat fee of £154 per elected member	4469.63 (majority) 1233.00 (main opp)
Mayor	37.5%	5,545
Deputy Mayor	12.5%	1,848
Policy Adviser	12.5%	1,848
1. From 1 April 2021 until 31 March 2022 the Basic Allowance payable to each Councillor		4,305
2. Co-opted Members		500
3. Dependent Carers Allowance of up to <u>£9.30</u> per hour payable to cover childcare and dependents. The person providing the care may not be a close relative defined as spouse, partner (opposite or same sex cohabitees), parents, children, brothers, sisters, grandparents and grandchildren. The paid care attendant must also sign a receipt to show that they have cared for the dependant during the hours claimed for.		
4. Travelling and subsistence payable at the currently in force NJC employee rate.		

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## **MINUTES PLANNING COMMITTEE**

**Wednesday 21 October 2020**

Councillor John Truscott (Chair)

In Attendance: Councillor Paul Wilkinson      Councillor Rosa Keneally  
Councillor Michael Adams      Councillor Meredith Lawrence  
Councillor Peter Barnes      Councillor Marje Paling  
Councillor David Ellis      Councillor Alex Scroggie  
Councillor Rachael Ellis      Councillor Sam Smith  
Councillor Andrew Ellwood      Councillor Henry Wheeler  
Councillor Mike Hope

Absent: Councillor Chris Barnfather, Councillor Barbara Miller  
and Councillor John Parr

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

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

Apologies for absence were received from Councillors Barnfather, Miller and Parr. Councillor Smith attended as substitute.

### **45 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 9 SEPTEMBER 2020.**

#### **RESOLVED:**

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

### **46 DECLARATION OF INTERESTS**

The Chair declared a collective non-pecuniary interest on behalf of all members of the committee in items 7, 10 and 13 on the agenda as the land is owned by Gedling Borough Council and the Council has submitted the planning applications and in items 8 and 9 on the agenda as the Council had the benefit of a servitude effecting the land subject to those applications.

Councillor Barnes and Wheeler declared that they would leave the meeting when items 7, 8, 9 and 10 on the agenda were heard as they

had been closely involved in decisions relating to Arnold Market and the Carlton Square development.

**47 APPLICATION NO. 2020/0828 - SITE OF 72 TO 74, WESTDALE LANE EAST, GEDLING**

The erection of 10no 2 bedroom apartments. Variation of condition 2 (approved drawings) of permission 2017/0157 for the inclusion of air source heat pumps to be positioned on external elevation of the building, minor alterations to some fenestration design, minor alterations to ground level and the addition of a Velux smoke vent.

Howard Snowden, a local resident, spoke in objection to the application.

The Assistant Director – Planning and Regeneration introduced the report.

**RESOLVED:**

**To GRANT PLANNING PERMISSION subject to conditions:-**

**Conditions**

- 1 This permission shall be read in accordance with the following documents and plans;-

Drawing no. DB/MM/18/027/26 Proposed Elevations, received 10th September 2020

Product information brochure, received 20th August 2020 to be read in accordance with email dated 9th September 2020 confirming that the air source heat pump units proposed are model PUHZ-W50VHA2(-BS)

Drawing no. MT/MH/016/037/04 Revision A Proposed Site Layout, received 13th July 2017

Drawing no. MT/MH/016/037/03 Revision C, received 13th July 2017 showing floorplans only

Site Location Plan, received 13th July 2017

The development shall thereafter be undertaken in accordance with the approved plans.

- 2 The means of enclosure at the site shall be carried out in accordance with the following details;-

Drawing no. DB/MM/18/027/10 Revision A, received 19th September 2018 as part of discharge of condition application 2018/0745DOC

- 3 The means of surfacing on the unbuilt portions of the site shall be carried out in accordance with the approved details;-

Drawing no. DB/MM/18/027/10 Revision A, received 19th September 2018 as part of discharge of condition application 2018/0745DOC

- 4 Soft landscaping at the site shall be carried out in accordance with the approved details;-

Drawing no. DB/MM/18/027/10 Revision A, received 19th September 2018 as part of discharge of condition application 2018/0745DOC

- 5 No part of the development hereby permitted shall be brought into use until the parking/turning areas are provided and surfaced in a bound material with the parking bays clearly delineated in accordance with plan ref: MT/MH/016/037/04 Revision A. The parking/turning areas shall be maintained in the bound material for the life of the development and shall not be used for any purpose other than the parking/turning of vehicles.

- 6 No part of the development hereby permitted shall be brought into use until dropped vehicular footway crossings are available for the parking spaces accessed from Adbolton Avenue and for the accesses for the car parking area on Westdale Lane in accordance with the Highway Authority specification to the satisfaction of the Local Planning Authority.

- 7 The site accesses at the site shall be carried out in accordance with the approved details;-

Drawing no. DB/MM/18/027/10 Revision A, received 19th September 2018 as part of discharge of condition application 2018/0745DOC

- 8 No part of the development hereby permitted shall be brought into use until the provision to prevent the unregulated discharge of surface water onto the public highway has been carried out in accordance with the following details

Aco Drain as shown on drawing no. DB/MM/18/027/11.

The approved measures shall be retained for the lifetime of the development.

- 9 The management arrangements for the maintenance of all areas of outdoor open space, including car parking areas, shall be carried out in accordance with the following details;-

The Communal Area Maintenance Plan, received 6th August 2018 in relation to discharge of condition application 2018/0745DOC.

The approved management arrangements shall remain in situ for the lifetime of the development.

### **Reasons**

- 1 For the avoidance of doubt and to define the terms of this permission
- 2 In the interests of visual amenity
- 3 In the interests of visual amenity
- 4 In the interests of visual amenity
- 5 In the interests of highway safety
- 6 In the interests of highway safety
- 7 in the interests of highway safety
- 8 In the interests of highway safety
- 9 In the interests of visual amenity

### **Reasons for Decision**

The proposed development is consistent with local and national planning policies. The design of the proposal is considered to be acceptable and does not have an unacceptable impact on the visual amenity of the area. The proposal will not have an unacceptable impact on the residential amenity of occupiers of neighbouring properties in terms of noise, overlooking or massing / overshadowing. Parking and access at the site is acceptable. It is considered that the proposal is appropriate for its context and is in accordance with the NPPF, Policies A, 1, 8 and 10 of the ACS and Policies LPD 11, 32, 33, 35, 37, 40, 57 and 61 of the LPD.

### **Notes to Applicant**

The applicant is advised that all planning permissions granted on or after 16th October 2015 may be subject to the Community Infrastructure Levy (CIL). Full details of CIL are available on the Council's website. The proposed development has been assessed and it is the Council's view that CIL is not payable on the development hereby approved as the development type proposed is zero rated in this location.



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

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.  
Date Recommended: 7th October 2020

**48 APPLICATION NO. 2020/0475 - LAND AT GLEBE FARM, GLEBE DRIVE, BURTON JOYCE**

Application for the approval of reserved matters (layout, landscaping, scale and appearance) for the erection of up to 14 dwellings pursuant to outline approval 2016/0306.

Frank Taylor, the applicant, spoke in support of the application.

The Principal Planning Officer informed Members that following a review of the application it was intended to add one additional condition to ensure that the development was not a gated community and that the open space to the end of the site was accessible to all members of the public. The following condition was recommended:

*Notwithstanding the information shown on the approved site plan drawing ref 812.1160.2 PL03B, there shall be no gates or other physical barriers erected across the shared private road at any time.*

He concluded that the agent had been informed of the intention to add the condition.

**RESOLVED:**

**To Grant reserved matter approval subject to the following conditions:**

**Conditions**

1. This permission shall be read in accordance with the application form and following list of approved drawings:

812.1160.2 PL03B Proposed Site Plan  
 812.1160.2 PL04B Public Open Space  
 812.1160.2 PL127 Proposed Site Sections  
 812.1160.2 PL110D Unit R1  
 812.1160.2 PL111A Unit R2  
 812.1160.2 PL112C Unit R3  
 812.1160.2 PL113C Unit R4  
 812.1160.2 PL114C Unit R5  
 812.1160.2 PL115A Unit Y1  
 812.1160.2 PL116A Unit Y2  
 812.1160.2 PL117A Unit G1  
 812.1160.2 PL118A Unit G2  
 812.1160.2 PL119A Unit G3  
 812.1160.2 PL120A Unit G4  
 812.1160.2 PL121A Unit G5  
 812.1160.2 PL122A Unit G6  
 812.1160.2 PL123A Unit G7  
 812.1160.2 PL124 Units R2 and Y1 Garage  
 812.1160.2 PL125 Plot R3 Garage  
 812.1160.2 PL126 Plot G1, G2, G4, G5 and G7 Garages  
 812.1160.2 Site Location Plan

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

2. No dwelling hereby approved shall be occupied until its drive and parking area is surfaced in a bound material (not loose gravel). The surfaced drives and parking areas shall then be maintained in such bound material for the life of the development.

3. No dwelling hereby approved shall be occupied until its drive and parking area is constructed with provision to prevent the unregulated discharge of surface water from the driveway and parking area to the public highway. The provision to prevent the unregulated discharge of surface water to the public highway shall then be retained for the life of the development.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (and any order revoking, re-enacting or modifying that Order), other than development expressly authorised by this permission, there shall be no development under Schedule 2, Part 1 of the Order in respect of Class A (extensions); Class B and C (roof alterations); D (porches) and Class E (Development within the curtilage of a dwellinghouse).

5. Notwithstanding the information shown on the approved site plan drawing ref 812.1160.2 PL03B, there shall be no gates or other physical barriers erected across the shared private road at any time.

## **Reasons**

1. For the avoidance of doubt.
2. To reduce the possibility of deleterious material being deposited on the public highway (loose stones etc) and to comply with policy LPD61.
3. To ensure surface water from the site is not deposited on the public highway causing dangers to road users and to comply with LPD61.
4. To ensure that the openness of the green belt is retained and residential amenity is respected and to comply with policies LPD14 and LPD32.
5. To ensure that the public open space is accessible and that the character of the area is respected and to comply with policies LP21 and to comply with policy ACS10.

## **Notes**

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

Your attention is drawn to the observations of our Environmental Health Officer with regard to electric vehicle charging points and their inclusion within the development.

**APPLICATION NO. 2020/0726 - LAND ON FLATTS LANE, CALVERTON**

Variation of conditions 8 (trees) 3, 16 and 17 (highways) of outline permission 2018/1143 - for the demolition of existing buildings and structures and the erection of up to 84 no. dwellings and associated open space and infrastructure.

Sally Smith -Senior Planning Manager of Bellway Homes (The Applicant) spoke in support of the application.

The Principal Planning Officer introduced the report.

**RESOLVED:**

**To Grant Outline Planning Permission with the matter of Access approved: Subject to the parties to original section 106 confirming in writing that the development permitted is similar to the development permitted by the original planning permission 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 the 5h March 2023 and the development to which this permission relates must be begun within two years from the date of final approval of reserved matters.
3. This permission shall be read in accordance with drawing number 10\_01 revision 00 (with regard to the site area only) and drawing number S0000/100/01 Rev A (with regard to the four access points onto Flatts Lane only). Development shall thereafter be undertaken in accordance with these plans.
4. Prior to the commencement of development details of the existing and proposed ground levels of the site and finished floor levels of the 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 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. Any remediation works and verification reports shall be undertaken in accordance with the approved remediation scheme.

8. The development shall be carried out in accordance with the findings of the Arboricultural Assessment produced by FPC ref 9143AA.

No development shall however commence on site in connection with the development hereby approved (including, tree works, fires, soil moving, temporary access construction and / or widening or any operations involving the use of motorised vehicles or construction machinery) until a detailed Arboricultural Method Statement (AMS) in accordance with BS5837:2012 Trees in relation to design, demolition and construction) Recommendations has been submitted to and approved in writing by the Local Planning Authority and any protective fencing is erected as required by the AMS. The AMS shall include full details of the following:

- a) Timing and phasing of Arboricultural works in relation to the approved development.
- b) Details of 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.
- c) Details of the arrangements for the implementation, supervision and monitoring of works required to comply with the arboricultural method statement.

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

9. Prior to commencement of any above ground construction works, details of Electric Vehicle charging points to be provided at each dwelling, to include their location and specification shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be undertaken in accordance with the approved details prior to the first occupation of the development.

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

11. The development shall be undertaken in accordance with the recommendations set out in Section 5 of the submitted Ecological Assessment Report (Document Ref 6710.002) dated October 2018.

