



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

# Agenda

# Council

Date: **Wednesday 17 April 2024**

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Time: **6.00 pm**

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Place: **Council Chamber**

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For any further information please contact:

**Democratic Services**

[committees@gedling.gov.uk](mailto:committees@gedling.gov.uk)

0115 901 3844

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# Council

## Membership

**Mayor** Councillor Julie Najuk

**Deputy Mayor** Councillor Ron McCrossen

Councillor Michael Adams	Councillor Alison Hunt
Councillor Roy Allan	Councillor Viv McCrossen
Councillor Sandra Barnes	Councillor Marje Paling
Councillor Stuart Bestwick	Councillor Michael Payne
Councillor David Brocklebank	Councillor Lynda Pearson
Councillor Lorraine Brown	Councillor Sue Pickering
Councillor John Clarke	Councillor Catherine Pope
Councillor Jim Creamer	Councillor Grahame Pope
Councillor Andrew Dunkin	Councillor Kyle Robinson-Payne
Councillor Boyd Elliott	Councillor Alex Scroggie
Councillor David Ellis	Councillor Martin Smith
Councillor Rachael Ellis	Councillor Sam Smith
Councillor Roxanne Ellis	Councillor Ruth Strong
Councillor Andrew Ellwood	Councillor Clive Towsey-Hinton
Councillor Paul Feeney	Councillor Jane Walker
Councillor Kathryn Fox	Councillor Michelle Welsh
Councillor Des Gibbons	Councillor Henry Wheeler
Councillor Helen Greensmith	Councillor Russell Whiting
Councillor Jenny Hollingsworth	Councillor Paul Wilkinson
Councillor Paul Hughes	

### **WEBCASTING NOTICE**

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## SUMMONS

A meeting of the Borough Council will be held on Wednesday 17 April 2024 at 6.00 pm to transact the business as set out below.



Mike Hill  
Chief Executive

## AGENDA

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- 1 Thought for the day
- 2 Apologies for absence
- 3 Mayor's announcements
- 4 To approve, as a correct record, the minutes of the meetings held on 24 January, 21 February and 6 March 2024 5 - 38
- 5 Declaration of interests
- 6 To deal with any petitions received under procedural rule 7.8
- 7 To answer questions asked by the public under procedural rule 7.7

### Question 1 – Received from Matthew Francis

On the 24 January, the Mayor was asked by Councillor Whiting why she had taken the decision to disallow motion one, regarding the conflict in Gaza. The Mayor stated one reason, in that she did not believe it complied with Paragraph 7.12 (e) of Section 4 of the Gedling Borough Council Constitution. It has since come to light, through an information request, that the Mayor also disallowed motion one, because she believed that it could cause untold damage to the reputation of the council amongst certain communities if voted on and reported in the press, and she also believed it held the possibility of threats to the personal security of members of the council or the public.

In the spirit of honesty and transparency, when asked by Councillor Whiting for the reasons behind the disallowing of motion one, why did you not make these other two reasons known to the council, and the public at

large?

Question 2 – Received by Auvil Graham

I emailed Michael Payne, copying in John Clarke, on 31 January and received a reply on 8 April. The reply does not answer my question.

In my original email I noted of nearly 50 councillors, officers, and members of the public in attendance at the full council meeting of January 2024, apart from myself there was only one other person from a visible ethnic minority.

Given the deputy leader's response to a constituent's question at that meeting in which he said the council takes its responsibility for equality and diversity seriously and that all protected characteristics are equally important, I question the validity of that statement.

According to the most recent equality monitoring data (2021) only 4.4% of the council's employees were from visible minorities against a population of about 10%. I don't have the current figures even though the delay in answering my question was apparently to ensure up-to-date information. I am not aware of any non-white councillors on GBC.

I had asked that given the councils stated commitment to equality I would be very grateful to know how GBC intends to make the council more representative ethnically of the public it serves and efforts to engage the council's minority ethnic population in all activities including local democracy. The reply from the leader and deputy leader does not, unfortunately, answer my question. Indeed, it does not specifically address under-representation of minority ethnic people at all. I would be grateful for a clear answer.

How does GBC intend to make the council more representative ethnically of the public it serves and engage the council's minority ethnic population in all activities, including local democracy?

**8 To answer questions asked by Members of the Council under procedural rule 7.9**

Question from Cllr Whiting to the Portfolio Holder for Climate Change and Natural Habitat:

- Football at Colwick Rec is contributing to parking chaos in local roads every Saturday morning. With more pitches being used than advertised and insufficient facilities for players, what steps are being taken to reduce the number of pitches in use at Colwick and find suitable facilities elsewhere for the teams?

