



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

Agenda

Council

Date: **Wednesday 15 September 2021**

Time: **6.00 pm**

Place: **Council Chamber**

For any further information please contact:

Alec Dubberley

Democratic Services Manager

0115 901 3906

Council

Membership

Mayor Councillor Meredith Lawrence

Deputy Mayor Councillor Sandra Barnes

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

Councillor Jennifer Hemingway
Councillor Jenny Hollingsworth
Councillor Mike Hope
Councillor Rosa Keneally
Councillor Ron McCrossen
Councillor Viv McCrossen
Councillor Barbara Miller
Councillor Simon Murray
Councillor Julie Najuk
Councillor Marje Paling
Councillor John Parr
Councillor Michael Payne
Councillor Alex Scroggie
Councillor Martin Smith
Councillor Sam Smith
Councillor Clive Towsey-Hinton
Councillor John Truscott
Councillor Henry Wheeler
Councillor Paul Wilkinson

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SUMMONS

A meeting of the Borough Council will be held on Wednesday 15 September 2021 at 6.00 pm to transact the business as set out below.



Mike Hill
Chief Executive

AGENDA

Page

- 1 Thought for the day
- 2 Apologies for Absence.
- 3 Mayor's Announcements.
- 4 To approve, as a correct record, the minutes of the meeting held on 14 July 2021 7 - 9
- 5 Declaration of Interests.
- 6 To deal with any petitions received under Standing Order 8a.
- 7 To answer questions asked by the public under Standing Order 8.
- 8 To answer questions asked by Members of the Council under Standing Order 9.
- 9 Changes to Representation on Committees and Outside Bodies 11 - 13
Report of the Democratic Services Manager
- 10 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).

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|---|---|---------|
| a | Minutes of meeting Monday 5 July 2021 of Overview and Scrutiny Committee | 15 - 19 |
| b | Minutes of meeting Thursday 8 July 2021 of Cabinet | 21 - 24 |
| c | Minutes of meeting Tuesday 13 July 2021 of Environment and Licensing Committee | 25 - 27 |
| d | Minutes of meeting Wednesday 28 July 2021 of Planning Committee | 29 - 45 |
| e | Minutes of meeting Thursday 5 August 2021 of Cabinet | 47 - 50 |
| f | Minutes of meeting Tuesday 10 August 2021 of Environment and Licensing Committee | 51 - 52 |
| g | Minutes of meeting Tuesday 31 August 2021 of Joint Consultative and Safety Committee | 53 - 55 |
| h | Decisions made under delegated authority | 57 - 58 |
- 11 To consider comments, of which due notice has been given, under Standing Order 11.03(a).
- 12 To consider motions under Standing Order 12.

Building with wildlife in mind

The Nottinghamshire Wildlife Trust has brought an important paper forward in their homes for people and wildlife document. This document creates the environment for a more harmonised living world for both people, animals and plants. In line with this document I wish to table the following motion:

This council supports the adoption of a supplementary planning document in line with the "Homes for People and Wildlife" document as soon as is practicable. If approved, the supplementary planning document would be a material consideration in relation to the determination of planning applications. All future planning applicants would have this additional document made available to them with their application, and the points included from the applicant relevant to the supplementary planning document would need to be considered by the Council when determining the application.

This policy would fill a large void in the councils existing decision making process with regards to the impact of development on wildlife. It would help councillors, residents and applicants better understand the environmental credentials of new build developments and help them make their decisions in line with our challenges around habitat loss and bio diversity decline.

Some of the measures which could be considered for inclusion in the supplementary planning document and proposed in the Homes for People and Wildlife document include:

- Permeable driveways to help reduce flood risk
- Trees, hedgerows, water and other habitats integrated with development
- Wildflower verges along roads and formal open spaces
- Lighting designed to avoid disturbing wildlife
- Sustainable urban drainage, swales and raingardens for wildlife and flood relief.
- Bat roosts, bird boxes and other wildlife features designed into buildings
- Renewable energy and water efficiency built in from the outset
- Safe, attractive, connected pedestrian and cycle routes
- Features and corridors to help invertebrates, reptiles, hedgehogs and other mammals
- Wildlife-friendly green roofs and walls
- Native, wildlife-friendly plants of local origin used in gardens and landscaping
- Wildlife-permeable boundaries between gardens and open space
- Allotments and community orchards for local food
- Street trees for wildlife, shade and improved air quality
- Interpretation panels to help people understand the needs of wildlife and the environment.

I would encourage all members to support this urgent motion to protect our bio diversity and enhance the quality of our buildings across the Borough.

Proposed: Councillor Adams

Seconded: Councillor Sam Smith

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MINUTES COUNCIL

Wednesday 14 July 2021

Councillor Sandra Barnes (Deputy Mayor)

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

Absent: Councillor Roxanne Ellis, Councillor Rosa Keneally, Councillor Meredith Lawrence and Councillor Simon Murray

15 **OPENING PRAYERS**

The Mayor's Chaplain was not able to attend, therefore there were no opening prayers.

Council observed a minute's silence to mark the 26 years since the genocide at Srebrenica in Bosnia and Herzegovina in which over 8,000 Bosnian Muslim men and boys were systematically murdered in what was described by the United Nations as 'the worst crime on European soil since the Second World War'.

The Deputy Mayor added that the silence was also in remembrance of Darren Gilder, Neighbourhood Warden and former Councillor Gilmore Fearon who had both recently passed away.

Under this item a number of members paid tribute to Gil and to Darren by sharing some of their experiences of working alongside them.

16 **APOLOGIES FOR ABSENCE.**

Apologies for absence were received from Councillors Roxanne Ellis, Keneally, Lawrence and Murray.

17 MAYOR'S ANNOUNCEMENTS.

The Deputy Mayor informed Council of her attendance at the Nottinghamshire County Council Civic Service on 11 July. The Deputy Mayor also informed Council of her attendance at the opening of the Ivan Gollop Bee Garden, located at Gedling Country Park.

18 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETINGS HELD ON 21 APRIL AND 19 MAY 2021

RESOLVED:

That the minutes of the above meeting, having been circulated, be approved as a correct record, subject to including Councillor Greensmith as one of the councillors not required to attend the meeting on 19 May 2021.

19 DECLARATION OF INTERESTS.

None.

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

None received.

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

None received.

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

None received.

23 REFERRAL FROM CABINET - ANNUAL TREASURY ACTIVITY REPORT 2020/21

Consideration was given to a report of the Director of Corporate Resources and Section 151 Officer, which was referred to Council by Cabinet.

RESOLVED:

To approve the Annual Treasury Activity Report for 2020/21 as required by regulations.

24 REFERRAL FROM CABINET - BUDGET OUTTURN AND BUDGET CARRY FORWARDS 2020/21

Councillors Adams, Barnfather, Elliott, Greensmith, Martin Smith and Sam Smith left the meeting.

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

RESOLVED to:

- 1) Approve the movements on earmarked reserves and provisions;
- 2) Note the capital carry-forward budgets approved by the Chief Financial Officer in accordance with Financial Regulations;
- 3) Approve the carry forward of non-committed capital budgets from 2020/21 as additions to the 2021/22 budget for referral to Council, in accordance with Financial Regulations; and
- 4) Approve the method of financing the 2020/21 capital expenditure which includes making the Capital Determinations required by the Local Government and Housing Act 1989.