12. Prior to the erection of any external lighting (other than within the curtilages of the approved dwellings) there shall be submitted to and approved in writing by the Local Planning Authority details of all such lighting, including levels of illumination and a lux plot of the estimated luminance. Any lighting to be installed along the site boundaries should be kept to a minimum and directed away from the building and retained boundary features to maintain 'dark' areas and corridors. The external lighting shall be provided in accordance with the approved details and shall be retained as such thereafter for the lifetime of the development.

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

14. a) No development shall take place until a Written Scheme of Investigation for archaeological work has been submitted to and approved in writing by the Local Planning Authority, and until all pre-start elements of the approved scheme have been completed to the satisfaction of the Local Planning Authority. The scheme shall include an assessment of significance and research questions; and: i) The programme and methodology of site investigation and recording ii) The programme for post investigation assessment iii) Provision to be made for analysis of the site investigation and recording iv) Provision to be made for publication and dissemination of the analysis and records of the site investigation v) Provision to be made for the archive deposition of the analysis and records of the site investigation vi) Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation b) The development shall not take place other than in accordance with the Written Scheme of Investigation for archaeological work approved under part a). c) The new dwellings shall not be brought into use until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation for archaeological work approved under part a) and the provision to be made for analysis, publication and dissemination of results has been secured.

15. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for: i) the parking of vehicles of site operatives

and visitors ii) loading and unloading of plant and materials iii) storage of plant and materials used in constructing the development  
iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate v) wheel washing facilities vi) measures to control the emission of dust and dirt during construction vii) a scheme for recycling/disposing of waste resulting from demolition and construction works

16. The reserved matters application for the development hereby permitted 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 layout plans reference S0000/100/01 Rev A, shall be considered to be for indicate purposes only) which shall be accompanied by a swept path analysis of an 11.5m long refuse vehicle throughout the proposed highway to become adopted, considering the likelihood of on street parking; (ii) Bin storage location at shared private drives.

17. Prior to first occupation of the development hereby approved, construction details of the four vehicular site access junctions from Flatts Lane shall be submitted to and approved in writing by the Local Planning Authority. The approved detailed access arrangements shall thereafter be implemented prior to first occupation of the development.

18. Prior to first occupation of the development hereby approved details of the two uncontrolled pedestrian crossings, across Flatts Lane, including dropped kerbs and tactile paving, as illustratively shown on drawing reference: "METM300301/Revision 1" shall be submitted to and approved in writing by the Local Planning Authority. The crossings shall be provided in accordance with the approved details prior to first occupation of the development hereby approved.

19. Prior to first occupation of the development hereby approved construction details of the proposed 2.0m wide footway on the western side of Flatts Lane along the sites frontage, as illustratively shown in outline on plan titled: "METM3003-01/Revision 1", 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.

20. Occupation of the proposed dwellings shall not take place until their respective driveways have been surfaced in a bound material (not loose gravel) for a minimum distance of 5.0 metres behind the highway boundary, and which shall be drained to prevent the discharge of surface water from the driveway to the public highway. The bound material and the provision to prevent the discharge of surface water to the public highway shall be retained for the lifetime of the development.



## **Reasons**

1. To comply with the requirements of Section 92 of the Town and Country Planning Act 1990. The application is expressed to be in outline only in accordance with Article 5 of the Town and Country Planning (Development Management Procedure)(England) Order 2015.
2. To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.
3. To define the permission, for the avoidance of doubt.
4. To ensure that the development does not have a detrimental impact upon visual amenity or upon the occupiers of adjacent dwellings.
5. To ensure that the drainage scheme is appropriate to meet the needs of the site and the approved development.
6. To ensure the development is safe and suitable for use, thereby taking into consideration paragraph 178 of the National Planning Policy Framework and policy LPD7 of the Councils Local Plan.
7. To ensure the development is safe and suitable for use, thereby taking into consideration paragraph 178 of the National Planning Policy Framework and policy LPD7 of the Councils Local Plan.
8. To ensure that existing trees and hedges are adequately protected.
9. To ensure the development is constructed in an appropriate sustainable manner which takes into consideration air quality within the Borough, and takes into consideration policy LPD11 of the Councils Local Plan.
10. To ensure the development is constructed in an appropriate sustainable manner which takes into consideration air quality within the Borough, and takes into consideration the National Planning Policy Framework and policy LPD11 of the Councils Local Plan and in the interests of residential amenity.
11. In the interests of protecting ecological interests
12. In the interests of protecting ecological interests.
13. In the interests of enhancing ecological provision on the site.
14. To safeguard any potential archaeological remains.
15. In the interest of highway safety.

16. To ensure the development is designed and constructed to adoptable standards and appropriately maintained.

17. In the interest of Highway Safety, to ensure adequate access, operational capacity, and associated visibility is provided to the development, along with safe pedestrian access.

18. In the interest of sustainable travel.

19. In the interest of sustainable travel.

20. In the interests of highway safety.

**50**

**APPLICATION NO. 2020/0108 - REDHILL PAVILION, THORNTON AVENUE, REDHILL**

Change of use of pavilion building and Groundsman's cottage to day nursery along with external alterations to the building, a single storey extension, erection of 2.4m palisade fencing, change of use of farmland to a car park associated with the day nursery and creation of new footpath adjacent to existing Bridleway.

A written representation from Philippa Fisher, a local resident in objection to the application, was read by Caroline McCleary, Democratic Services Officer.

Najoua O'Brien, the applicant, spoke in support of the application.

The Assistant Director – Planning and Regeneration informed Members that further to the publication of the report, it had been brought to his attention that a late submission had been circulated to members of the planning committee by the agent acting on behalf of the applicant, which set out what they considered to be the very special circumstances relevant to the proposal which were as follows:

Re- use and regeneration of a vacant semi-derelict site

Re-use of brownfield land

Reduction in the likelihood of antisocial behaviour

Provision of a new facility and business

Employment of local people and the creation of apprenticeships

Increased provision of early years provision

An opportunity to provide outdoor class rooms in a rural setting

An opportunity to create a Covid-19 resilient learning environment

Their existing facility is constrained, shared with other users and temporary – it will close without a suitable alternative

The re-use of the building itself does not require permission

A 2m high fence would not require permission, in any materials.

It was not accepted that these amounted to very special circumstances and the position set out in the report remained unchanged.

He added that the applicant's agent had referred to factual inaccuracies within the report, namely that the proposed fencing would be a paladin fence and not a palisade fence, paragraph 7.9 is inaccurate, fencing of up to 2m in height does not need permission and the information on trip generation is incorrect.

The details in the report were checked were in accordance with the details provided by the applicant on the submitted plans and advice provided by the Highways Authority.

In terms of the erection of boundary treatments, a 2m high boundary fence could not be erected adjacent to the bridleway under permitted development – the height would be restricted to 1m.

Having regard to the NPPF and Local Planning Document Policy 12, the reuse of the former building is appropriate development in the Green Belt, as is the proposed extension, which would increase the floor-space by approximately 18%, so significantly less than 50%. The extensions would be single storey in nature and would appear subservient to the host building. I'm therefore of the opinion that the extensions would not have an undue impact upon openness.

The proposed use would not be limited to the extended building. It was proposed to extend the curtilage by approximately 730 square metres to create a carpark extension and a new footpath extending some 100m adjacent to the existing bridleway to satisfy the highways authority. In addition, it was proposed to erect a 2.4m high fence to secure the site.

Those aspects of the development were inappropriate, which was by definition, harmful. The site would become more urban and engineered in appearance, and as detailed in the report, those aspects of the development were considered to have an undue impact upon the openness of the Green Belt.

He concluded that the very special circumstances advanced by the applicant did not, in his view, outweigh the harm to the Green Belt.

**RESOLVED:**

**That Committee delegate authority to the Assistant Director – Planning and Regeneration to refuse planning permission, subject to there being no new material planning considerations raised during the period of consultation triggered by the advertisement of this application as a departure from the development plan on 10 October 2020. Should any new material planning considerations be raised during the period of consultation triggered by the**

**advertisement of this application as a departure from the development plan on 10 October 2020 that the matter come back before Committee for determination.**

- 1 The proposed development would include the change of use of agricultural land and engineering works to create a car park and pedestrian footpath in association with the proposed nursery along with the erection of a palisade fence around the proposed planning unit. These forms of development are, by definition, inappropriate development within the Green Belt and therefore would be harmful to the openness of the Nottingham-Derby Green Belt. There are no very special circumstances or other material considerations that would outweigh this harm and therefore the proposal would be contrary to the aims of Section 13 of the National Planning Policy Framework (2019) and LPD12

## **8.2 Notes to Applicant**

- 1 You are advised that as of 16th October 2015, the Gedling Borough Community Infrastructure Levy (CIL) Charging Schedule came into effect. Whilst the above application has been refused by the Local Planning Authority you are advised that CIL applies to all planning permissions granted on or after this date. Thus any successful appeal against this decision may therefore be subject to CIL (depending on the location and type of development proposed). Full details are available on the Council's website.
- 2 Planning Statement - The application is clearly contrary to the Development Plan and other material planning considerations, as detailed in the above reason for refusal. However the local planning authority has worked positively and proactively with the applicant to make some revisions to the proposal. Whilst not all problems arising can be overcome, several potential reasons for refusal have been negated.

Councillor Barnes and Councillor Wheeler left the meeting.

**APPLICATION NO. 2020/0827 - ARNOLD MARKET, HALLAMS LANE, ARNOLD**

Construction of a two storey business enterprise building, providing business incubator and office units falling within use classes A1 (retail), A2 (professional and financial services), A3 (restaurant/café), A4 (drinking establishment), B1 (office/research/light industry), D1 (non-residential institutions) and D2 (leisure) and new market place/public realm area of conditions 8 (trees) 3, 16 and 17 (highways) of outline permission 2018/1143 - for the demolition of existing buildings and structures and the erection of up to 84 no. dwellings and associated open space and infrastructure.

The Assistant Director – Planning and Regeneration apologised for an error in the second sentence in the description of the proposal on page 66 where reference was made to the proposed development at Flatts Lane, which Members considered had earlier under Agenda item 5.

He added that further to the publication of the report, an objection had been received from a member of the public in relation to the impact the development would have upon their exiting views of Arnold Town Centre and they had stated that they should be compensated. Loss of a view over adjoining land was not a material planning consideration and neither was the objectors desire to seek compensation. The proposal would lead to a loss of view from the side widows of the first floor flat located adjacent to the site, however the proposal was not considered to be overbearing, given that rear elevation would be separated from the adjoining property by the proposed vehicular access. Paragraphs 7.8 and 7.9 of the report specifically assess the impact upon residential amenity having regard to the long established market use and the design of the rear elevation, which seeks to minimise overlooking. This section of the report concludes that the proposal would be policy compliant.

**RESOLVED:**

**Grant full Planning Permission subject to the conditions listed for the reasons set out in the report.**

1. The development hereby permitted shall commence before the expiration of 3 years from the date of this permission.
2. This permission shall be read in accordance with the application form and following list of approved drawings:

AMN-MA-00-00-DR-A-00101-S2-P01-Site Location Plan  
 AMN-MA-00-GF-DR-A-00103-S2-P01-Proposed Ground Floor Plan  
 AMN-MA-00-01-DR-A-00104-S2-P01-Proposed First Floor Plan  
 AMN-MA-00-02-DR-A-00105-S2-P01-Proposed Roof Plan  
 AMN-MA-00-ZZ-DR-A-00106-S2-P01-Proposed Elevations

AMN-MA-00-ZZ-DR-A-00107-S2-P01-Proposed Sections  
AMN-MA-ZZ-ZZ-DR-L-40000-S2-P01-Landscape Masterplan  
AMN-MA-ZZ-ZZ-DR-L-40010-S2-P01-Landscape Illustrative Plan  
AMN-MA-ZZ-ZZ-DR-L-40030-S2-P01-Landscape Illustrative Section  
AMN-MA-00-ZZ-RP-A-001-S2-P01 Design & Access Statement  
200606 Energy Statement - Arnold Market  
AMP-BWB-GEN-XX-RP-TR-0001-HS-S1-P2

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

3. Prior to the occupation of building(s) hereby permitted, details shall be submitted to and approved in writing by the Local Planning Authority as to the position within the development of one (1) Electric Vehicle Recharging Point; with appropriate cable and infrastructure provision to allow this to increase to two (2) points in total in future years. The Electric Vehicle Recharging Points shall be installed prior to occupation of any part of the development and shall be thereafter maintained in the location as approved for the lifetime of the development. All EV charging points shall meet relevant safety and accessibility requirements and be clearly marked with their purpose; which should be drawn to the attention of staff and visitors.