**9 To receive questions and comments from Members concerning any**

**matter dealt with by the Executive or a Committee (procedural rule 7.10)**

<b>a</b>	<b>Minutes of meeting Wednesday 10 January 2024 of Planning Committee</b>	<b>39 - 46</b>
<b>b</b>	<b>Minutes of meeting Monday 15 January 2024 of Overview and Scrutiny Committee</b>	<b>47 - 52</b>
<b>c</b>	<b>Minutes of meeting Wednesday 31 January 2024 of Cabinet</b>	<b>53 - 56</b>
<b>d</b>	<b>Minutes of meeting Tuesday 6 February 2024 of Environment and Licensing Committee</b>	<b>57 - 59</b>
<b>e</b>	<b>Minutes of meeting Tuesday 20 February 2024 of Joint Consultative and Safety Committee</b>	<b>61 - 62</b>
<b>f</b>	<b>Minutes of meeting Wednesday 21 February 2024 of Cabinet</b>	<b>63 - 66</b>
<b>g</b>	<b>Minutes of meeting Wednesday 28 February 2024 of Planning Committee</b>	<b>67 - 75</b>
<b>h</b>	<b>Minutes of meeting Tuesday 5 March 2024 of Appointments and Conditions of Service Committee</b>	<b>77 - 78</b>
<b>i</b>	<b>Minutes of meeting Monday 11 March 2024 of Overview and Scrutiny Committee</b>	<b>79 - 83</b>
<b>j</b>	<b>Minutes of meeting Tuesday 12 March 2024 of Environment and Licensing Committee</b>	<b>85 - 86</b>
<b>k</b>	<b>Minutes of meeting Thursday 14 March 2024 of Standards Committee</b>	<b>87 - 88</b>
<b>l</b>	<b>Minutes of meeting Tuesday 19 March 2024 of Audit Committee</b>	<b>89 - 91</b>
<b>m</b>	<b>Minutes of meeting Wednesday 20 March 2024 of Appointments and Conditions of Service Committee</b>	<b>93 - 94</b>
<b>n</b>	<b>Minutes of meeting Wednesday 27 March 2024 of Planning Committee</b>	<b>95 - 128</b>
<b>o</b>	<b>Minutes of meeting Thursday 28 March 2024 of Cabinet</b>	<b>129 - 131</b>

	<b>p Decisions made under delegated authority</b>	133 - 135
<b>10</b>	<b>Review of Council Procedural Rules</b>	137 - 161
	Report of the Interim Corporate Director	
<b>11</b>	<b>Discretionary local scheme - War Pensions</b>	163 - 171
	Report of the Housing and Welfare Manager	
<b>12</b>	<b>To consider comments, of which due notice has been given, under procedural rule 7.11</b>	
<b>13</b>	<b>To consider motions under procedural rule 7.12</b>	

#### Motion 1

The council notes the obligations it owes to the Armed Forces community within Gedling Borough as enshrined in the Armed Forces Covenant; that the Armed Forces community should not face disadvantage in the provision of services and that special consideration is appropriate in some cases, especially for those who have given the most. Gedling Borough Council along with all other local authorities in Great Britain, has proudly signed the Armed Forces Covenant.

That in the course of their service in His Majesty's Armed Forces, some members of the Armed Forces Community, by virtue of the often dangerous and risky nature of their work, or environments in which they are required to operate, become wounded, injured, or sick in such a way that affects their life in a permanent or significant way.

That a number of military compensation schemes exist to recognise and compensate Service Personnel and sometimes their families, for the hardship, inconvenience or ongoing impact conditions such as PTSD, limb loss, hearing loss etc. Military compensation can be awarded through the War Pension Scheme (WPS), Armed Forces Compensation Scheme (AFCS) or through a veteran's occupational Armed Forces Pension Scheme (AFPS), known as Service Invaliding Pensions (SIPs) or Service Attributable Pensions (SAPs). Compensation awards under these schemes may also include supplementary payments. This compensation often interacts with benefits issued through Local Authorities and may impact a veteran's entitlement to such benefits.

That whilst some benefits such as Universal Credit rightly disregard military compensation as income, others administered by or subject to the discretion of Local Authorities, do not always do so, meaning that some

veterans must give up their compensation in order to access essential financial support.

A 2022 Freedom of Information request by the Royal British Legion showed that only one in five (19%) of Local Authorities in Great Britain rightly disregarded all military compensation when assessing local benefits claims for Housing Benefit, Council Tax Support, Discretionary Housing Payments and Disabled Facilities Grants.