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

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

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

None received.

27 TO CONSIDER MOTIONS UNDER STANDING ORDER 12.

None received.

The meeting finished at 7.04 pm

Signed by Chair:
Date:

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Report to Council

Subject: Changes to Representation on Committees and Outside Bodies

Date: 15 September 2021

Author: Democratic Services Manager

Purpose

Following a request from the Labour Group Business Manager, this report seeks approval of:

Changes to the memberships of the Planning, Environment and Licensing, Licensing Act and Overview and Scrutiny Committees.

A change to one of the Council's appointees to the Warren Hill Action Group.

Recommendation(s)

To approve the following changes to representation on committees and outside bodies:

- a) Councillor Scroggie is replaced by Councillor Rachael Ellis on the Planning Committee;**
- b) Councillor Truscott is replaced by Councillor Scroggie on the Environment and Licensing and Licensing Act Committees;**
- c) Councillor Wilkinson is replaced by Councillor Rachael Ellis on the Overview and Scrutiny Committee; and**
- d) Councillor Payne is replaced by Councillor Rachael Ellis as one of the Council's appointed representatives to the Warren Hill Action Group.**

1 Background

- 1.1 At the Annual Meeting of Council, seats and representatives to all of the Council's Committees and sub-committees must be approved in accordance with the Local Government (Committees and Political Groups) Regulations 1990 and 1991 made under sections 15 and 16 of the Local

Government and Housing Act 1989.

- 1.2 At the request of a Group Business Manager or Group Leader, in year changes to Committee memberships can be approved by the Full Council.

2 Proposal

- 2.1 Following a request from the Labour Group, it is proposed that Councillor Scroggie is replaced by Councillor Rachael Ellis on the Planning Committee, Councillor Truscott is replaced by Councillor Scroggie on the Environment and Licensing and Licensing Act Committees, Councillor Wilkinson is replaced by Councillor Rachael Ellis on the Overview and Scrutiny Committee and Councillor Payne is replaced by Councillor Rachael Ellis as one of the Council's appointed representatives to the Warren Hill Action Group

3 Alternative Options

- 3.1 Council may decide not to approve the recommendations as proposed in which case the memberships would remain as they are now.

4 Financial Implications

- 4.1 There are no financial implications arising from this report.

5 Legal Implications

- 5.1 There are no legal implications arising from this report.

6 Equalities Implications

- 6.1 There are no equalities implications arising from this report.

7 Carbon Reduction/Environmental Sustainability Implications

- 7.1 There are no environmental sustainability implications arising from this report.

8 Appendices

- 8.1 None

9 Background Papers

- 9.1 None identified

<p>Statutory Officer approval Approved by: Monitoring Officer</p>
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Date:	7 September 2021
Approved by:	Chief Financial Officer
Date:	7 September 2021

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MINUTES OVERVIEW AND SCRUTINY COMMITTEE

Monday 5 July 2021

Councillor Liz Clunie (Chair)

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

Apologies for absence: Councillor Simon Murray

Officers in Attendance: A Davey and A Dubberley

Guests in Attendance Councillor Clarke, Councillor Roxanne Ellis and
Councillor Payne

1 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.

Apologies for absence were received from Councillor Murray.

2 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 26 APRIL 2021.

RESOLVED:

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

3 DECLARATION OF INTERESTS.

None.

4 PROGRAMME OF PORTFOLIO HOLDER ATTENDANCE

Members welcomed Councillors Clarke and Payne to the meeting to examine their portfolios.

Councillor Payne first addressed the question raised in respect of the recent commercialisation internal audit. He said that the Senior Leadership Team had fully accepted the recommendations made in the audit, which mainly concerned the market research undertaken and business case building process for the Pet Cremation Service. He added that he would be happy to talk members through the individual recommendations if that was required.

In respect of the second question about scrutiny involvement in policy formation, the Deputy Leader said that the scrutiny committee was always welcome to engage with portfolio holders at any time on matters relating to their areas of work. He added that work was ongoing, led by the Chief Executive supported by Democratic Services, to produce a more relevant Executive Forward Plan which contained all forthcoming details for the short, medium and long term.

A further question concerning the progress of a climate action plan for the council was also submitted. The Deputy Leader advised that a Carbon baseline assessment and associated draft action plan had been completed using 2019/20 full year data. Additional funding had been allocated for a Climate Change Officer who would be in post shortly to work in partnership with external bodies and departments to deliver the program of work in the plan. The plan arising will be embedded in the Council's Climate Change Strategy. Progress is being made on the strategy and an actionable action plan is being prepared for further consultation. It is aimed to have the Carbon Action Plan done by 18 July for consultation with the draft strategy document ready in the autumn.

A final question was asked about covid-19 Restart and Additional Restrictions grants. Information from the Deputy Leader was provided as follows:

- A total of 736 applications for restart grants had been received taking an average of 25.4 days to process with 48 still being processed. A total of 2214 Additional Restart Grant applications (ARG) had been received with 0 outstanding and an average processing time of 19.4 days
- A total of £3,362,042 has been paid out for Restart Grants and £4,504,196 for the ARGs
- The average processing time was a crude estimate calculated using a random sample of 10 applications as accurate data on processing times was not a requirement for the scheme and to produce it would be onerous. The processing time statistics do not take account of applications that were received incomplete or without the required evidence.
- In many cases the Portfolio Holder asked for officers to contact applicants to provide missing application information rather than reject those as per the guidance and exceptional cases were re-considered where the guidance was considered to be too restrictive for example car mechanics.
- Initially the government gave a date of March 2022 for authorities to distribute ARG funds which led to a decision being taken to hold a small proportion of the funding back should the pandemic

worsen. This date was then revised to 30 June 2021 with the requirement for pre-assurance checks to be made on applications. The pre-assurance checks were introduced to combat fraud.

- The Council has paid out nearly £30 million of covid funding to all businesses across the 25 different schemes
- Massive thanks was due to the businesses in Gedling for their efforts in coping with the pandemic and restart period.
- Thanks also to the staff involved in the complex grant allocation process which was done in addition to their normal duties, especially in light of the extra demand for the council tax reduction scheme
- Additional funding was promised to authorities who had used their allocations by 30 June. This had been done leading to a claim of £624,000 which is due for payment in July.
- It was disappointing to note the level of scrutiny given to national decisions for various government funding decisions in comparison to the level of scrutiny given to local authorities' allocation of grants.

In discussion the following was covered:

- A number of members added their thanks to the officers involved in the processing of covid grants which had been gratefully received by businesses.
- The Leader emphasised his thanks to the officers involved in the grants process.
- In respect of commercialisation, the Deputy Leader stated in response to a question that the social value aspect of any business case for a commercial service was very important so long as tax payers' money was spent wisely.

RESOLVED:

To note the information provided and thank Councillors Clarke and Payne for their attendance.

5 CORPORATE RISK MANAGEMENT SCORECARD QUARTER 4 2020/21

Consideration was given to a report of the Head of Finance and IT, which had been circulated in advance of the meeting, updating members

on the current level of assurance that can be provided against each corporate risk.

RESOLVED to:

- 1) Note the report; and
- 2) Not to request further information in respect of any of the identified risks.

6 SCRUTINY WORK PROGRAMME

Previous work programme

Members noted the update on the economic development working group and the reply to the question on Policy Advisers.