4. 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 produced by the Council 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.

5. No part of the development hereby permitted shall be brought into use until the access road, parking, turning and servicing areas are provided in accordance with the approved plans. The access road, parking, turning and servicing areas shall not be used for any purpose other than access, parking, turning, loading and unloading of vehicles, and shall thereafter be retained for the life of the development.

6. No part of the development hereby permitted shall be brought into use until the access road and parking areas have been surfaced in a bound material (not loose gravel). The surfaced access road and parking areas shall then be maintained in such bound material for the life of the development.

7. No part of the development hereby permitted shall be brought into use until the access road and parking areas are constructed with provision to prevent the unregulated discharge of surface water from the access road and parking areas to the public highway. The provision to prevent the

unregulated discharge of surface water to the public highway shall then be retained for the life of the development.

8. Prior to above ground works commencing, samples of materials for the external elevations of the building and public realm hardstanding shall be submitted to and approved in writing by the Local Planning Authority. The details as approved shall thereafter be implemented and retained thereafter.

9. The landscaping scheme as approved shall be carried out in the first planting season following completion of the development. Any trees, shrubs or plants that die within a period of five years from the completion of each development phase, or are removed and/or become seriously damaged or diseased in that period, shall be replaced (and if necessary continue to be replaced) in the first available planting season with others of similar size and species.

10. Prior to use of the building's first floor the aluminium screens shown on the approved elevation drawing (AMN-MA-00-ZZ-DR-A-00106-S2-P01-Proposed Elevations) to the rear of the unit shall be in situ and shall be retained as such thereafter.

11. Prior to the occupation of each unit, details of any condenser and extraction units that are to be installed shall be submitted to and approved in writing by the Local Planning Authority. Only the condenser and extraction units approved shall thereafter be erected on any unit of the building.

## **Reasons**

1. To comply with the requirements of Section 91(1) of the Town and Country Planning Act 1990 (as amended).

2. For the avoidance of doubt

3. To ensure the development is constructed in an appropriate sustainable manner which takes into consideration air quality within the Borough, and takes into consideration the National Planning Policy Framework and policy LPD11 of the Council's Local Plan.

4. To ensure the development is constructed in an appropriate sustainable manner which takes into consideration air quality within the Borough, and takes into consideration the National Planning Policy Framework and policy LPD11 of the Council's Local Plan.

5. In the interests of highway safety and to comply with policy LPD61.

6. To reduce the possibility of deleterious material being deposited on the public highway (loose stones etc) and in the interests of highway safety and to comply with policy LPD61.

7. To ensure surface water from the site is not deposited on the public highway causing dangers to road users and to comply with policy LPD61.

8. To ensure that the character of the area is respected and to comply with policy ACS10.

9. To ensure that the character of the area is respected and to comply with policy ACS10.

10. To ensure that the amenity of neighbouring properties is respected and to comply with policy LPD32.

11. To ensure that the amenity of neighbouring properties is respected and to comply with policy LPD32.

### **Notes to Applicant**

The developer is encouraged to consider upgrading the EV charging facilities to incorporate mode 3 charging capability as this will help future proof the development and improve its sustainability. A suitable electrical socket can be provided to allow 'Mode 3' charging of an electric vehicle, allowing Smart charging of electric vehicles. All electrical circuits/installations shall comply with the electrical requirements of BS7671:2008 as well as conform to the IET code of practice on Electrical Vehicle Charging Equipment installation (2015).

Please note that the grant of planning permission does not override civil legal matters with regard to development on or over a boundary, including the Party Wall etc Act, advice on which should be sought from an independent source.

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



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**APPLICATION NO. 2020/0931 - SHOPPING CENTRE, CARLTON SQUARE, CARLTON**

**Proposed new boundary treatment along Station Road, new facade treatment to existing buildings, new street furniture, lighting and landscaping**

The Principal Planning Officer introduced the report and advised Members that a change was proposed in respect of condition 4 of the committee report (P83) as it defined that no gates could be erected to the Station Road service yard; however, the applicants would want some form of gate for security reasons. Having approached the Highway Authority they were content that this would be acceptable subject the gates being open whilst the units were trading or when the delivery yard was in use. The updated condition would read:

*“The hereby approved gates at the entrance to the Station Road Service yard shall remain in an open position at all times when the retail units are trading or the delivery yard is in use”.*

He added that alterations to the site would include enhancing the public realm in terms of new paving and street furniture to the central walkway and to the front of units adjacent to Burton Road. Furthermore, the elevation treatment of the units would be enhanced through alterations to the façade of the building including a new shop front to the car park entrance of farm foods, render and fascia panels on otherwise brick walls and improved boundary treatments, all of which were considered to enhance the character of the area and customer experience.

He concluded that as a result the application was recommended for approval, subject to the altered condition.

**RESOLVED:**

**To Grant full Planning Permission subject to the conditions listed for the reasons set out in the report.**

1. The development hereby permitted shall commence before the expiration of 3 years from the date of this permission.
2. This permission shall be read in accordance with the application form and following list of approved drawings:

7593-06 PROPOSED SITE PLAN – GA  
7593-07 PROPOSED SITE PLAN – DETAILED

7593-08 PROPOSED LIGHTING PLAN  
7593-09 PROPOSED ELEVATIONS – SHEET 01  
7593-10 PROPOSED ELEVATIONS – SHEET 02  
7593-11 SITE DETAILS AND FURNITURE

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

3. Prior to above ground works commencing, samples of materials for the external elevations of the building and public realm hardstanding shall be submitted to and approved in writing by the Local Planning Authority. The details as approved shall thereafter be implemented and retained thereafter.
4. The hereby approved gates at the entrance to the Station Road Service yard shall remain in an open position at all times when the retail units are trading or the delivery yard is in use.

### **Reasons**

1. To comply with the requirements of Section 91(1) of the Town and Country Planning Act 1990 (as amended).
2. For the avoidance of doubt.
3. To ensure that the character of the area is respected and to comply with policy ACS10.
4. For the avoidance of doubt and to ensure that highway safety is not compromised and to comply with policy LPD61.

### **53 APPLICATION NO. 2020/0932 - SHOPPING CENTRE, CARLTON SQUARE, CARLTON**

Built up flat faced acrylic letters @ 540mm high with 100mm returns, internally illuminated with LEDs, 4no. locations on existing buildings.

The Principal Planning Officer introduced the report.

### **RESOLVED:**

**To Grant advertisement consent subject to the conditions listed for the reasons set out in the report.**

### **Conditions**

1. This consent shall be read in accordance with the application form and following list of approved drawings:

7593-12 - Signage and fascia details

7593-06 PROPOSED SITE PLAN

7593-07 PROPOSED SITE PLAN - DETAILED

7593-08 PROPOSED LIGHTING PLAN

7593-09 PROPOSED ELEVATIONS - SHEET 01

7593-10 PROPOSED ELEVATIONS - SHEET 02

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

2. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
3. No advertisement shall be sited or displayed so as to— (a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);(b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or;(c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.
4. Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.
5. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.
6. Where an advertisement is required under these The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

### **Reasons**

1. For the avoidance of doubt.
2. In accordance with The Town and Country Planning (Control of Advertisements) (England) Regulations 2007.
3. In accordance with The Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

4. In accordance with The Town and Country Planning (Control of Advertisements) (England) Regulations 2007.
5. In accordance with The Town and Country Planning (Control of Advertisements) (England) Regulations 2007.
6. In accordance with The Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

#### Informatives

Your attention is drawn to Regulation 14 of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 with regard to the fact that the advertisement consent is valid for a period of 5 years, after which additional advertisement consent would be required for the retention of the advertisements subject to this consent.

#### **54 APPLICATION NO. 2020/0938 - SHOPPING CENTRE, CARLTON SQUARE, CARLTON**

**Reconfiguration of existing car parking, pedestrian routes, boundary treatments and formation of new vehicular access to Burton Road.**

The Principal Planning Officer introduced the report.

#### **RESOLVED:**

**To Grant Full Planning Permission subject to the conditions listed for the reasons set out in the report.**

1. The development hereby permitted shall commence before the expiration of 3 years from the date of this permission.
2. This permission shall be read in accordance with the application form and following list of approved drawings:

7593-06 PROPOSED SITE PLAN – GA  
7593-07 PROPOSED SITE PLAN – DETAILED  
7593-08 PROPOSED LIGHTING PLAN  
7593-11 SITE DETAILS AND FURNITURE

CSN-BWB-HGNXX-DR-TR-110\_S2-P1 – Swept Path Analysis  
CSN-BWB-HGNXX-DR-TR-111\_S2-P1 – Swept Path Analysis  
CSN-BWB-HGNXX-DR-TR-112\_S2-P1 – Swept Path Analysis  
CSN-BWB-HML-XX-DR-TR-100\_S2-P1 – General Arrangements

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

3. The car parking areas shall be surfaced in a bound material with the parking bays clearly delineated in accordance with drawing no. 7593/07 Rev B. The parking areas shall be maintained in the bound material for the life of the development and shall not be used for any purpose other than the parking and turning of vehicles.
4. The accesses into the car parking areas shall be hard surfaced and constructed with provision to prevent the unregulated discharge of surface water from the accesses to the public highway. The accesses shall remain hard surfaced with the provision to prevent the unregulated discharge of surface water to the public highway shall then be retained for the life of the development.
5. Prior to the commencement of development, a scheme of landscaping showing the location, species and size of specimens to be planted shall be submitted to and approved in writing by the Local Planning Authority. The scheme as approved shall be carried out in the first planting season following the completion of each development phase. Any trees, shrubs or plants that die within a period of five years from the completion of each development phase, or are removed and/or become seriously damaged or diseased in that period, shall be replaced (and if necessary continue to be replaced) in the first available planting season with others of similar size and species.
- 6 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 produced by the Council 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.
- 7 Prior to completion of the development hereby approved the electric vehicle charging points identified on drawing 7593-07 PROPOSED SITE PLAN – DETAILED shall be installed and fully operational.

### **Reasons**

1. To comply with the requirements of Section 91(1) of the Town and Country Planning Act 1990 (as amended).
2. For the avoidance of doubt

3. To ensure that adequate off-street parking provision is provided and to comply with policy LPD57.
4. To ensure that all accesses are hard surfaced and to prevent surface water from the site being deposited on the public highway causing dangers to road users and to comply with policy LPD61.
5. To ensure that the character of the area is respected and to comply with policy ACS10.
6. 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.
7. 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.

### **Notes to Applicant**

The proposed lighting shall not cause glare to road users. No lighting source (the lamp) shall be directly visible (or visible by reflection) to road users.

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 and no works shall commence until such time as a S278 agreement is in place. Please contact Nottinghamshire County Council Highways Development Control Team in order to obtain the above licence.

Councillor Barnes and Councillor Wheeler re-joined the meeting.

**APPLICATION NO. 2020/0667 - LAND AT CHASE FARM (FORMER GEDLING COLLIERY), ADJACENT TO ARNOLD LANE AND LAND OFF LAMBLEY LANE, GEDLING**

Erection of 31 dwellings.

The Principal Planning Officer introduced the report.