In light of the above, this council resolves;

1. That no member of the Armed Forces Community should be forced to give up their military compensation to access the same welfare support as their civilian counterparts.
2. To support the Royal British Legion's call for all forms of military compensation to be disregarded as income in the assessment and administration of locally administered benefits over which this council exercises discretion; Council Tax Reductions, Housing benefit, discretionary housing payments and Disabled Facilities grants.
3. To ask the executive to review relevant local policies, to reflect such a position and report back to an appropriate meeting of this Council.

Proposer: Cllr Mike Adams

Secunder: Cllr Boyd Elliott

### Motion 2

This Council resolves to review the approach to Strategic and Neighbourhood Community Infrastructure Levy allocation, to ensure it is expended effectively in local communities where development has or will take place and in consultation with those local communities and ward members.

Proposer: Cllr Sam Smith

Secunder: Cllr Mike Adams

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## MINUTES COUNCIL

**Wednesday 24 January 2024**

Councillor Julie Najuk (Mayor)

Present: Councillor Michael Adams Councillor Viv McCrossen  
Councillor Roy Allan Councillor Marje Paling  
Councillor Sandra Barnes Councillor Michael Payne  
Councillor Stuart Bestwick Councillor Lynda Pearson  
Councillor David Brocklebank Councillor Sue Pickering  
Councillor Lorraine Brown Councillor Catherine Pope  
Councillor John Clarke Councillor Grahame Pope  
Councillor Boyd Elliott Councillor Kyle Robinson-Payne  
Councillor David Ellis Councillor Alex Scroggie  
Councillor Rachael Ellis Councillor Martin Smith  
Councillor Andrew Ellwood Councillor Sam Smith  
Councillor Paul Feeney Councillor Ruth Strong  
Councillor Kathryn Fox Councillor Clive Towsey-Hinton  
Councillor Des Gibbons Councillor Jane Walker  
Councillor Helen Greensmith Councillor Michelle Welsh  
Councillor Jenny Hollingsworth Councillor Henry Wheeler  
Councillor Paul Hughes Councillor Russell Whiting  
Councillor Alison Hunt Councillor Paul Wilkinson  
Councillor Ron McCrossen

Absent: Councillor Jim Creamer, Councillor Andrew Dunkin and Councillor Roxanne Ellis

### **62 THOUGHT FOR THE DAY**

The Mayor's Chaplain, Father Philipp Ziomek, addressed council and gave a reading.

### **63 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Creamer, Dunkin and Roxanne Ellis.

### **64 MAYOR'S ANNOUNCEMENTS**

The Mayor confirmed she had recently attended several Christmas light events across the borough and noted how heartwarming it was to see the community come together.

### **65 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 15 NOVEMBER 2023**

**RESOLVED:**

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

Councillor Greensmith arrived at the meeting.

**66 DECLARATION OF INTERESTS**

Councillor Sam Smith noted that, unbeknownst to him, he was the subject of question 1, 2 and 4 from the public at item 7 on the agenda.

**67 TO DEAL WITH ANY PETITIONS RECEIVED UNDER PROCEDURAL RULE 7.8**

None.

**68 TO ANSWER QUESTIONS ASKED BY THE PUBLIC UNDER PROCEDURAL RULE 7.7**

Four questions were received, and the questioners were not able to attend the meeting to ask them. As such, all questions were asked by the Chief Executive and answered by the relevant councillor, as follows:

**Question 1:**

Last year the Rt Hon Kemi Badenoch MP, Minister for Women and Equalities wrote to public leaders reaffirming the Government's commitment to the protected characteristics under the Equalities Act.

The 9 protected characteristics in the act are:

- age
- disability
- gender reassignment
- marriage and civil partnership
- pregnancy and maternity
- race
- religion or belief
- sex
- sexual orientation

The Minister for Women and Equalities also wrote, in the same letter, 'I would like to be clear that there is no 'hierarchy of rights' under the act, therefore we should not hold one protected characteristic in higher regard than another.'

At the last full council meeting in November, the leader of the council made the following comment. 'We were doing that [Councillors Name] before you left school'.

Does the Leader of the Council regret that the Mayor, nor the Chief Executive did not intervene to reprimand the Leader for this age-based insult?

**Answer 1:**

At the Council meeting in November 2023, during a debate about funding, I stated in response to comments made about the Shopwatch system that we were doing that, meaning Shopwatch, before Councillor Sam Smith left school.

This comment was not insulting or derogatory and was in fact based on my belief that we have had Shopwatch here at the Council for a number of years.

There was no need for intervention as the comment in itself was not insulting. Moreover, it was made in the context of a robust political debate.

To be clear, this Council is committed to the public sector equality duty and is working hard to improve equality and diversity in the performance of its functions.

**Question 2:**

What plans do the council have over the next year to protect people from age-based discrimination in the council chamber, at work in the council and across the Borough as a whole.