The Executive response received to the recommendations on the Flooding Review was included in the agenda and noted by the Committee.

Councillor Roxanne Ellis, as Chair of the Domestic Abuse and Access to Emergency Accommodation Working Group gave a brief overview of the group's findings, particularly emphasising the importance of the Sanctuary Scheme. She added that the work involved in domestic violence was very fast paced and ever changing and further examination of the work would be necessary in future. Members of the working group particularly wished to thank David Jayne, Community Safety Officer, for the tireless work he does to support this vital work.

Future work programme

As a result of items appearing on the Executive Forward Plan, it was decided to establish a working group to examine the forthcoming Waste Policy which was in draft and subject to public consultation in the autumn.

Alice Davey, Corporate Director responsible for Waste, explained that the Borough had some challenges in terms of recycling and contamination rates and this policy would be the first step in addressing these.

Councillors Clunie, Hope, Ellwood, Wilkinson, Creamer, Feeney, Boyle and Paling volunteered to be part of the working group which would meet over the summer with a view to making recommendations on the draft policy to Cabinet in the autumn.

Fly tipping was discussed as an area of concern and the committee may in future look at Environmental Enforcement which was a separate topic.

The Forward Plan also made reference to a forthcoming Carbon Reduction Plan. Members were minded to request information on this at the January meeting.

Another issue discussed was the availability of defibrillators in the Borough. Information on this would be brought to the next meeting if it was available.

RESOLVED to:

- 1) Note the information provide in relation to the previous work programme;
- 2) Approve the final recommendations of the Domestic Abuse Working group which would be passed to the relevant portfolio holder;
- 3) Note the response to the Flooding Working Group recommendations;
- 4) Establish a working group to examine the forthcoming Waste Policy as part of the 2021/22 work programme; and
- 5) Include the Caron Reduction Plan and location of defibrillators as topics for consideration at future meetings.

7 ANY OTHER ITEM WHICH THE CHAIR CONSIDERS URGENT.

None.

The meeting finished at 6.40 pm

Signed by Chair:
Date:

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MINUTES CABINET

Thursday 8 July 2021

Councillor John Clarke (Chair)

Present: Councillor Michael Payne Councillor Jenny Hollingsworth
Councillor Peter Barnes Councillor Viv McCrossen
Councillor David Ellis Councillor Henry Wheeler
Councillor Gary Gregory

Officers in Attendance: P Adcock, A Ball, C Burrows, A Davey and F Whyley

11 APOLOGIES FOR ABSENCE.

None.

12 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 20 MAY 2021

RESOLVED:

That the minutes of the above meeting, having been circulated, be approved as a correct record subject to the inclusion of concerns expressed by Members about the concerns with Highcroft Medical Centre under item 9.

13 DECLARATION OF INTERESTS.

None

14 ANNUAL REPORT OF THE SENIOR INFORMATION RISK OWNER 2020/21

The Director of Corporate Resources introduced a report, which had been circulated in advance of the meeting, presenting the Senior Information Risk Owner Annual report 2020/21

RESOLVED:

To note the annual report of the Senior Information Risk Owner for 2020/21.

15 GEDLING PLAN QUARTER 4 AND YEAR END PERFORMANCE REPORT

The Director of Environment, Communities and Leisure introduced a report, which had been circulated in advance of the meeting presenting

a summary of the position against Improvement Actions and Performance Indicators in the 2020/21 Gedling Plan at the end of quarter 4 and year end.

Members were taken through a brief presentation outlining key points.

RESOLVED to:

Note the progress against Improvement Actions and Performance Indicators in the 2020/21 Gedling Plan.

16 ANNUAL REPORT 2020/21

The Director of Environment, Communities and Leisure introduced a report, which had been circulated in advance of the meeting, seeking members' agreement to the wide publication of the proposed Annual report for 2020/21.

The Leader asked that a copy of the Annual Report was sent to the Prime Minister, Chancellor as well as the Chairs of the Local Government Association and District Councils Network.

RESOLVED to:

Approve the Cabinet approve the proposed Annual Report 2020/21 for wide publication internally and externally as described within the report.

17 ANNUAL TREASURY ACTIVITY REPORT 2020/21

The Head of Finance and IT introduced a report, which had been circulated in advance of the meeting, informing Members of the outturn in respect of the 2020/21 Prudential Code Indicators, and to advise of the outturn on treasury activity, both as required by the Council's Treasury Management Strategy.

RESOLVED:

To approve the Annual Treasury Activity Report for 2020/21 and refer it to Council for approval, as required by the regulations.

18 BUDGET OUTTURN AND BUDGET CARRY FORWARDS 2020/21

The Director of Corporate resources introduced a report, which had been circulated in advance of the meeting, presenting the 2020/21 final budget position and associated actions.

It was pointed out that since the agenda was published, a reference to the amount of government funding made available to the Council in relation to covid tax income guarantee funding was incorrect. Due to an administrative oversight in the data collection by the MCHLG, there

would be a minor reduction of £46,000 in the figure reported at paragraph 2.3.1 which will now be accounted for in 2021/22.

RESOLVED to:

- 1) Note the Budget Outturn figures for 2020/21;
- 2) Approve the movements in Earmarked Reserves and Provisions as detailed in paragraphs 2.4 and 2.5 of the report;
- 3) Note the capital carry forwards approved by the Chief Financial Officer included in Appendix 6 to the report, being amounts not in excess of £50,000 and committed schemes above £50,000
- 4) Refer to Council for approval:
 - a) The capital carry forwards of £1,129,800 included in Appendix 6 to the report for non-committed schemes in excess of £50,000;
 - b) The overall method of financing of the 2020/21 capital expenditure as set out in paragraph 3.4 of the report
 - c) The capital determinations regarding financing and debt provisions as set out in paragraph 3.5 of the report.

19 FORWARD PLAN

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

In repose to a question, it was indicated that in was anticipated that the equalities action plan would be presented at October meeting of Cabinet.

RESOLVED:

To note the report.

20 ANY OTHER ITEMS THE CHAIR CONSIDERS URGENT.

None.

The meeting finished at 3.10 pm

Signed by Chair:
Date:

MINUTES ENVIRONMENT AND LICENSING COMMITTEE

Tuesday 13 July 2021

Councillor Marje Paling (Chair)

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

Officers in Attendance: C Allcock, A Dubberley and P Gibbs

10 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.

Apologies for lateness had been received from Councillor Sam Smith.

11 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 15 JUNE 2021

RESOLVED:

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

Councillor Gibbons joined the meeting.

12 DECLARATION OF INTERESTS.

None.

13 AMENDMENT OF HACKNEY CARRIAGE VEHICLE LICENCE CONDITIONS

Consideration was given to a report of a report of the Head of Environment which set out a request from a licensed driver for the Council to consider removing the requirement to display a roof light on a Hackney Carriage.

The Committee heard from the licence holder, Matthew Francis, on his reasons for making the request.

Following debate, the Committee resolved not to accept the recommendation of the Head of Environment to refuse the request to alter the licence conditions for Hackney Carriage Vehicles.

An alternative proposal to instruct officers to start a public consultation on whether to remove the requirement for hackney carriages to display a roof sign when operating was moved and duly seconded and it was

RESOLVED:

To instruct officers to commence a public consultation on whether to remove the requirement for Hackney Carriages to display a roof sign when operating, the results of which would be brought to a future meeting.