**RESOLVED:**

**To Grant Full Planning Permission: Subject to the applicant entering into a deed of variation amending the original Section 106 Agreement to planning approval: 2015/1376 with the Borough Council as Local Planning Authority and with the County Council as Local Highway and Education Authority for the provision of, or financial contributions towards affordable housing, open space, healthcare facilities, highways, educational, air quality, a local labour agreement and library facilities; and subject to the conditions listed for the reasons set out in the report.**

**Conditions**

1. The development hereby permitted shall commence before the expiration of 3 years from the date of this permission.
2. This This permission shall be read in accordance with the application form and following list of approved drawings:

M003-ABA-XX-DR-A-100	SITE	PLAN	REV	A
M003-ABA-XX-DR-A-101		LOCATION		PLAN
M003-ABA-XX-DR-A-102	BOUNDARY	TREATMENT		PLAN
M003-ABA-XX-DR-A-103	MATERIALS	PLAN	REV	B
M003-ABA-XX-DR-A-200	STREET			SCENES
M003-ABA-XX-DR-A-300	DALTON	FLOOR	PLANS	REV A
M003-ABA-XX-DR-A-301	DALTON	ELEVATIONS	REV	A
M003-ABA-XX-DR-A-302	STRATTON	FLOOR		PLANS
M003-ABA-XX-DR-A-303	STRATTON			ELEVATIONS
M003-ABA-XX-DR-A-304	STRATFORD	FLOOR		PLANS
M003-ABA-XX-DR-A-305	STRATFORD	ELEVATIONS	REV	A
M003-ABA-XX-DR-A-306	WARWICK	FLOOR		PLANS
M003-ABA-XX-DR-A-307	WARWICK			ELEVATIONS
M003-ABA-XX-DR-A-308	KINGSTON	FLOOR		PLANS
M003-ABA-XX-DR-A-309	KINGSTON			ELEVATIONS
M003-ABA-XX-DR-A-310	KINGSTON	ELEVATIONS	RENDER	OPTION
M003-ABA-XX-DR-A-311	HARDWICK	FLOOR		PLANS
M003-ABA-XX-DR-A-312	HARDWICK	ELEVATIONS	REV	A
M003-ABA-XX-DR-A-313	WINDSOR	FLOOR		PLANS
M003-ABA-XX-DR-A-314	WINDSOR			ELEVATIONS

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

**Reasons**

1. To comply with the requirements of Section 91(1) of the Town and Country Planning Act 1990 (as amended).
2. For the avoidance of doubt.

**56 APPLICATION NO. 2020/0731 - 13 MAIN STREET CALVERTON**

Single storey rear extension.

**RESOLVED:**

**Grant Planning Permission** subject to conditions:

**Conditions**

- 1 The development must be begun not later than three years beginning with the date of this permission.
- 2 This permission shall be read in accordance with the application form, site location plan and deposited plans, drawing no's RS/LB/17/06/20/01/A and RS/LB/17/06/20/02/A, received on 4th August 2020. The development shall thereafter be undertaken in accordance with these plans/details.
- 3 No above ground construction works shall commence until samples of the proposed external facing and roofing materials to be used in the construction of the development have been submitted to, and approved in writing by the Local Planning Authority and the development shall only be undertaken in accordance with the materials so approved and shall be retained as such thereafter.

**Reasons**

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



- 3 To ensure a satisfactory development in accordance with the aims of policy LPD 28 of the Local Planning Document.

### **Reasons for Decision**

By virtue of the design, scale and relationship with adjoining properties the development would be in keeping with the character of the property and the wider area, it would result in no harm to the Conservation Area and the setting of Listed Buildings nearby, and would have no significant undue impact on neighbouring residential amenity or the locality in general. The development therefore complies with the National Planning Policy Framework, Policies 10 and 11 of the Gedling Borough Aligned Core Strategy (2014), policies LPD 26, LPD 28, LPD 32 and LPD 43 of the Local Planning Document and policy BE2 of the Calverton Neighbourhood Plan.

### **Notes to Applicant**

The applicant is advised that all planning permissions granted on or after 16th October 2015 may be subject to the Community Infrastructure Levy (CIL). Full details of CIL are available on the Council's website at [www.gedling.gov.uk](http://www.gedling.gov.uk). The proposed development has been assessed and it is the Council's view that CIL is not payable on the development hereby approved as the gross internal area of new build is less 100 square metres

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.

## **57 APPLICATION NO. 2020/0686 - RECREATION GROUND, BRECK HILL ROAD**

Installation of a childrens' climbing unit.

### **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, Design and Access Statement, Site Location Plan deposited on 22<sup>nd</sup> July 2020 and elevation/plan details of the climbing unit

deposited on the 23<sup>rd</sup> September 2020. The development shall thereafter be undertaken in accordance with these plans and 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**

It is considered that the proposed development would enhance the existing Breck Hill Recreation Ground whilst having no undue impact on the Recreation Ground itself, the open space, the amenity of nearby residential properties or on highway safety. The proposal therefore accords with Policies 10, 13 and 16 of the Adopted Aligned Core Strategy (2014) and Policies LPD20 and LPD32 of the Local Planning Document (2018), as well as the NPPF (2019).

### **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 applicant is advised that all planning permissions granted on or after 16th October 2015 may be subject to the Community Infrastructure Levy (CIL). Full details of CIL are available on the Council's website. The proposed development has been assessed and it is the Council's view that CIL is not payable on the development hereby approved as the development type proposed is zero rated in this location.

The 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).

**58 APPLICATION NO. 2018/0817 - CAR PARK, NORTH GREEN, CALVERTON**

Erect 20 No. single storey bungalows.

The Principal Planning Officer introduced the report.

**RESOLVED:**

**To Grant Full Planning Permission: Subject to the applicant entering into a Section 106 Agreement with the Borough Council as Local Planning Authority for a financial contributions towards, affordable housing and open space, and the provision of a local labour agreement; and subject to the conditions listed for the reasons set out in the main report.**

**59 ENFORCEMENT REF: 0202/2019 - 84 SANDFORD ROAD, MAPPERLEY**

Unauthorised fence and boundary treatment.

**RESOLVED:**

**That the Assistant Director - Planning and Regeneration, be authorised to take all enforcement action including the service of any necessary enforcement notices and in conjunction with the Director of Organisational Development & Democratic Services, proceedings through the courts if required to ensure the unauthorised fence is removed or alternatively reduced in size to no more than 1m in height.**

**60 FUTURE PLANNING APPLICATIONS**

**RESOLVED:**

To note the information.

**61 PLANNING DELEGATION PANEL ACTION SHEETS**

**RESOLVED:**

To note the information.

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

None.

The meeting finished at 9.00 pm

Signed by Chair:  
Date:

## **MINUTES ENVIRONMENT AND LICENSING COMMITTEE**

**Tuesday 3 November 2020**

Councillor Marje Paling (Chair)

Present: Councillor Nicki Brooks                      Councillor Des Gibbons  
            Councillor Pat Bosworth                      Councillor Julie Najuk  
            Councillor Boyd Elliott                      Councillor Clive Towsey-Hinton  
            Councillor Roxanne Ellis                      Councillor Paul Wilkinson

Absent: Councillor Sam Smith and Councillor John Truscott

Officers in Attendance: L Chaplin, A Dubberley and P Gibbs

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

Apologies had been received from Councillors Smith and Truscott

### **35 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 6 OCTOBER 2020**

#### **RESOLVED:**

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

### **36 DECLARATION OF INTERESTS.**

None.

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

None.

### **38 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.

**39 CHANGE OF CIRCUMSTANCE OF JOINT HACKNEY CARRIAGE / PRIVATE HIRE DRIVERS LICENCE**

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

NA attended the meeting and addressed the Committee.

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

**RESOLVED:**

- 1) That due to NA's behaviour, it was considered that he was no longer a fit and proper person to hold a Licence.
- 2) To revoke NA's Joint Hackney Carriage/Private Hire Driver's Licence.

NA was given 21 days to surrender his licence and was advised of his right to appeal against the decision of the Committee.

**40 APPLICATION FOR A ONE YEAR JOINT HACKNEY CARRIAGE / PRIVATE HIRE DRIVERS LICENCE (MH)**

Consideration was given to a report of the Director of Health and Community Wellbeing, which had been circulated prior to the meeting, regarding an application for a one year joint Hackney Carriage/Private Hire Driver's Licence for MH.

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

**RESOLVED:**

To refuse MH's application for a Joint Hackney Carriage/Private Hire Driver's Licence.

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

**41 APPLICATION FOR A THREE YEAR JOINT HACKNEY CARRIAGE / PRIVATE HIRE DRIVERS LICENCE (MMA)**

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

MMA attended the meeting and addressed the committee.

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

**RESOLVED:**

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

The meeting finished at 4.25 pm

Signed by Chair:  
Date:

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

**Wednesday 4 November 2020**

Councillor Alex Scroggie (Chair)

Present:	Councillor Roxanne Ellis	Councillor Helen Greensmith
	Councillor Boyd Elliott	Councillor Jennifer Hemingway
	Councillor Paul Feeney	Councillor Paul Wilkinson
Unison:	Alison Hunt	Gill Morley

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

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

None.

### **13 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 25 AUGUST 2020**

#### **RESOLVED:**

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

### **14 DECLARATION OF INTERESTS.**

None.

### **15 SICKNESS ABSENCE**

The Service Manager Organisational Development presented a report giving information about current levels of sickness absence in the organisation with information on trends.

#### **RESOLVED:**

To note the report.

### **16 CURRENT STAFFING ISSUES**

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

#### **RESOLVED:**

To note the report.

**17 MINOR CHANGES TO THE ESTABLISHMENT**

The Service Manager Organisational Development presented a report which had been circulated in advance of the meeting highlighting minor changes to the staffing establishment since the last meeting.

**RESOLVED:**

To note the report.

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

None.

**19 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.

**20 CONSULTATION CLOSURE- SENIOR MANAGEMENT REVIEW ("PHASE 2")**

The Chief Executive introduced a report, which had been circulated in advance of the meeting, which formally closed formal consultation on proposals to alter the senior structure of the organisation as well as seeking comments to be passed onto the Appointment and Conditions of Service Committee, who would make the final decision.

**RESOLVED to:**

- 1) Note the comments from affected employees and trade union representatives;
- 2) Support the proposals in the report but express regret over the resulting job losses; and
- 3) Recommend that the Appointments and Conditions of Service Committee and management are mindful of staff morale throughout the implementation of the proposals.

The meeting finished at 6.50 pm

Signed by Chair:  
Date:

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## **MINUTES OVERVIEW AND SCRUTINY COMMITTEE**

**Monday 9 November 2020**

Councillor Liz Clunie (Chair)

Councillor Paul Feeney	Councillor Andrew Ellwood
Councillor Chris Barnfather	Councillor Jennifer Hemingway
Councillor Sandra Barnes	Councillor Mike Hope
Councillor Michael Boyle	Councillor Marje Paling
Councillor Jim Creamer	Councillor Martin Smith
Councillor Rachael Ellis	Councillor Sam Smith

Apologies for absence: Councillor Simon Murray

Officers in Attendance: D Jayne, S Palmer, J Davies, P Whitworth and H Lee

Guests in Attendance Councillor D Ellis

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

Apologies were received from Councillor Murray. Councillor Barnfather attended as a substitute.

### **20 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 7 SEPTEMBER 2020.**

#### **RESOLVED:**

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

### **21 DECLARATION OF INTERESTS.**

Councillor Rachael Ellis declared a personal interest in item 4 as the wife of the Portfolio Holder.

### **22 PROGRAMME OF PORTFOLIO HOLDER ATTENDANCE**

The committee welcomed Councillor David Ellis, Portfolio Holder for Public Protection, who attended the meeting to discuss a range of responsibilities that fall within his Portfolio, and to assist the committee's annual requirement to examine the work of the Community Safety Partnership. David Jayne, Community Safety and Partnership Manager, and Sam Palmer, Food Health and Housing Manager, also attended the meeting.

Councillor Ellis discussed a range of issues and answered a number of questions that had been sent to him in advance of the meeting.

It was explained that:

- There had been a drop in recorded crime because of less opportunity due to the Covid lockdown and an increase in proactive policing. This requires the police to monitor criminal activity and respond by deploying additional resources to areas of concern.
- Anti-social behaviour has increased and targeted work is being undertaken by the police and borough officers.
- Concerns regarding the increase in domestic abuse were being addressed. The changing nature of types of abuse and mechanisms to improve the response to cases of, and support for, victims was discussed.
- The current local policing priorities are speeding, residential burglary and drug supply.
- The Selective Licensing Scheme is working well and is being expanded to include Carlton Hill, Colwick, Daybrook and Newstead Village.
- The South Nottinghamshire Community Safety Partnership works to keep partners involved, shares best practice and offers members mutual support and assistance.
- Covid Marshalls have no enforcement powers but have a role to engage, encourage and educate the public.

**RESOLVED to:**

- 1) Thank Councillor Ellis for his attendance;
- 2) Request additional information relating to the breakdown of incidents of antisocial behaviour; and
- 3) Note the information.

## TEMPORARY ACCOMMODATION

Joelle Davies, Service Manager for Economic Growth and Regeneration, and Paul Whitworth, Housing and Welfare Manager, attended the committee and discussed work to improve performance against the approved indicator relating to the average time spent in temporary accommodation.

During discussion the following points were highlighted:

- The increased need for temporary accommodation and the work being undertaken to prevent the threat of homelessness and the number of people presenting as homeless.
- The necessary current use of Bed and Breakfast accommodation
- Initiatives to improve the provision of temporary accommodation and the successful bid to secure additional units of accommodation
- The need to increase access to permanent affordable accommodation.