14 ANY OTHER ITEM WHICH THE CHAIR CONSIDERS URGENT.

None.

15 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.

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

Consideration was given to a report of the Corporate Director of Environment, Communities and Leisure, which had been circulated prior to the meeting, regarding an application for a one year joint Hackney Carriage/Private Hire Driver's Licence for AMK.

AMK attended the meeting, along with a friend, and they both addressed the committee.

In making its decision, the Committee found that there were exceptional mitigating circumstances surrounding the offences which allowed for departure from the Council's approved Policy and Guidelines.

RESOLVED:

Approve AMK's application for a one year Joint Hackney Carriage/Private Hire Driver's Licence.

17 CHANGE OF CIRCUMSTANCE OF THE HOLDER OF HACKNEY CARRIAGE / PRIVATE HIRE DRIVERS LICENCE

Councillor Sam Smith joined the meeting.

Consideration was given to a report of the Corporate Director of Environment, Communities and Leisure, which had been circulated in advance of the meeting, regarding a change of circumstances following information received about the holder of a Joint Hackney Carriage/Private Hire Driver's Licence.

SPS attended the meeting with a relative and addressed the Committee.

The Committee heard from one of the Community Protection Officers involved in the incident under discussion and members were shown footage from body worn cameras.

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

RESOLVED:

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

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

The meeting finished at 6.50 pm

Signed by Chair:

Date:

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

The Head of Development and Place introduced the report. He advised Members that further to the publication of the report, a provisional Tree Preservation Order had been made for a group of trees to the front of the site, in consultation with the Chair of Planning Committee.

RESOLVED:

That the Borough Council refuses planning permission on the following grounds:-

Reasons

- 1 The proposed development would include the change of use of agricultural land and engineering works to create a pedestrian footpath in association with the proposed nursery along with the erection of a palisade fence with gates 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 policy LPD12 of the LPD (2019).

- 2 The proposed development by virtue of the creation of a pedestrian footpath in association with the proposed nursery along with the erection of a palisade fence with gates around the proposed planning unit and the loss of the mature tree to the front of the building would result in an undue impact on the rural character of the site and immediately surrounding landscape area. The proposal would therefore be contrary to Section 12 of the NPPF (2019), Policy 10 of the ACS (2014) and Policy LPD 19 of the LPD (2018).

Notes to Applicant

The application is clearly contrary to the Development Plan and other material planning considerations, as detailed in the above reason for refusal. It is not considered that any suitable alterations could be made to the scheme to address the Borough Council's Green Belt concern

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.

22 APPLICATION NO. 2021/0301 - HILLSIDE FARM, ORCHARD CLOSE, BURTON JOYCE

Erection of 14 dwellings (reserved matters approval (appearance, landscaping, layout and scale) pursuant to outline permission 2018/1034).

Callum Bott, a local resident, spoke in objection to the application.

The Principal Planning Officer introduced the report.

RESOLVED:

To grant reserved matters approval, subject to the imposition of conditions, as set out in the report:

1. This permission shall be read in accordance with the application form and following list of approved drawings:
 - proposed location and block plans – P02 rev A
 - proposed site roof plan – P03 rev B
 - proposed ground floor site plan – P04 rev A
 - proposed site sections and street scene – P05
 - proposed services plan – P06
 - proposed site plan boundary treatments – P07 rev B
 - proposed floor plans - plot 1 – P10
 - proposed elevations - plot 1 – P11
 - proposed floor plans - plot 2 – P15
 - proposed elevations - plot 2 – P16
 - proposed ground floor plans - plots 4 & 5 – P20
 - proposed first floor plans - plots 4 & 5 – P21
 - proposed elevations - plots 4 & 5 – P22
 - proposed ground floor plans - plots 6,12, 14 – P25
 - proposed first floor plans - plots 6,12, 14 – P26
 - proposed elevations - plots 6,12, 14 – P27
 - proposed ground floor plans - plots 10 – P30
 - proposed first floor plans - plots 10 – P31
 - proposed elevations - plots 10 – P32
 - proposed floor plans - plots 13 – P35
 - proposed elevations - plots 13 – P36
 - proposed ground floor plans - plots 9 – P40
 - proposed first floor plans - plots 9 – P41
 - proposed elevations - plots 9 – P42
 - proposed ground floor plans - plots 11 – P45
 - proposed first floor plans - plots 11 – P46

proposed elevations - plots 11 – P47
proposed ground floor plans - plots 7 & 8 – P50
proposed first floor plans - plots 7 & 8 – P51
proposed elevations - plots 7 & 8 – P52
proposed garages 10, 6, 6 & 12 – P55
proposed garages 2 & 3, 13 & 14 – P56 rev A
proposed eaves and ridge details – P70
proposed boundary and guarding details – P71
proposed floor plans - plot 3 – P80
proposed elevations - plot 2 – P81

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

2. No above ground works shall commence until samples of external facing and roofing materials have been submitted to and approved in writing by the Local Planning Authority. Development shall thereafter be carried out in accordance with the approved details.
3. The proposed dwellings shall not be occupied until their respective parking areas / shared private drive 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 constructed with provision to prevent the discharge of surface water from the parking areas / shared private drive 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.
4. Prior to the commencement of development, the tree protection, as outlined on drawing 'tree protection plan rev A' received on the 24th March shall be in situ and retained thereafter whilst development is on site

Reasons

1. For the avoidance of doubt.
2. To ensure that the character of the area is respected and to comply with policy ACS10 of the Aligned Core Strategy.
3. In the interest of highway safety and to comply with policy LPD61.
4. To ensure retained trees are protected during development and comply with policy LPD18.

Notes to Applicant

The Lead Flood Authority ask be re-consulted with any changes to the submitted and approved details of any FRA or Drainage Strategy which has been provided. Any deviation from the principles agreed in the approved documents may lead to us objecting to the discharge of conditions. We will provide you with bespoke comments within 21 days of receiving a formal consultation.

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

- 1) Nottinghamshire County Council operates the Advanced Payments Code as set out in sections 219 to 225 Highways Act 1980 (as amended). Payment will be required from the owner of the land fronting a private street on which a new building is to be erected. The developer should contact the Highway Authority with regard to compliance with the Code, and /or to the issue of a Section 38 Agreement and bond under the Highways Act 1980. A Section 38 Agreement can take some time to complete. Therefore, it is recommended that the developer contact the Highway Authority as early as possible after Planning Permission is granted. Correspondence with Highway Authority should be addressed to: hdc.south@nottscc.gov.uk
- 2) The applicant should note that notwithstanding any planning permission that if any highway forming part of the development is to be adopted by the Highway Authority the new roads and any highway drainage will be required to be provided in accordance with Highway Development Control's requirements for Nottinghamshire County Council as highway authority. The guidance can be found at:
<http://www.nottinghamshire.gov.uk/transport/roads/highway-design-guide>
- 3) It is an offence under S148 and S151 of the Highways Act 1980 to deposit mud on the public highway and as such you should undertake every effort to prevent it occurring by installing wheel washing facilities on site.

When details are submitted in respect of discharging condition 5 of outline permission 2018/1034, there would be a requirement to 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.

Please note that there is a requirement to comply with the Wildlife and Countryside Act and the recommendations contained in the Preliminary Ecological Appraisal dated June 2021 (ref: BG21.237), and subsequently submitted information, should be adhered to.

23 APPLICATION NO. 2021/0289 - 95 ARNOT HILL ROAD, ARNOLD, NOTTINGHAMSHIRE

Proposed Apartment Building for 10 Apartments including the demolition of an existing building and garage.

The Head of Development and Place introduced the report.

RESOLVED:

That the Borough Council refuses planning permission on the following grounds:-

Reasons

- 1 In the opinion of the Local Planning Authority the proposed development would, by reason of its design, scale, massing and height appear a visually dominant and incongruous feature, which would be out of character with the area to the detriment of the visual amenity of the streetscene and the wider setting. The proposal therefore fails to meet with the objectives of Section 12

of the NPPF (2019), Policy 10 of the GBACS (2014), and Policies LPD 35 and 40 of the LPD (2018).

- 2 In the opinion of the Local Planning Authority the proposed development by reason of its design, scale, massing and height would result in an adverse impact on the residential amenity in terms of overbearing, overshadowing and overlooking impact. The proposal therefore fails to meet the objectives of Section 12 of the NPPF (2019) and Policies LPD 32 and LPD 40 of LPD (2018).

Notes to Applicant

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.

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). However the proposed development is considered to be unacceptable, for the reason set out.

24 APPLICATION NO. 2021/0542 - 19 ASHE CLOSE, ARNOLD, NOTTINGHAMSHIRE

Erect detached dwelling.

Ruth Farnsworth, The Applicant, spoke in support of the application.

The Head of Development and Place introduced the report.

RESOLVED:

To Refuse Planning Permission.

Reasons

- 1 In the opinion of the Local Planning Authority the proposed dwelling would represent a form of backland development that would appear alien and entirely incongruous with the established layout and urban form of the area, which is predominantly characterised by properties directly facing the highway with no clear tandem or back land development present. The proposal would therefore fail to accord with Sections Section 12 of the

NPPF, Policy 10 of the ACS and paragraph g. of Policy LPD 32, paragraph b. of LPD 35 and paragraph a) 1 of policy LPD 40 of the LPD.

Notes to Applicant

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.

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). There are fundamental policy objections to the proposal and it is considered that these cannot be overcome. In order to avoid the applicant incurring further abortive costs, consideration has not been delayed by discussions, which cannot resolve the reasons for refusal, to facilitate a decision in a timely manner.

25 APPLICATION NO. 2021/0200 - LAND SOUTH OF COLWICK LOOP ROAD, COLWICK

Section 73 application for amendments to planning permission 2020/0237 (as amended by Non Material Amendment 2020/1099NMA) relating to alterations to the approved Sainsburys store, car park and service yard at land south of Colwick Loop Road, Colwick.

The Principal Planning Officer introduced the report.

RESOLVED:

That the application be granted permission, subject to the conditions outlined below:

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

- A-PL-011-M Proposed Site Plan
- A-PL-012-F Proposed Food Store Plan
- A-PL-013-G Proposed Roof Plan
- A-PL-014-F Proposed Elevations
- A-PL-015-D Existing and Proposed Site Sections
- A-PL-016-D Proposed Recycling Centre
- A-PL-017-D Proposed Service Yard Plan

A-PL-020-E Proposed Petrol Filling Station Plan
A-PL-021-D Proposed Petrol Filling Station elevations
A-PL-023 P01 Sprinkler Tank
A-PL-024 P02 Roof Plant
A-PL-025 P01 Trolley Shelters, Walkways & Bollards
A-PL-026 P03 Boundary Treatment & Service Yard Gates
A-PL-029 P02 Motorcycle Shelter

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

2. Development shall commence in accordance with the materials as detailed on drawings 2019-273/A-PL-031 rev P03 and 2019-273/A-PL-027 rev P02.
3. The retail and employment elements shall be carried out in accordance with the measures set out under the Air Quality Mitigation Strategy dated 22nd July 2013. A verification report to demonstrate compliance with the Air Quality Mitigation Strategy shall be submitted to and approved in writing by the Borough Council before the respective elements are first brought into use.
4. The development hereby granted full planning permission shall be completed in accordance with the tree constraints and protection plans and notes drawing nos.GC.81800.201 rev D and GC.81800.202 rev D.
5. There shall be no vegetation clearance and demolition works during the main bird nesting period (March - August), unless otherwise prior agreed in writing with the Local Planning Authority.
6. Development shall proceed in accordance with remediation details as approved under discharge of condition application 2015/0484DOC. Prior to occupation of the development hereby approved a verification report shall be submitted to and approved in writing by the Local Planning Authority to demonstrate that the remediation works as approved have been successfully completed.
7. Prior to the occupation of the retail or employment elements bat and bird boxes shall be installed in accordance with the details set out in the approved Biodiversity Management Plan prior to the relevant element being brought into use.
8. The drainage scheme for the disposal of surface water and foul sewage for each element of the development, shall be implemented before each respective element of the development is first brought into use, in accordance with the following approved documents:

Engineering Layout Sheet 2 XA-0013_0057-FHT-Z07-XX-DR-C-9950 P3
Engineering Layout Sheet 2 XA-0013_0057-FHT-Z07-XX-DR-C-9951 P5
Surfacing Type Plan XA-0013_0057-FHT-Z07-XX-DR-C-9952 P4
Micro Drainage Details 1 in 1yr, 1 in 30yr and 1 in 100yr plus 40 FRA - dated October 2020, issue 5

9. The retail elements hereby approved shall not be brought into use until full details of the Local Employment Partnership, as outlined in Appendix 11 of the Planning and Retail Report submitted as part of this application, has been submitted to and approved in writing by the Local Planning Authority and evidence has been provided to demonstrate that the partnership has been established. In addition the details to be submitted shall also set out how the partnership shall be sustained throughout the life time of the development. The development shall thereafter operate in accordance with the approved Local Labour Agreement.
10. The management of the car park shall be carried out in accordance with A-PL-011-M Proposed Site Plan.
11. Development shall proceed in accordance with the Construction Management Plan as approved under reference 2020/1136DOC.
12. The development shall not be occupied until highway improvements have been provided at A612 / Burton Road / Shearing Hill junctions, as outlined on drawing numbers TP2051026/03 and TP2051026/104 unless otherwise agreed in writing with the Local Planning Authority.
13. The retail and employment elements shall not be brought into use until the access roads parking, turning and servicing areas relating to the respective element are surfaced in a hard bound material and delineated on site, to the satisfaction of the Local Planning Authority. The surfaced areas and any parking or turning areas shall then be maintained in such hard bound material for the life of the development.
14. The approved scheme to regulate the discharge of surface water from the access roads, parking, turning and servicing areas to the public highway, shall be implemented prior to the respective element being brought into use-, in accordance with the following documents:
Engineering Layout Sheet 2 XA-0013_0057-FHT-Z07-XX-DR-C-9950 P3
Engineering Layout Sheet 2 XA-0013_0057-FHT-Z07-XX-DR-C-9951 P5
Surfacing Type Plan XA-0013_0057-FHT-Z07-XX-DR-C-9952 P4

Micro Drainage Details 1 in 1yr, 1 in 30yr and 1 in 100yr plus 40 FRA - dated October 2020, issue 5