### RESOLVED to:

- 1) Ask officers to attend committee to update on further developments when approved by Cabinet; and
- 2) Note the information.

## SCRUTINY WORK PROGRAMME

### 2020/2021 Scrutiny Work Programme

#### Scrutiny Working Groups

#### **Planning Policy White Paper 'Planning for the Future' Consultation**

Members were informed that their response to the proposals had been forwarded to the Planning Policy Officer.

#### **Flooding**

Members were updated on the progress of the working group which is examining flooding in the borough.

After discussion it was agreed to start a review that would examine issues related to domestic abuse specifically the provision of temporary/refuge accommodation.

Working group members: Councillors Barnes, Boyle, Clunie, Ellis and Paling.

### **Scrutiny in Committee**

Members requested that a detailed breakdown of anti-social incidents in the borough be available for the January committee.

It was agreed that Councillor Hollingsworth, Portfolio Holder for Growth and Regeneration be invited to the March committee.

### **RESOLVED to**

- 1) Note the information relating to the ongoing scrutiny working groups;
- 2) Commence a review relating to domestic abuse and the provision of temporary accommodation;
- 3) Receive information regarding anti-social incidents in the borough; and
- 4) Invite Councillor Hollingsworth to the March committee.

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

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

### **RESOLVED:**

To note the information.

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

None.

The meeting finished at 7.45 pm



Signed by Chair:  
Date:

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## **MINUTES CABINET**

**Thursday 12 November 2020**

Councillor John Clarke (Chair)

Councillor Michael Payne  
Councillor Peter Barnes  
Councillor David Ellis  
Councillor Gary Gregory

Councillor Jenny Hollingsworth  
Councillor Viv McCrossen  
Councillor Henry Wheeler

Also in attendance: Councillor Kathryn Fox

### **48 APOLOGIES FOR ABSENCE**

None.

### **49 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 8 OCTOBER 2020**

#### **RESOLVED:**

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

### **50 DECLARATION OF INTERESTS**

None.

### **51 PRUDENTIAL CODE INDICATOR MONITORING 2020/21 AND QUARTERLY TREASURY ACTIVITY REPORT FOR QUARTER ENDED 30 SEPTEMBER 2020**

The Assistant Director for Finance introduced a report, which had been circulated in advance of the meeting, updating Members on the performance monitoring of the 2020/21 Prudential Code Indicators, and advising Members of the quarterly Treasury activity as required by the Treasury Management Strategy.

#### **RESOLVED:**

To note the report, together with the Treasury Activity Report 2020/21 for Quarter 2 at Appendix 1, and the Prudential and Treasury Indicator Monitoring 2020/21 for Quarter 2, at Appendix 2.

**BUDGET MONITORING (Q2) AND VIREMENT REPORT**

The Assistant Director for Finance introduced a report, which had been circulated in advance of the meeting, updating Members on the forecast outturn for Revenue and Capital budgets for 2020/21 and requesting approval for the changes to the budget as set out in the report.

**RESOLVED to:**

- 1) Approve the General Fund Budget virements set out in Appendix 1 to the report;
- 2) Approve the amendments to the Capital programme set out in Appendix 3 to the report;
- 3) Note the use of reserves and funds during quarter two as detailed in Appendix 2 to the report;
- 4) Note the mid-year review of the Medium Term Financial Plan; and
- 5) Request that a letter is sent to local Members of Parliament outlining concerns that Gedling has unfairly received comparatively lower government funding than other Nottinghamshire areas.

**GEDLING PLAN QUARTER 2 PERFORMANCE REPORT**

The Chief Executive introduced a report, which had been circulated prior to the meeting, informing Members in summary of the position against Improvement Actions and Performance Indicators in the 2020-23 Gedling Plan at the end of 2020/21 quarter 2.

The Leader spoke of his gratitude to Council staff and voluntary organisations across the borough for their continuing hard work throughout the coronavirus pandemic and requested that letters of thanks be sent to all of those involved for their contributions.

**RESOLVED to:**

- 1) Note the progress against Improvement Actions and Performance Indicators in the 2020-23 Gedling Plan for the end of 2020/21 quarter 2; and
- 2) Approve the amendment to the performance indicator as set out in paragraph 2.7 of the report.

**54 HEALTH AND SAFETY ANNUAL REPORT 2019/20**

The Health, Safety and Emergency Planning Officer introduced a report, which had been circulated in advance of the meeting, updating Members on the Corporate Health and Safety Annual Report.

It was noted that, in addition to the agreed recommendations, it would also be good practice for the Health and Safety Officer to inform the Leader of any temporary action taken, in relation to executive function L4 at Appendix 2 to the report.

**RESOLVED to:**

- 1) Note the Corporate Health and Safety Annual Report 2019/20; and
- 2) Approve the formal officer delegations for Health and Safety functions as set out in Appendix 2 to the report.

**55 AUTHORITY MONITORING REPORT APRIL 2019 – MARCH 2020**

The Service Manager Planning Policy introduced a report, which had been circulated in advance of the meeting, informing Members of the Council's Authority Monitoring Report April 2019 – March 2020.

**RESOLVED:**

To note the content of the Authority Monitoring Report April 2019 – March 2020.

**56 BESTWOOD VILLAGE CONSERVATION AREA APPRAISAL AND MANAGEMENT PLAN**

The Service Manager Planning Policy introduced a report, which had been circulated in advance of the meeting, seeking approval from Members to publish the Bestwood Village Conservation Area Character Appraisal and the associated Management Plan.

**RESOLVED to:**

- 1) Approve the Bestwood Village Conservation Area Character Appraisal and Management Plan at Appendix 1 and the recommended boundary changes therein at Appendix 2 to the report;
- 2) Authorise the Service Manager - Planning Policy to notify the Secretary of State of the boundary changes, publish the document and advertise the boundary changes as required by statute; and

- 3) Delegate authority to the Service Manager - Planning Policy to make any minor typographical, formatting or factual amendments to the Bestwood Conservation Area Appraisal and Management Plan as appropriate.

**57 LAMBLEY CONSERVATION AREA APPRAISAL AND MANAGEMENT PLAN**

The Service Manager Planning Policy introduced a report, which had been circulated in advance of the meeting, seeking approval from Members to publish the Lambley Conservation Area Character Appraisal and the associated Management Plan.

**RESOLVED to:**

- 1) Approve the Lambley Conservation Area Character Appraisal and Management Plan at Appendix 1 and the recommended boundary changes therein at Appendix 2 to the report;
- 2) Authorise the Service Manager - Planning Policy to notify the Secretary of State of the boundary changes, publish the document and advertise the boundary changes as required by statute; and
- 3) Delegate authority to the Service Manager - Planning Policy to make any minor typographical, formatting or factual amendments to the Lambley Conservation Area Appraisal and Management Plan as appropriate.

**58 RECORDS RETENTION AND DISPOSAL POLICY**

The Director of Organisational Development and Democratic Services introduced a report, which had been circulated in advance of the meeting, updating Members on the review of the Council's Records Retention and Disposal Policy and seeking approval of the updated policy.

**RESOLVED:**

To approve the updated Records Retention and Disposal Policy at Appendix 1 to the report.

**59 EQUALITIES UPDATE**

The Director of Organisational Development and Democratic Services introduced a report, which had been circulated in advance of the meeting, updating Members on work surrounding equalities, seeking approval to go out for public consultation on a new Equality Framework and Action Plan and Equality and Diversity Policy and seeking approval to put in place a clear structure to demonstrate leadership and

organisational commitment, challenge inequalities and drive an improvement agenda.

**RESOLVED to:**

- 1) Approve the Equality Framework and Action Plan at Appendix 1, to go out for wider consultation as detailed in this report;
- 2) Approve the draft Equality and Diversity Policy at Appendix 2 to go out for wider consultation as detailed in this report;
- 3) Approve the formation of a corporate Strategic Equalities and Diversity Group; and
- 4) Note the work undertaken to date in relation to the Equality Policy (Employment).

**60**

**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.

**61**

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

Members thanked Helen Barrington, who was attending her last meeting of Cabinet, for her contribution to the Council and her service over the years, commenting on her integrity and diligence and wished her well in her new role.

The meeting finished at 4.00 pm

Signed by Chair:  
Date:

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

**Wednesday 18 November 2020**

Councillor John Clarke (Chair)

Councillor Michael Payne  
Councillor Michael Adams  
Councillor Sandra Barnes

Councillor Bob Collis  
Councillor Marje Paling  
Councillor Sam Smith

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

**25 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.**

None.

**26 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 21 SEPTEMBER 2020**

**RESOLVED:**

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

**27 DECLARATION OF INTERESTS.**

None.

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

None.

**29 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 Paragraphs 1 and 4 of Part 1 of Schedule 12a of the Local Government Act 1972.

**30 CONSULTATION CLOSURE-SENIOR MANAGEMENT REVIEW ("PHASE 2")**

The Chief Executive introduced a report, which had been circulated prior to the meeting, firstly notifying Members of the outcome of the consultation process and the recommendations made by the Joint Consultative and Safety Committee on 4 November and secondly asking for the members to authorise a final senior structure for the organisation for implementation including the allocation of statutory roles to appropriate posts.

**RESOLVED:**

- 1) To note the comments made by affected employees and the Joint Consultative and Safety Committee;
- 2) To agree and authorise the implementation of the senior management structure of the council as put forward in the proposal of the Chief Executive set out in this report including the process of recruitment and selection to fill new posts;
- 3) To authorise the designation of statutory roles to identified posts as detailed in the Chief Executive's proposals and similarly to support the designation of non-statutory roles to identified posts to ensure the efficient operation of the council;
- 4) To establish a panel as detailed in the Chief Executive's proposals to deal with all aspects of selection of a new Director of Corporate Resources and Section 151 Officer up to (but not including) the point of interview which will be conducted by the full committee on 16 December;
- 5) That in accordance with the original report proposals and as a result of there being only one post holder appropriate for placement into a ring-fenced new post, to re-designate the Director of Community Health and Wellbeing as the Corporate Director (Environment, Communities & Leisure), to designate the Service Manager Organisational Development as Head of Human Resources, Performance & Service Planning and to confirm the appointment of the current Service Manager, Legal Services into the post of Head of Service for Governance and Customer Services all without further process to take effect on such dates as to be determined by the Chief Executive to enable effective implementation of the new structure and formally communicated to the affected officers; and
- 6) That following the departure of the Director of Organisational Development and Democratic Services to designate the Service Manager, Legal Services as Monitoring Officer on an interim basis with effect from Monday 7 December 2020.

The meeting finished at 10.12 am

Signed by Chair:

Date:

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## **MINUTES AUDIT COMMITTEE**

**Tuesday 24 November 2020**

Councillor Bob Collis (Chair)

Councillor Meredith Lawrence  
Councillor Liz Clunie  
Councillor Boyd Elliott

Councillor Kathryn Fox  
Councillor Helen Greensmith  
Councillor Jennifer Hemingway

Officers in Attendance: A Ball and A Dubberley

Also in attendance: K Ball and G Dulay (BDO) and A Pipes (Mazars)

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

None.

### **19 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 7 JULY 2020**

#### **RESOLVED:**

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

### **20 DECLARATION OF INTERESTS.**

None.

### **21 GOING CONCERN**

The Assistant Director Finance introduced a report, which had been circulated in advance of the meeting informing Members of the Chief Financial Officer's assessment of the Council's "Going Concern" status for the purpose of the Statement of Accounts 2019/20.

#### **RESOLVED to:**

Note the outcome of the assessment made by the Chief Financial Officer that Gedling Borough Council can continue to operate as a going concern for a period of twelve months from the date of signing the audit opinion, and accordingly remains a going concern for the purpose of the 2019/20 Statement of Accounts.

## **22 MAZARS EXTERNAL AUDIT REPORT 2019/20**

The Assistant Director Finance introduced a report, which had been circulated in advance of the meeting, informing Members of the key findings arising from Mazars' (the Council's external auditor) audit work in respect of 2019/20.

Anita Pipes from Mazars gave further information about key findings in the report.

### **RESOLVED:**

To note the Mazars external audit report for 2019/20.

## **23 ANNUAL GOVERNANCE STATEMENT AND STATEMENT OF ACCOUNTS 2019/20**

The Assistant Director Finance introduced a report, which had been circulated in advance of the meeting, seeking approval of the Council's Annual Governance Statement for 2019/20 and the Statement of Accounts for 2019/20.

### **RESOLVED:**

- 1) To approve the Annual Governance Statement for 2019/20 at Appendix 1 to the report;
- 2) That subject to approval of the Annual Governance Statement approve the Statement of Accounts for 2019/20, at Appendix 2 to the report, with the inclusion of the additional wording set out at paragraph 3.3.4 of the report if such addition is necessary;
- 3) To note the Narrative Statement on pages 3 to 16 of the Statement of Accounts for 2019/20; and
- 4) To agree the Letter of Representation at Appendix 3 the report.

## **24 INTERNAL AUDIT PROGRESS REPORT 2020/21**

Gurpreet Dulay (BDO) introduced a report summarising the outcome of internal audit activity completed by the BDO Internal Audit Team for the period June 2020 to November 2020.

### **RESOLVED:**

To note the report and actions taken or to be taken.

## **25 INTERNAL AUDIT FOLLOW UP REPORT 2020/21**

Kate Ball (BDO) introduced a report, which had been circulated in advance of the meeting, detailing the outcome of the follow up process completed by the BDO Internal Audit Team for the period April 2020 to November 2020.

**RESOLVED:**

To note the report and actions taken or to be taken.

**26 INDEPENDENT REVIEW INTO THE OVERSIGHT OF LOCAL AUDIT AND THE TRANSPARENCY OF LOCAL AUTHORITY FINANCIAL REPORTING (THE REDMOND REVIEW).**

The Assistant Director Finance introduced a report updating Members on recommendations arising from the Independent Review into the Oversight of Local Audit and the Transparency of Local Authority Financial Reporting (the Redmond Review).

**RESOLVED:**

To note the report.

**27 CORPORATE RISK MANAGEMENT SCORECARD QUARTER 2 2020/21**

The Assistant Director Finance introduced a report to update 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.

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

Nothing was raised under this item.

The meeting finished at 7.10 pm

Signed by Chair:  
Date:

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## **MINUTES ENVIRONMENT AND LICENSING COMMITTEE**

**Tuesday 1 December 2020**

Councillor Marje Paling (Chair)

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

Officers in Attendance: C Allcock, J Davies, A Dubberley, K Nealon and R Pentlow

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

None.

### **43 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 3 NOVEMBER 2020**

#### **RESOLVED:**

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

### **44 DECLARATION OF INTERESTS.**

None.

### **45 APPLICATION FOR STREET TRADING CONSENT AT EAGLES SQUARE ARNOLD**

Consideration was given to a report of the Director of Health and Community Wellbeing making an application for a Street Trading Consent for Arnold Market

#### **RESOLVED to:**

- 1) Approve the application made by Gedling Borough Council for a Street Trading Consent for the Arnold Market to trade in a consent street in Arnold as shown in the Appendix to the report;
- 2) Approve a departure from the Council's Street Trading Policy and that the consent be for a 12 month period; and

- 3) Delegate authority to the Director of Health and Community Wellbeing to approve or refuse all future applications for Street Trading Consent.

**46 TAXI LICENSING FEES FOR 2020/21**

Consideration was given to a report of the Director of Health and Community Wellbeing which presented the feedback on consultation about a proposal to increase the fees of taxi driver, operator and vehicle licences for 2020/21.

**RESOLVED that:**

In the light of the responses received to the consultation and in recognition of the continuing difficulties faced by the taxi trade locally the proposed increase in fees for 2020/21 be not implemented and the fees for drivers, vehicles, and operators remain at the 2019/20 rates for the rest of the 2020/21 financial year.

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

None.

The meeting finished at 4.35 pm

Signed by Chair:  
Date:

## **MINUTES PLANNING COMMITTEE**

**Wednesday 2 December 2020**

Councillor John Truscott (Chair)

In Attendance:	Councillor Paul Wilkinson	Councillor Rosa Keneally
	Councillor Michael Adams	Councillor Meredith Lawrence
	Councillor Peter Barnes	Councillor Barbara Miller
	Councillor Chris Barnfather	Councillor Marje Paling
	Councillor David Ellis	Councillor John Parr
	Councillor Rachael Ellis	Councillor Alex Scroggie
	Councillor Andrew Ellwood	Councillor Henry Wheeler
	Councillor Mike Hope	

Absent: None

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

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

None.

### **64 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 21 OCTOBER 2020.**

#### **RESOLVED:**

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

### **65 DECLARATION OF INTERESTS**

The Chair declared a collective non-pecuniary interest on behalf of all Members in item 7 on the agenda, as Gedling Borough Council were in ownership of the land and had made the application.

Councillor Barnes declared a personal interest in item 8 on the agenda and did not participate in the discussion nor the vote.

### **66 APPLICATION NO. 2020/0238 - ASHDALE, NOTTINGHAM ROAD, BURTON JOYCE**

Outline application for 11 new dwellings with matters of access, scale and layout to be considered as part of this application.

A written representation from Sallyanne Johnson, a local resident in objection to the application, was read by Alec Dubberley, Service Manager - Democratic Services.

The Assistant Director – Planning and Regeneration introduced the report.

**RESOLVED:**

**To Grant Outline Planning Permission with the matter of Access, Layout and Scale approved: Subject to the owner entering into a Section 106 Agreement with the Borough Council as Local Planning Authority and with the County Council as Local Education Authority for financial contributions towards open space and education and a local labour agreement; and subject to the conditions listed for the reasons set out in the report:**

**Conditions**

- 1 Application for approval of reserved matters shall be made to the local planning authority not later than three years from the date of this permission. Details of appearance and landscaping (hereinafter called the reserved matters) for the development shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.
- 2 The development hereby permitted shall begin not later than two years from the date of approval of the last of the reserved matters to be approved.
- 3 This permission shall be read in accordance with the application form and following list of approved drawings:  
1508G/002 Revision H - Site Block Plan  
1508G/004 Revision E - Site Block Plan - Impact Plan  
  
The development shall thereafter be undertaken in accordance with these plans/details.
- 4 No dwelling hereby approved shall be occupied until a suitable access arrangement has been provided in accordance with the approved drawing no. 1508G/004 Revision E - Site Block plan - Impact Plan.
- 5 No dwelling shall be occupied until the roads necessary to serve that dwelling have been constructed to base level.

- 6 No dwelling shall be occupied until all drives and parking areas are surfaced in a bound material (not loose gravel). The surfaced drives and parking areas shall then be maintained in such bound material for the life of the development.
- 7 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.
- 8 No dwelling shall be occupied until one or more dedicated vehicle parking spaces and/ or a garage have been provided at each dwelling with access to an electric vehicle (EV) charge point. Charge points must have a minimum power rating output of 7kW on a dedicated circuit, capable of providing a safe overnight charge to an electric vehicle. All EV charging points shall meet relevant safety and accessibility requirements and be clearly marked with their purpose; which should be drawn to the attention of new residents in their new home welcome pack / travel planning advice.
- 9 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 produced by the Council on the assessment of dust from demolition and construction and include a site specific dust risk assessment; all works on site shall, thereafter, be undertaken in accordance with the approved CEMP
- 10 The development shall be carried out in accordance with the submitted flood risk assessment (ref: Land at Ashdale, Nottingham Road, Burton Joyce, Gracemachin Planning and Property Ltd, Farrow Walsh Consulting, FW1907\_FRA\_001, V2.1, 06/04/2020) and the following mitigation measures it details: o Finished floor levels shall be set no lower than 19.82 metres above Ordnance Datum (AOD) as stated within section 7.2.1 of the FRA. The mitigation measures shall then be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.
- 11 No part of the development hereby approved shall commence until a detailed surface water drainage scheme based on the principles set forward by the approved Flood Risk Assessment (FRA) and Drainage Strategy has been submitted to and approved in writing

by the Local Planning Authority in consultation with the Lead Local Flood Authority. The scheme shall be implemented in accordance with the approved details prior to the first occupation of any dwelling. The scheme to be submitted shall:

- Demonstrate that the development will use SuDS throughout the site as a primary means of surface water management and that design is in accordance with CIRIA C753.
- Limit the discharge rate generated by all rainfall events up to the 100 year plus 40% (for climate change) critical rain storm 5 l/s rates for the developable area.
- Provision of surface water run-off attenuation storage in accordance with 'Science Report SCO30219 Rainfall Management for Developments' and the approved FRA
- Provide detailed design (plans, network details and calculations) in support of any surface water drainage scheme, including details on any attenuation system, and the outfall arrangements. Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 2 year, 1 in 30 year, 1 in 100 year and 1 in 100 year plus climate change return periods.
- For all exceedance to be contained within the site boundary without flooding new properties in a 100year+40% storm.
- Details of STW approval for connections to existing network and any adoption of site drainage infrastructure.
- Evidence of how the on-site surface water drainage systems shall be maintained and managed after completion and for the lifetime of the development.

- 12 Before development is commenced there shall be submitted to and approved in writing by the Local Planning Authority drainage plans for the proposed means of disposal of foul sewage. The scheme shall be implemented in accordance with the approved details before the development is first brought into use and shall be retained for the lifetime of the development thereafter.
- 13 In the event that contamination is found at any time when carrying out the approved development it must be reported in writing immediately to the Local Planning Authority and once the Local Planning Authority has identified the part of the site affected by the unexpected contamination development must be halted on that part of the site. An assessment must be undertaken in accordance with the requirements of the Local Planning Authority, and where remediation is necessary a remediation scheme, together with a timetable for its implementation and verification reporting, must be submitted to and approved in writing by the Local Planning Authority.
- 14 Development shall be undertaken in accordance with the approved noise report, completed by BSP Consulting, BSP Document Ref: RDBJ-BSP-ZZ-XX-RP-C-001-

P1\_Environmental\_Noise\_Assessment and the mitigation therein, notably with regard to window details and ventilation to the dwellings and fencing to the garden areas. Verification that the approved sound insulation has been implemented and is fully operational shall be submitted to and be approved in writing by the Local Planning Authority.

- 15 Development shall be undertaken in accordance with the Ecological Appraisal Report by JJH Consulting Ltd dated December 2019 and the recommendations and mitigation measures adhered to at all times.
- 16 Prior to the commencement of development, a further badger survey of the site shall be submitted and approved in writing by the Local Planning Authority. Any mitigation contained in the approved report shall thereafter be implemented.
- 17 Prior to the commencement of development, Great Crested Newt presence/absence surveys shall be submitted and approved in writing by the Local Planning Authority. Any mitigation contained in the approved report shall thereafter be implemented.
- 18 The development shall be undertaken in accordance with the Arboricultural Report and Impact Assessment by AWA Tree Consultants, dated August 2020, Reference AWA2971 and the Arboricultural Method Statement by AWA Tree Consultants, dated August 2020 reference AWA3363, specific attention shall be given to the timings of events from arboricultural works through erection of protective fencing and development to protective fence removal and the need for strict monitoring throughout the process. The protective fencing shall be provided before site preparation commences and the protective fencing shall remain in place at all times during site preparation and development. The protective fencing shall only be removed following completion of the development.
- 19 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.
- 20 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.

- 21 No part of the development hereby permitted shall take place until details of the new road have been submitted to and approved in writing by the Local Planning Authority including longitudinal and cross-sectional gradients, visibility splays, street lighting, drainage and outfall proposals, construction specification, provision of and diversion of utilities services, and any proposed structural works. The development shall be implemented in accordance with the approved details and retained thereafter for the life of the development.
- 22 All access driveways and parking areas shall be constructed with provision to prevent the unregulated discharge of surface water from the driveways and parking areas to the public highway. The provision to prevent the unregulated discharge of surface water to the public highway shall then be retained for the life of the development.
- 23 No development hereby permitted shall commence until details of wheel washing facilities have been submitted to and approved in writing by the Local Planning Authority. The wheel washing facilities thereby approved shall be maintained in working order for the duration of the construction works at all times and shall be used by any vehicle carrying mud, dirt or other debris on its wheels before leaving the site so that no mud, dirt or other debris is discharged or carried on to a public road.

## **Reasons**

- 1 To comply with the provision of Section 92(2) of the Town and Country Planning Act 1990.
- 2 To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.
- 3 For the avoidance of doubt.
- 4 To ensure an adequate form of development in the interests of highway safety and to comply with policy LPD61.
- 5 To ensure that each dwelling has appropriate vehicular access and to comply policy LPD61.
- 6 To ensure that loose material does not enter the highway and to comply with policy LPD61.
- 7 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.