15. The food store element hereby permitted shall not be brought into use until the cycle parking layout as indicated on drawing A-PL-011 Rev. M (Proposed site plan) has been provided and that area shall not thereafter be used for any purpose other than the parking of cycles.
16. The development hereby approved shall not be occupied until the off-site traffic management works comprising of a weight restriction on Mile End Road, as approved under discharge of condition application 2021/0039, have been implemented.
17. The means to prevent the deposit of debris upon the adjacent public highway as a result of the construction hereby approved shall be completed in accordance with the details as approved under discharge of condition application 2002/1136DOC.
18. The retail or employment elements shall not be occupied until a Full Travel Plan for the respective element has been submitted to and approved in writing by the local planning authority. The Travel Plan shall set out proposals (including targets, a timetable and enforcement mechanism) to promote travel by sustainable modes which are acceptable to the local planning authority and shall include arrangements for monitoring of progress of the proposals. The Travel Plan shall be implemented in accordance with the timetable set out in that plan unless otherwise agreed in writing by the local planning authority
19. The retail and employment elements shall be carried out in accordance with the approved Flood Risk Assessment (FRA) and the following mitigation measures: a) As a minimum, proposed floor levels will be set with a freeboard of 600mm above existing ground levels. b) Other than in those areas where levelled or graded access is required to or from a building or to provide vehicular access into and between the respective elements, external finished ground levels will be no less than 300mm below the proposed floor level of the nearest building. c) Where local flooding occurs surface water runoff is to be routed away from the buildings along the footways and roadways to the drainage system. The mitigation measures for each respective element shall be fully implemented prior to occupation of the respective element.
20. Development shall proceed in accordance with the evacuation plan as approved under reference 2020/0934DOC.
21. Development shall proceed in accordance with the approved flood resilience details as follows:

Engineering Layout Sheet 2 XA-0013_0057-FHT-Z07-XX-DR-C-9950 P3
Engineering Layout Sheet 2 XA-0013_0057-FHT-Z07-XX-DR-C-9951 P5
Surfacing Type Plan XA-0013_0057-FHT-Z07-XX-DR-C-9952 P4
Micro Drainage Details 1 in 1yr, 1 in 30yr and 1 in 100yr plus 40 FRA - dated October 2020, issue 5

22. The surface water scheme for the development, which is based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, shall be implemented prior to each respective element being brought into use, in accordance with the following details:

Engineering Layout Sheet 2 XA-0013_0057-FHT-Z07-XX-DR-C-9950 P3
Engineering Layout Sheet 2 XA-0013_0057-FHT-Z07-XX-DR-C-9951 P5
Surfacing Type Plan XA-0013_0057-FHT-Z07-XX-DR-C-9952 P4
Micro Drainage Details 1 in 1yr, 1 in 30yr and 1 in 100yr plus 40 FRA - dated October 2020, issue 5

23. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater.
24. Development shall proceed in accordance with the details as approved under reference 2020/1007DOC in respect of details with regard to the petrol filling station.
25. The schemes approved under conditions 19, 20, 21, 22 and 23 shall be fully implemented and subsequently maintained in that form.
26. Development shall proceed in accordance with the details as approved and listed at Conditions 1 and 2 of this permission, in respect of the following matters:
- a) Electric charging points for customer vehicles.
 - b) Sprinkler tanks, including their colour and appearance.
 - c) The design, height and colour of the service yard enclosure and its gates.
 - d) The appearance of the car wash (including materials and lighting).
 - e) The appearance of the covered walkway across the walkway (including materials and lighting).
 - f) The materials and design of trolley storage areas, both within the car park and adjacent to the food store.

- g) The details of the height, materials and design of the bollards/barriers around the food store building.
- h) Plans for providing shelter to motorcycle parking.
- j) Boundary treatment of the perimeter of the site, and around the recycling area.
- k) The appearance of the plant to be sited on the roof.

The above matters shall be maintained in accordance with these details at all times unless otherwise agreed in writing by the Local Planning Authority.

Not later than 6 months from the date of this decision notice details of the size, location and appearance of the proposed new bus stops on the site shall be submitted to and approved in writing by the Local Planning Authority.

- 27. Development shall proceed in accordance with the lighting scheme as identified on drawing XA-0013-0057-MPE-Z07-GF-DR-E-207-4 rev P1 and be maintained in that form thereafter.
- 28. Development shall proceed in accordance with the Biodiversity Management Plan as approved under reference 2020/1070DOC.
- 29. Development shall proceed in accordance with the two additional invertebrate surveys as approved under reference 2020/1013DOC.
- 30. The landscaping shall be implemented in accordance with the Landscape Masterplan GC.81800.001 E and Detailed Planting Plans GC.81800.301 H and GC.81800.302 H. The approved landscaping shall be completed during the first planting season following the commencement of the development, or such longer period as may be agreed in writing by the Local Planning Authority. Any trees/shrubs which, within a period of five years of being planted die, are removed or become seriously damaged or diseased shall be replaced in the current or next planting season with others of similar size and species.

Reasons

- 1. For the avoidance of doubt.
- 2. To ensure that the character of the area is respected and to comply with policy ACS10.
- 3. In order to assist in the protection of air quality.
- 4. In the interests of good arboricultural practice.
- 5. To ensure that the ecological impacts from the development are fully explored and to comply with guidance within the NPPF.

6. In order to assist in the protection of air quality.
7. To ensure that the ecological impacts from the development are fully explored and to comply with guidance within the NPPF.
8. To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.
9. To ensure that the development meets some of the requirements for sustainable development.
10. In the interests of crime prevention.
11. In order to ensure Carlton Footpaths 22 and 23 are kept available for use both during and after the construction period and the users of the footpaths are not impeded or endangered in any way.
12. To ensure that the traffic accessing the development does not give rise to highway danger, traffic problems and loss of residential amenity.
13. To ensure that an adequate level of off street parking is provided for the needs of the development.
14. To regulate the discharge of surface water from the site onto the public highway to prevent traffic and highway problems
15. To ensure the provision of cycle parking in order to support use by non car borne customers and staff.
16. To prevent heavy goods vehicles travelling along residential roads to access the site, in the interests of residential amenity.
17. To prevent the deposit of debris on the highways around the site, in the interest of highway safety.
18. To enable, encourage and facilitate visitors to the site to use non-car means of transport
19. To reduce the risk of flooding to the proposed development.
20. To enable a safe means of egress from the site during an extreme flood event.
21. To reduce the impact of flooding on the development.

22. To prevent the increased risk of flooding, both on and off site and to manage surface water in a sustainable manner.
23. To ensure that there is no mobilisation/ migration of contamination into the underlying aquifer.
24. To ensure that there is no mobilisation/ migration of contamination into the underlying aquifer.
25. To ensure the development is implemented in a manner which does not increase the risk of flooding, both on and off site, to manage surface water in a sustainable manner and prevent contamination.
26. These detailed matters were not included on the submitted plans and require the approval of the Local Planning Authority in the interests of visual amenity.
27. To ensure external illumination does not affect highway safety or residential amenity.
28. To ensure that the ecological impacts from the development are fully explored and to comply with guidance within the NPPF.
29. To ensure that the ecological impacts from the development are fully explored and to comply with guidance within the NPPF.
30. To ensure that the character of the area is respected and that the site will have ecological benefits and to comply with guidance within the NPPF.

Notes to Applicant

Your attention is drawn to the attached comments of the Rights of Way Officer.

You are advised that further consents may be required for advertisements and signage, and you should contact the Borough Council prior to carrying out any such works.