- 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 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 To ensure that the site is safe and suitable for use, thereby taking into consideration the aims of the National Planning Policy Framework 2019, policy 1 of the Aligned Core Strategy 2014 and policy LPD3 of the Local Planning Document 2018.
- 11 A detailed surface water management plan is required to ensure that the development is in accordance with National Planning Policy Framework 2019 and local planning policies. It should be ensured that all major developments have sufficient surface water management, are not at increased risk of flooding and do not increase flood risk off-site.
- 12 To ensure foul water is adequately disposed of and to comply with policies LPD4, LPD5 and LPD6.
- 13 To ensure the development is safe and suitable for use, thereby taking into consideration paragraph 121 of the National Planning Policy Framework and policy LPD7 of the Councils Local Plan.
- 14 To ensure that amenity of proposed dwellings are suitably protected and to comply with guidance within the NPPF.
- 15 To ensure that protected species are not detrimentally impacted and to comply with guidance within the NPPF.
- 16 To ensure that protected species are not detrimentally impacted and to comply with guidance within the NPPF.
- 17 To ensure that protected species are not detrimentally impacted and to comply with guidance within the NPPF.
- 18 To ensure that the trees to be retained at the site are appropriately protected at all times.
- 19 In the interests of protecting ecological interests.
- 20 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.

- 21 To ensure the development is constructed to adoptable standards.
- 22 In the interests of highway safety.
- 23 In the interests of highway safety.

### **Reasons for Decision**

The principle of the development accords with the objectives of national and local planning policies. It is considered that the site could be used for residential development without causing undue harm to visual and residential amenity, highway safety, ecological interests or flooding. 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**

It is an offence under S148 and S151 of the Highways Act 1980 to deposit mud on the public highway and as such you should undertake every effort to prevent it occurring. The applicant should note that notwithstanding any planning permission if any highway forming part of the development is to be adopted by the Highways Authority, the new roads and any highway drainage will be required to comply with Nottinghamshire County Council's current highway design guidance and specification for roadworks. The Advanced Payments Code in the Highways Act 1980 applies and under section 219 of the Act payment will be required from the owner of the land fronting a private street on which a new building is to be erected. The developer should contact the Highway Authority with regard to compliance with the Code, or alternatively to the issue of a Section 38 Agreement and bond under the Highways Act 1980. A Section 38 Agreement can take some time to complete. Therefore, it is recommended that the developer contact the Highway Authority as early as possible. It is strongly recommended that the developer contact the Highway Authority at an early stage to clarify the codes etc. with which compliance will be required in the particular circumstance, and it is essential that design calculations and detailed construction drawings for the proposed works are submitted to and approved by the County Council (or District Council) in writing before any work commences on site. All correspondence with the Highway Authority should be addressed to:- NCC (Highways Development Control) (Floor 3) Nottinghamshire County Council County Hall Loughborough Road West Bridgford Nottingham, NG2 7QP

Planning Practice Guidance and section H of the Building Regulations 2010 detail surface water disposal hierarchy. The disposal of surface water by means of soakaways should be considered as the primary method. If this is not practical and there is no watercourse is available as an alternative other sustainable methods should also be explored. If these are found unsuitable, satisfactory evidence will need to be submitted, before a discharge to the public sewerage system is considered. 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. They may obtain copies of our current guidance notes and application forms for diversions from either our website ([www.stwater.co.uk](http://www.stwater.co.uk)) or by contacting our Developer Services Team (Tel: 0800 707 6600).

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 applicant is advised that any site clearance works are undertaken outside of the bird breeding season - October to February inclusive.

The applicant is advised that conditions 16 and 17, relating to the requirement for a further badger survey and a survey regarding the potential presence of Great Crested Newts shall be read in conjunction with the submitted Ecological Appraisal Report by JJH Consulting Ltd December 2019.

Planning Statement - The Borough Council has worked positively and proactively with the applicant in accordance with paragraph 38 of the National Planning Policy Framework (2019). Negotiations have taken place during the assessment of the application to address adverse impacts identified by officers. Amendments have subsequently been made to the proposal, addressing the identified adverse impacts, thereby resulting in a more acceptable scheme and a favourable recommendation.

The 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. A suitable 'IEC 62196' electrical socket (minimum rated output of 3.7kw /16A) can be provided in addition to the standard 3 pin socket to allow 'Mode 3' charging of an electric vehicle. Mode 3 charging, using a suitable cable and charging point, allows Smart charging of electric vehicles. All electrical circuits/installations shall comply with the electrical requirements of BS7671:2008 as well as conform to the IET code of practice on Electrical Vehicle Charging Equipment installation (2015).

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

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

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0845 762 6848. Further information is also available on The Coal Authority website at [www.coal.decc.gov.uk](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).

You are advised that planning permission does not override any private legal matters which may affect the application site, over which the Borough Council has no jurisdiction (e.g. covenants imposed by former owners, rights of light, etc.).

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

Council's website or from the Planning Portal:  
[www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil](http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil)

17th November 2020

**67 APPLICATION NO. 2020/0258 - LAND NORTH OF PAPPLEWICK LANE, LINBY**

Development of 18no houses.

The Assistant Director – Planning and Regeneration introduced the report and informed members that further to the information contained in the report, a local labour agreement was considered to be necessary to comply with Policy LPD48 as the development met the threshold for an agreement. It was recommended that this was secured via a planning condition which was consistent with the method of securing such provision for the wider site.

The Assistant Director – Planning and Regeneration recommended that permission was granted in accordance with the report, but with an additional condition requiring the development to be undertaken in accordance with a local labour agreement, to be submitted to and approved in writing by the local planning authority.

**RESOLVED:**

**To Grant Full Planning Permission: Subject to the owner entering into a Section 106 Agreement with the Borough Council as local planning authority and with the County Council as education authority for the provision of, or financial contributions towards Educational Facilities, Affordable Housing, and the provision of Open Space and its future maintenance and subject to the following conditions:**

**Conditions**

- 1 The development must be begun not later than three years beginning with the date of this permission.
- 2 The development hereby permitted shall be completed in accordance with the submitted documents received on 13th July 2020:

Proposed Location Plan Dwg No. 02  
Proposed Site Plan Dwg No. 01 Red D  
Materials Plan Dwg No. 03  
Landscape Strategy Dwg No. 101

Proposed Boundary Treatment Plan Drawing No. 04  
Outline Hardworks Surfaces Dwg No. 201  
Tree Protection Plan Dwg No. RSE\_3685\_TPP Rev V1

#### House Types

Somerby Dwg No. SOM/WKDG/100/26/02 Rev CA  
Lowesby Dwg No. LOW/WKDG/100/75/03 Rev CA  
Willesley Dwg No. WIL/WKDG/100/67/03 Rev CA  
Dalby Dwg No. DALB/WKDG/100/73/02 Rev CA  
Lichfield Dwg No. LIC/WKDG/100/30/03 Rev CA  
Somerby (Brick Banding) Dwg No. SOM/WKDG/100/26/03 Rev CA  
Worcester Dwg No. WOR/WKDG/100/10/04 Rev CA

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

- 3 Prior to the first occupation every property built on the site with one or more dedicated vehicle parking spaces and/ or a garage shall be provided with access to an electric vehicle (EV) charge point. Charge points must have a minimum power rating output of 7kW on a dedicated circuit, capable of providing a safe overnight charge to an electric vehicle.
- 4 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.
- 5 No dwelling hereby approved shall be occupied until all access driveways and parking areas relating to that dwelling are constructed with provision to prevent the unregulated discharge of surface water from the driveways and parking areas to the public highway. The provision to prevent the unregulated discharge of surface water to the public highway shall then be retained for the life of the development.
- 6 No dwelling hereby approved shall be occupied until any access driveway or parking area directly relating to that dwelling has been surfaced in a bound material (not loose gravel). The surfaced driveway or parking area shall then be maintained in such bound material for the life of the development.

- 7 Unless otherwise agreed by the Local Planning Authority, works must not commence until a detailed remediation scheme is submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and criteria, and a timetable of works and site management procedures. The agreed remediation scheme shall be implemented in accordance with the approved timetable of works.
- 8 Prior to completion of the works a Verification Report (that demonstrates the effectiveness of the remediation carried out) must be submitted and approved in writing by the Local Planning Authority.
- 9 No part of the development hereby approved shall commence until a detailed surface water drainage scheme based on the principles set forward by the approved Flood Risk Assessment (FRA) and Drainage Strategy, has been submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority. The scheme shall be implemented in accordance with the approved details prior to completion of the development.
- 10 All the trees and hedges shown on the Tree Protection Plan Dwg No. RSE\_3685\_TPP Rev V1 as "to be retained" and/or any trees whose canopies overhang the site] shall be protected by strong fencing, the location and type in accordance with the approved Arboricultural Impact Assessment, Method Statement and Tree Protection Plan. The fencing shall be erected in accordance with the approved details before any equipment, machinery or materials are brought onto the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed within any fenced area, and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the local planning authority. In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars.
- 11 Prior to the commencement of the development hereby permitted, details of a local labour agreement to cover the construction of the development shall be submitted to and approved in writing by the Borough Council. The local labour agreement shall be implemented in accordance with the approved details

## **Reasons**

- 1 In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 For the avoidance of doubt and to define the permission.
- 3 To ensure the development is constructed in an appropriate sustainable manner which takes into consideration air quality within the Borough, and takes into consideration the National Planning Policy Framework and policy LPD11 of the Council's Local Plan.
- 4 To ensure the development is constructed in an appropriate sustainable manner which takes into consideration air quality within the Borough, and takes into consideration the National Planning Policy Framework and policy LPD11 of the Council's Local Plan.
- 5 To ensure surface water from the site is not deposited on the public highway causing dangers to road users.
- 6 To reduce the possibility of deleterious material being deposited on the public highway (loose stones etc).
- 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 Council's Local Plan.
- 8 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 Council's Local Plan.
- 9 A detailed surface water management plan is required to ensure that the development is in accordance with NPPF and local planning policies. It should be ensured that all major developments have sufficient surface water management, are not at increased risk of flooding and do not increase flood risk off-site.
- 10 In the interests of visual amenity and effective landscaping of the site.
- 11 To ensure the development complies with policy LPD48 – Local Labour Agreements.

## **Notes to Applicant**



- 1 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.
- 2 The applicant should note that notwithstanding any planning permission if any highway forming part of the development is to be adopted by the Highways Authority, the new roads and any highway drainage will be required to comply with Nottinghamshire County Council's current highway design guidance and specification for roadworks.
- 3 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.
- 4 It is strongly recommended that the developer contact the Highway Authority at an early stage to clarify the codes etc. with which compliance will be required in the particular circumstance, and it is essential that design calculations and detailed construction drawings for the proposed works are submitted to and approved by the County Council (or District Council) in writing before any work commences on site. All correspondence with the Highway Authority should be addressed to:-  
  
NCC (Highways Development Control) (Floor 3), Nottinghamshire  
County Council, County Hall, Loughborough Road, West  
Bridgford, Nottingham, NG2 7Q
- 5 The developer is encouraged to consider upgrading the EV charging facilities to incorporate mode 3 charging capability as this will help future proof the development and improve its sustainability. A suitable electrical socket can be provided to allow 'Mode 3' charging of an electric vehicle, allowing Smart charging of electric vehicles.
- 6 All electrical circuits/installations shall comply with the electrical requirements of BS7671:2008 as well as conform to the IET code of practice on Electrical Vehicle Charging Equipment installation (2015).
- 7 The applicant is advised that all planning permissions granted on or after 16th October 2015 may be subject to the Community

Infrastructure Levy (CIL). Full details of CIL are available on the Council's website.

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

**68 APPLICATION NO. 2020/0698 - 19 ASHE CLOSE, ARNOLD**

The item was withdrawn from the agenda.

**69 APPLICATION NO. 2020/1042 - EAGLE SQUARE, FRONT STREET, ARNOLD**

Temporary relocation of 12 market stalls on to Eagle Square for up to 12 months (change of use).

The Assistant Director – Planning and Regeneration introduced the report and informed members that further to the publication of the report, the separate street trading consent application had been approved by the Environment & Licensing Committee.

**RESOLVED:**

**To Grant full Planning Permission subject to the conditions listed for the reasons set out in the report.**

**Conditions**

- 1 This permission shall be for a period of 12 months only from the date of this permission, at the expiration of which time the market stalls and any ancillary structures shall be removed.
- 2 The development hereby approved shall be carried out in accordance with the following documents/plans deposited on the 16th October 2020:-
  - Application form;
  - Planning Statement;
  - Site Location OS Plan drg. no EGR/ AMP/ ES -001 -;
  - Site Survey Block Plan drg. no. EGR/ AMP/ ES - 002-;

and the following plans and documents received on the 17<sup>th</sup> November 2020

- Interim Market Proposals drg. no. GBC/EG+R/AMP\_004; and
- Correspondence relating to the servicing of the market and the waste strategy.

#### Reasons

- 1 To allow for the retention of a market facility within Arnold Town centre during the redevelopment of Arnold Market place and in the interests of the viability and vitality of the Town Centre.
- 2 For the avoidance of doubt.

#### Notes to Applicant

Your attention is drawn to the following:-

Sufficient electric supply should be provided for the stalls.

The trees in the area and the in situ seating area should be protected when installing the market stalls to prevent damage.

Access must be allowed from High Street into the precinct for shop deliveries, emergency vehicles and disable blue badge holders. As a public right of way it should not be blocked - unless an alternative route is arranged with Nottinghamshire County Council highways.

The flood relief water storage tank under the Eagles Square shall remain accessible at all times.

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.

70

#### **ENFORCEMENT REF: 0186/2020 - AGRICULTURAL LAND TO THE NORTH OF ASH VALE FARM, BANK HILL, WOODBOROUGH**

The construction of an unauthorised building, engineering works, unauthorised fence and earth bund.

The Assistant Director – Planning and Regeneration informed members that the building was not within the residential curtilage and that it was within the Green Belt.

**RESOLVED:**

**That the Assistant Director - Planning and Regeneration, be authorised to take all enforcement action including the service of any enforcement notices and in conjunction with the Director of Organisational Development & Democratic Services, proceedings through the courts if required to ensure the unauthorised development at the site is removed.**

**71                    ENFORCEMENT    REF:    0184/2020    -    3    WOBURN    RISE,  
WOODTHORPE**

Unauthorised development.

The Assistant Director – Planning and Regeneration introduced the report informed members that the temporary stop notice served under the scheme of delegation expired on the 3<sup>rd</sup> December and that subject to committee approval, it was intended to issue a full stop notice and an enforcement notice.

**RESOLVED:**

**That the Assistant Director - Planning and Regeneration, be authorised to take all enforcement action including the service of any necessary stop notices and enforcement notices and in conjunction with the Director of Organisational Development & Democratic Services, proceedings through the courts if required to ensure the unauthorised development at the site is removed.**

**72                    APPEAL DECISION - THE FOLLY, PARK LANE, LAMBLEY**

Erection of a link extension to the existing dwelling and conversion of stables and workshop to additional living accommodation together with associated parking and landscaping works.

**RESOLVED:**

To note the information.

**73                    FUTURE PLANNING APPLICATIONS**

**RESOLVED:**

To note the information.

**74 ANNUAL MONITORING REPORT**

**RESOLVED:**

To note the report.

**75 BRIEFING NOTE - AMENDMENTS TO USE CLASSES**

**RESOLVED:**

To note the report.

**76 PLANNING DELEGATION PANEL ACTION SHEETS**

**RESOLVED:**

To note the report.

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

None.

The meeting finished at 7.00 pm

Signed by Chair:  
Date:

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## **MINUTES ENVIRONMENT AND LICENSING COMMITTEE**

**Tuesday 8 December 2020**

Councillor Marje Paling (Chair)

Present: Councillor Nicki Brooks                      Councillor Julie Najuk  
            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 Sam Smith

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

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

Apologies for absence were received from Councillor Smith.

### **49 DECLARATION OF INTERESTS.**

None received.

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

None.

### **51 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.

### **52 APPLICATION FOR A THREE YEAR HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE - MI**

Consideration was given to a report of the Director of Health and Community Wellbeing, which had been circulated prior to the meeting, regarding an application for a three year joint Hackney Carriage/Private Hire Driver's Licence for MI.

MI attended the committee.

**RESOLVED:**

To defer consideration of the application until a future meeting of the committee so that Members can be provided with references in support of the applicant being a fit and proper person to hold a licence.

**53 APPLICATION FOR A ONE YEAR HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE - TUR**

Consideration was given to a report of the Director of Health and Community Wellbeing, which had been circulated prior to the meeting, regarding an application for a one year joint Hackney Carriage/Private Hire Driver's Licence for TUR.

TUR did not attend the meeting.

**RESOLVED:**

- 1) To defer consideration of the application until the January meeting to give TUR another opportunity to appear before the Committee; and
- 2) That if TUR does not appear, the application will be determined at the next Committee in his absence.

**54 APPLICATION FOR A ONE YEAR HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE - MS**

Consideration was given to a report of the Director of Health and Community Wellbeing, which had been circulated prior to the meeting, regarding an application for a one year joint Hackney Carriage/Private Hire Driver's Licence for MS.

MS attended the meeting along with his representative.

**RESOLVED:**

To defer consideration of the application until the outcome of the pending court case against MS is known.

The meeting finished at 4.15 pm



Signed by Chair:  
Date:

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## **MINUTES CABINET**

**Thursday 10 December 2020**

Councillor Michael Payne

Councillor Peter Barnes  
Councillor David Ellis  
Councillor Gary Gregory

Councillor Jenny Hollingsworth  
Councillor Viv McCrossen  
Councillor Henry Wheeler

Absent: Councillor John Clarke

### **62 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor John Clarke due to his attendance on other Council business.

### **63 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 12 NOVEMBER 2020**

#### **RESOLVED:**

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

### **64 DECLARATION OF INTERESTS**

None.

### **65 INFRASTRUCTURE FUNDING STATEMENT**

The Community Infrastructure Levy and Section 106 Monitoring Officer introduced a report, which had been circulated in advance of the meeting, updating Members on the Community Infrastructure Levy (CIL) Infrastructure Funding statement for 2019/20.

#### **RESOLVED to:**

- 1) Note the report; and
- 2) Agree to the publication of the Infrastructure Funding Statement for 2019/20 as detailed at Appendix A to the report, subject to a minor typographical amendment in paragraph 5 at table 15; removing reference to Lambley Lane changing rooms.

**66**

**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.

**67**

**ANY OTHER ITEMS THE CHAIR CONSIDERS URGENT**

Councillor Gregory updated Members on the programme for town centre activity over the Christmas period. He praised staff for their hard work and different approach in organising activities, in line with current government legislation relating to Covid-19.

The meeting finished at 2.25 pm

Signed by Chair:  
Date:

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

**Wednesday 16 December 2020**

Councillor John Clarke (Chair)

Councillor Michael Payne  
Councillor Michael Adams  
Councillor Sandra Barnes

Councillor Bob Collis  
Councillor Marje Paling

Absent: Councillor Sam Smith

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

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

Apologies for absence were received from Councillor Smith.

### **32 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 18 NOVEMBER 2020**

#### **RESOLVED:**

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

### **33 DECLARATION OF INTERESTS.**

None.

### **34 PAY POLICY STATEMENT 2021-22**

The Service Manager Organisational Development introduced a report setting out the 2021/22 Pay Policy Statement.

#### **RESOLVED to:**

- 1) Approve the proposed Pay Policy Statement and method of implementation at Appendix 1 to the report; and
- 2) Recommend the Pay Policy Statement to Council for adoption and for subsequent publication on the Council's website.

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

None.

36

## **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 Paragraphs 1 and 4 of Part 1 of Schedule 12a of the Local Government Act 1972.

37

## **INTERVIEW FOR POST OF DIRECTOR OF CORPORATE RESOURCES AND SECTION 151 OFFICER**

Consideration was given to a report of the Chief Executive which set out the process for the interviewing or candidates for the post of Director of Corporate Resources and Section 151 Officer.

Following the interview process it was

### **RESOLVED to:**

- 1) Offer Alison Ball the post of Director of Corporate Resources and Section 151 Officer;
- 2) Agree that the starting salary offered will be at the middle point of the salary band (£80,082); and
- 3) Inform the Monitoring Officer of the recommendation of the Committee and to ask the Monitoring Officer to implement due process to notify the Executive prior to formal offer of appointment.

38

## **EQUALITY POLICY (EMPLOYMENT) - START OF CONSULTATION**

The meeting adjourned between 11:55 am and 12:00 pm and Councillor Clarke left the meeting. Councillor Payne assumed the Chair.

The Service Manager Organisational Development introduced report, which had been circulated in advance of the meeting, seeking authority to begin consultation with trade unions on a proposed Equality Policy (Employment) and to progress the adoption of the policy through the relevant committees of the council.

### **RESOLVED to:**

Support the Equality Policy (Employment) and endorse the commencement of the consultation and implementation process as described.

**39 OVERTIME AND STAND-BY & CALLOUT POLICIES (START OF CONSULTATION)**

The Service Manager Organisational Development introduced a report, which had been circulated in advance of the meeting, seeking authority to begin consultation with trade unions on a proposed revision to the Overtime and Stand-by & Callout Policies for the council and to progress the adoption of the revised policies through the relevant committees of the council.

**RESOLVED to:**

- 1) Support the draft revised Overtime Policy and endorse the commencement of the consultation and implementation process as described in the report; and
- 2) Support the draft revised Stand-by and Callout Policy and endorse the commencement of the consultation and implementation process as described in the report.

**40 WORKFORCE STRATEGY (START OF CONSULTATION)**

The Service Manager Organisational Development introduced a report, which had been circulated in advance of the meeting, seeking authority to begin consultation with trade unions on a proposed Workforce Strategy for the council and to progress the adoption of the strategy through the relevant committees of the council.

**RESOLVED:**

To support the draft Workforce Strategy and endorse the commencement of the consultation and implementation process as described.

**41 ANNUAL REVIEW OF DIRECTORS' PAY**

The Chief Executive introduced a report asking for views of the Committee in order to inform the decision of the Chief Executive in relation to the performance element of pay for Directors.

**RESOLVED:**

To note the comments of the Committee in order for the Chief Executive to make a decision on relation to the placement within the pay band as described by the relevant Pay Policy

The meeting finished at 12.30 pm

Signed by Chair:  
Date:



## DECISIONS MADE UNDER DELEGATED AUTHORITY

<u>Business (click to view decision)</u>	<u>Summary</u>	<u>Ref.</u>	<u>Date</u>	<u>Portfolio</u>	<u>Was decision made under urgency provisions?</u>
Amendment of delegation to Cabinet Member	To add "Climate Change" to the list of responsibilities of the Resources and Reputation Portfolio.	D1115	19/01/2021	Leader of the Council	N
Calculation of the Council Tax Base for 2021/22	To approve the council tax base for the next financial year.	D1106	05/01/2021	Resources and Reputation	N
Change to Council Services due to change to Tier 4	To authorise necessary changes to Council services as a result of the Government's announcement that Nottinghamshire will move into Tier 4 of the Coronavirus restrictions.	D1110	04/01/2021	Leader of the Council	Y
Local Restrictions Support Grants for Businesses (Scheme 2)	To approve, in accordance with the latest government guidance, relevant grant schemes.	D1109	04/01/2021	Leader of the Council	Y

Community Vaccination Centre	To grant a licence to the Nottinghamshire Healthcare NHS Foundation Trust for use of rooms at the Richard Herrod Centre for use as a community vaccination centre.	D1108	07/12/2020	Leader of the Council	N
Office for Low Emission Vehicles, On-Street Residential Charge Point Scheme Grant	To approve the expenditure of the OLEV Grant Funding for the installation and operation of EV charging infrastructure.	D1107	22/12/2020	Leader of the Council	N
Christmas and New Year Opening for Leisure Facilities 2020/21	To approve the opening hours for the Council's leisure facilities over the Christmas and New Year holiday period.	D1103	18/12/2020	Housing, Health and Wellbeing	N
Proposed Street Names for the development at Land To The West Mapperley Plains Mapperley Nottinghamshire	To approve the names to be used in relation to the proposed development at Land to the West Mapperley Plains.	D1101	17/12/2020	Growth and Regeneration	N
National Non-Domestic Rates – Relief Application – Party Occupied Property	To approve relief under section 44A of the Local Government Finance Act 1988.	D1063	03/12/2020	Resources and Reputation	N
Relocation of Arnold Market Stalls for a temporary basis	To establish a temporary market at Eagle Square whilst the redevelopment of Arnold Market Place is undertaken.	D1073	03/12/2020	Growth and Regeneration	N
Local Restrictions Support Grants for Businesses	To approve, in accordance with the latest government guidance, relevant grant schemes.	D1071	13/11/2020	Leader of the Council	Y