Planning Statement - The Borough Council has worked positively and proactively with the applicant in accordance with paragraphs 186 to 187 of the National Planning Policy Framework.

The proposed off-site highway works are likely to require a Traffic Regulation Order before the development commences to provide off-site mitigating works. The developer should note that the Order can be made on behalf of the developer by Nottinghamshire County Council at the

expense of the developer. This is a separate legal process and the Applicant should contact the County Highway Authority for details.

Washdown from the car wash should be discharged to foul sewer. This washdown should not be discharged via an oil separator as detergents in the washdown will render the separator ineffective. Car wash liquid waste is classed as trade effluent. Before discharging to a sewer you must always get a trade effluent consent or enter into a trade effluent agreement with your water and sewerage company or authority. If you are not able to discharge effluent to the foul sewer it will be classed as waste and you must then comply with your duty of care responsibilities. More information regarding the discharge of trade effluent can be found at www.netregs.gov.uk <http://publications.environment-agency.gov.uk/pdf/PMHO0307BMDX-e-e.pdf>

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

26 TREE PRESERVATION ORDER 000141 - NEWSTEAD ABBEY PARK, NEWSTEAD, NOTTINGHAMSHIRE

Newstead Abbey Park Woodland Tree Preservation Order

The Head of Development and Place introduced the report. He informed Members that following publication of the report a further representation had been received and that the only new issue raised, which was not covered in the report, was that a significant number of trees were not visible from the public realm.

He added that in response to the additional issue raised, he would advise that some of the trees were not visible from the public realm, however they did still contribute to the wider setting and amenity of the woodland which the Tree Preservation Order was seeking to protect.

He concluded that the representations received did not raise any new issues and therefore recommended that the Tree Preservation Order was confirmed and the historic orders were revoked, in accordance with the report.

RESOLVED:

To confirm Tree Preservation Order - 000141 'Newstead Abbey Park' without modifications and revoke TPOs G0028 and G28B

27 APPEAL DECISION - 17 GREAVES CLOSE, ARNOLD

Rear and side extension to existing house. Internal amendments.
Demolition of existing garage.

RESOLVED:

To note the information.

28 APPEAL DECISION - LINBY HOUSE, LINBY LANE, LINBY

The development proposed is four new detached single storey dwellings
for the over 55's with eight associated parking spaces.

RESOLVED:

To note the information.

29 FUTURE APPLICATIONS

RESOLVED:

To note the information.

30 PLANNING DELEGATION PANEL ACTION SHEETS

RESOLVED:

To note the information.

31 ANY OTHER ITEMS WHICH THE CHAIR CONSIDERS URGENT.

None.

The meeting finished at 7.20 pm

Signed by Chair:

Date:

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MINUTES CABINET

Thursday 5 August 2021

Councillor John Clarke (Chair)

Councillor Peter Barnes
Councillor David Ellis
Councillor Gary Gregory

Councillor Jenny Hollingsworth
Councillor Viv McCrossen

Observers: Councillor Liz Clunie

Absent: Councillor Michael Payne and Councillor Henry Wheeler

Officers in Attendance: P Adcock, A Davey, J Davies, C Goodall, M Hill and F Whyley

21 APOLOGIES FOR ABSENCE.

Apologies for absence were received from Councillors Payne and Wheeler.

22 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 8 JULY 2021

RESOLVED:

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

23 DECLARATION OF INTERESTS.

None

24 FINAL REPORT AND RECOMMENDATIONS OF THE DOMESTIC ABUSE AND ACCOMMODATION WORKING GROUP

The Chair of the Overview and Scrutiny Committee introduced a report, which had been circulated in advance of the meeting, presenting the report and recommendations of the working group established to examine issues around domestic abuse.

RESOLVED to:

- 1) Thank the working group for the report and note the recommendations; and
- 2) Note that a written response to the recommendations will be provided to the Overview and Scrutiny Committee within 28 days.

25 DECISION OF OMBUDSMAN FOLLOWING COMPLAINT AGAINST THE COUNCIL

The Monitoring Officer introduced a report, which had been circulated in advance of the meeting, informing Members of a finding of maladministration with injustice by the Local Government and Social Care Ombudsman (“the Ombudsman”) against Gedling Borough Council in response to a complaint by Ms X with regard to the way the Council communicated its housing review decision to Ms X in September 2020.

RESOLVED to:

- 1) Note the Ombudsman’s decision at Appendix 1 to the report;
- 2) Note that a copy of the report had been circulated to all members of the Council;
- 3) Instruct the Monitoring Officer to prepare a report, on behalf of the Executive, setting out the action to be taken and reasons for it being prepared.

26 WELCOME BACK FUND

The Head of Regeneration and Welfare introduced a report, which had been circulated in advance of the meeting, seeking approval in accordance with the Councils Financial Regulations for an addition to the revenue budget for the “Welcome Back Fund” Project, which is grant funded through the recently announced ERDF fund and seeking approval for the implementation of the Welcome Back Fund project across the Borough’s town and local centres and obtain the delegations as outlined in the recommendations to enable the project to be delivered.

RESOLVED to:

- 1) Approve by virement the establishment of a budget of £105,200 for the Welcome Back Fund project, which is fully grant funded from the European Regional Development Fund; and
- 2) Delegate authority to the Head of Regeneration and Welfare, in consultation with the Portfolio Holder for Growth and Regeneration, to implement the associated action plan subject to any necessary approvals or consents being obtained to enable implementation.

27 QUARTER 1 PERFORMANCE

The Chief Executive introduced a report, which had been circulated in advance of the meeting, informing Cabinet in summary of the position against Improvement Actions and Performance Indicators in the 2020-23 Gedling Plan at the end of 2021/22 quarter 1.

The Chief Executive added that further to the publication of the report, two of the missing waste performance indicators for quarter 1 had been updated as follows:

1. Residual household waste per household in Kg – quarter one actual was 135.7kg against a target of 140kg - Status GREEN
2. Percentage of household waste sent for reuse, recycling and composting – quarter one actual was 37.5% against a target of 36.0% - Status GREEN

RESOLVED to:

Note the progress against the Improvement Actions and Performance Indicators in the 2020-23 Gedling Plan for the end of 2021/22 quarter 1.

28 PRUDENTIAL CODE INDICATOR MONITORING 2021/22 AND QUARTERLY TREASURY ACTIVITY REPORT FOR QUARTER 1

The Head of Finance and ICT introduced a report, which had been circulated in advance of the meeting, updating Members on the performance monitoring of the 2021/22 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 2021/22 for Quarter 1 at Appendix 1, and the Prudential and Treasury Indicator Monitoring 2020/21 for Quarter 1, at Appendix 2 to the report.

29 BUDGET MONITORING (Q1) AND VIREMENT REPORT

The Head of Finance and IT introduced a report, which had been circulated in advance of the meeting, updating Cabinet on the forecast outturn for Revenue and Capital Budgets for 2021/22 and to request approval from Cabinet 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;
- 2) Note the use of reserves and funds during quarter one as detailed in Appendix 2;
- 3) Approve the changes to the capital programme included in paragraph 2.4.

30 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.

31 ANY OTHER ITEMS THE CHAIR CONSIDERS URGENT.

None.

The meeting finished at 3.10 pm

Signed by Chair:
Date:

MINUTES ENVIRONMENT AND LICENSING COMMITTEE

Tuesday 10 August 2021

Councillor Marje Paling (Chair)

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

Absent: Councillor Sam Smith

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

18 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.

Apologies for absence were received from Councillor Sam Smith.

19 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 13 JULY 2021

RESOLVED:

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

20 DECLARATION OF INTERESTS.

None.

21 MOBILE HOMES FIT AND PROPER POLICY

Consideration was given to a report of the Food Health and Housing Manager seeking approval of the Fit and Proper Policy found at Appendix A to the report, which would enable the Policy to be used in accordance with new legal requirements.

RESOLVED to:

- 1) Note the content of the report and the changes in legislation relating to mobile home and caravan sites;
- 2) Approve the adoption of a Fit and Proper Person Policy 2021; and
- 3) Delegate authority to the Corporate Director for Environment Communities and Leisure to approve licences under the policy.

22 ANY OTHER ITEM WHICH THE CHAIR CONSIDERS URGENT.

None.

23 EXCLUSION OF THE PRESS AND PUBLIC.

RESOLVED:

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

24 CHANGE OF CIRCUMSTANCES OF HACKNEY CARRIAGE/PRIVATE HIRE DRIVER - ALB

Consideration was given to a report of the Corporate Director of Environment, Communities and Leisure, which had been circulated in advance of the meeting, regarding a change of circumstances following information received about the holder of a Joint Hackney Carriage/Private Hire Driver's Licence.

ALB attended the meeting and addressed the Committee.

In making the decision the Committee applied the Council's approved Policy and Guidelines and determined that exceptional circumstances existed to warrant departure from them.

RESOLVED to:

Issue a warning to ALB that such conduct fell short of the expected standard for Hackney Carriage Drivers and that further such incidents would result in another appearance before the Committee.

The meeting finished at 4.55 pm

Signed by Chair:
Date:

MINUTES JOINT CONSULTATIVE AND SAFETY COMMITTEE

Tuesday 31 August 2021

Councillor Alex Scroggie (Chair)

Present: Councillor Roxanne Ellis Councillor Sam Smith
 Councillor Meredith Lawrence Councillor Paul Wilkinson
 Councillor Barbara Miller

Unison: Alison Hunt

Absent: Councillor Boyd Elliott, Councillor Paul Feeney,
 Councillor Helen Greensmith and Councillor Jennifer
 Hemingway

Officers in Attendance: P Adcock, D Archer, A Dubberley and L Juby

44 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.

Apologies for absence were received from Councillors Elliott, Feeney, Greensmith and Hemingway. Councillors Lawrence, Miller and Sam Smith attended as substitutes.

45 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 8 JUNE 2021

RESOLVED:

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

46 DECLARATION OF INTERESTS.

Councillor Roxanne Ellis declared a non-pecuniary interest in item 9 as a member of the Committee of Gedling Play Forum and would be leaving the meeting during its consideration.

47 SICKNESS ABSENCE

The Head of HR Service Planning and Performance introduced a report, which had been circulated in advance of the meeting, giving information about the current levels of sickness absence in the organisation.

RESOLVED:

To note the report.

48 CURRENT STAFFING ISSUES

The Head of HR, Performance and Service Planning presented a report, which had been circulated in advance of the meeting, highlighting particular issues of interest that relate to the council's workforce.

During discussion Members wanted to highlight that staff would be "returning to the office" rather than "returning to work" as this choice of words could lead to a perception that staff were not working when they were based at home during the pandemic

RESOLVED:

To note the report.

49 MINOR CHANGES TO THE ESTABLISHMENT

The Head of HR, Performance and Service Planning 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.

50 ANY OTHER ITEM WHICH THE CHAIR CONSIDERS URGENT.

None.

51 EXCLUSION OF PRESS AND PUBLIC

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

52 CONSULTATION CLOSURE- COMMUNITIES AND LEISURE STAFFING REVIEW

Councillor Roxanne Ellis left the meeting.

The Head of Communities and Leisure introduced a report, which had been circulated in advance of the meeting, making final recommendations on the proposed restructure of staffing within the Community Relations team.

RESOLVED to:

- 1) Note the comments received from staff and trade unions on the proposals in the report; and
- 2) Not to make any recommendations and note that the Chief Executive has delegated authority to authorise the implementation of the changes.

53

CONSULTATION CLOSURE- FINANCE AND ICT RESTRUCTURE

Councillor Roxanne Ellis re-joined the meeting.

The Head of Finance and IT introduced a report, which had been circulated in advance of the meeting, making final recommendations on the proposed restructure of staffing within the Service Area.

RESOLVED to:

- 1) Note the comments received from staff and trade unions on the proposals in the report; and
- 2) Not to make any recommendations and note that the Chief Executive has delegated authority to authorise the implementation of the changes.

The meeting finished at 6.00 pm

Signed by Chair:
Date:

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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>
Introduction of Fixed Penalty Notices for contraventions of the Environmental Protection Act 1990 s 34(2A) relating to household waste	Introduction of fixed penalty notices for offences under the Environmental Protection Act 1990 relating to household duty of care	D1219	01/09/2021	Public Protection	No
Delegation to Acquire Property for Temporary Accommodation	Approval of officer delegation to approve residential property acquisition for temporary accommodation	D1225	02/09/2021	Leader of the Council	Yes
Deed of Release of Easement for land at Station Road	Approval to enter into a Deed of Release of an Easement with Severn Trent Water for the land at Station Road, Carlton.	D1217	01/09/2021	Resources and Reputation	No
Changes in service delivery for Customer Services	Approval of service delivery changes for customer services	D1220	25/08/2021	Resources and Reputation	No
Provision of Payroll Services to Third Parties – Streetwise Environmental Ltd	Approval to continue delivery of payroll services to Streetwise Environmental Limited	D1222	25/08/2021	Resources and Reputation	No
Discretionary Assistance Grant for 236 Oakdale Road, Carlton	Approval of a Discretionary Disabled Facilities Grant for circumstances outside the current policy.	D1210	10/08/2021	Public Protection	No

Modification of Restrictive Covenant on Land and Sale of Access Road at Woodchurch Road, Bestwood	Approval to modify a restrictive covenant as set out	D1189	09/08/2021	Resources and Reputation	No
Proposed Street Name for land at Glebe Farm, Glebe Drive, Burton Joyce	Approval for street names in new development at Burton Joyce	D1218	05/08/2021	Growth and Regeneration	No
Armed Forces Leisure Membership	Approval of eligibility criteria for residents accessing the Armed Forces Leisure Membership.	D1215	04/08/2021	Housing, Health and Wellbeing	No
Proposed Street Names for Land off Teal Close Netherfield	Approval for street names in new development at Teal Close	D1212	26/07/2021	Growth and Regeneration	No
Housing Delivery Action Plan 2021	Approval of the Housing Delivery Action Plan 2021	D1208	16/07/2021	Growth and Regeneration	No
Rent Review for the Secretary of State for Work and Pensions Lease of Part of Civic Centre	Approval of rent reviews for Civic Centre	D1197	28/06/2021	Resources and Reputation	No
Holiday Activities and Food local delivery proposal	Approval of scheme for holiday activities and food delivery	D1205	09/07/2021	Leader of the Council	No
Additional Restrictions Grant – Business Support Scheme 2021/22	Approval of the Additional Restrictions Grant for distribution of government grant.	D1209	09/07/2021	Leader of the Council	Yes