**Answer 2:**

At Cabinet next week, approval is being sought for a public consultation on our Equality and Diversity Policy for 2024-27. This consultation is to ensure we obtain resident's input on how the Council can continue to deliver on its equality objectives from 2024-27. Our Overview and Scrutiny Committee at its meeting this month agreed to establish a working group to feed into this consultation process.

This follows on from our current Equality and Diversity Policy, Framework and Action Plan which expires in March 2024.

Between 2021-2024 the Council has been delivering and continues to deliver against an action plan of 70 actions to improve equality and diversity in the delivery of its functions.

These actions included an equality policy for staff, and customers, the roll out of equality training for all staff and Councillors, the gathering of equality data to inform service delivery, the review of all services to improve inclusivity, and on top of this the Council has agreed several

other initiatives including the development of a changing places facility in Arnold, improvement of menopause awareness for staff and the establishment of a staff inclusivity group.

Tonight, on the agenda we have a new Member Code of Conduct which includes within it a requirement that Councillors promote equalities and do not discriminate unlawfully against any person.

We have equality objectives published as part of our Gedling Plan for 2023-27 and officers are already putting in place a new range of equality actions to form part of service planning for the Council in 2024/25 which will be further informed by the public consultation.

This Council takes its responsibilities in relation to equality and diversity very seriously and our Strategic equality and Diversity group, which is a cross party Member group meets regularly to ensure we are delivering on our actions as well as identifying areas for improvement. Our Portfolio Holder for Life Chances and Vulnerability works closely with officers to ensure that equality and diversity is embedded in our service delivery.

In 2024/25 the Council will continue to monitor equality related complaints to identify areas for improvement and training gaps.

As we move into 2024/25, we will have an updated policy and an action plan that is fully integrated within service planning.

These plans are to cover all protected characteristics, including age, as no protected characteristic out ranks another. Each of them are equally important.

**Question 3:**

Gedling Borough Council often uses the flag poles outside its entrance to mark occasions. Certain flags that the Council have flown fall outside of the Government's approved list and therefore planning permission is required. Could the Council Leader detail when Gedling Borough Council has sought those permissions and for what flags?

**Answer 3:**

The regulations governing the flying of flags in England are set out in the Town and Country Planning Control of Advertisements Regulations 2007, as amended in 2012 and 2021. On the traffic island at the entrance to the Civic Centre, we're currently flying the Gedling Borough Council flag, the Union flag and the Ukraine flag. At the vehicular entrance to Arnot Hill Park, we are proudly flying a flag of the Green Flag Award and a further Union flag.

These flags are permitted by the regulations and do not need consent.

In accordance with our Flag Flying Protocol, which covers the Civic Centre complex, we commit to flying other flags at certain dates during the calendar year and these flags are too permitted by the advert regulations and do not need consent.

**Question 4:**

Would the leader of the council expect a member of his cabinet to resign if:

said member of his cabinet made a political attack on another democratically elected member of the council which was based on that member's protected characteristics under the equalities act.

E.g. an attack based on age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

**Answer 4:**

The Council has adopted a Code of Conduct for members together with local arrangements for dealing with complaints about councillors' conduct. The Code and arrangements for dealing with complaints can be found on the Council's website.

All complaints about Councillors' conduct are subject to an initial assessment to determine whether the complaint warrants further action. This assessment is undertaken by the Council's Monitoring Officer, in consultation with the Council's Independent Person.

Each case is reviewed on its individual merits having regard to the background and circumstances and having regard to a range of criteria which have been adopted by the Council.

The initial assessment may determine that there is no prima facie evidence of a code of conduct breach and that no further action will be taken; that it should be resolved by alternative action such as training, mediation or an apology or that a formal investigation should be undertaken.

If the formal investigation finds that there has been a code of conduct breach, a Hearing Panel will be convened. The Panel will determine its findings of fact, whether there has been a code of conduct breach and, if so, what sanctions should be imposed. The range of sanctions available to the Panel is set out in detail in the local arrangements referred to above. The Panel may recommend to the Leader that a member be removed from Cabinet but cannot require them to do so.

It should be noted that "political attacks" do not necessarily of themselves constitute a code of conduct breach. To constitute a breach,

it must amount to a personal attack on the individual concerned. The LGA's guidance on the interpretation of the Code recognises that on occasion there will be robust political debate in the Council chamber.

Regarding the requirement to treat others with respect, the guidance states as follows: "This provision of the Code is not intended to stand in the way of lively debate in local authorities. Such discussion is a crucial part of the democratic process. Differences of opinion and the defence of those opinions through councillors' arguments and public debate are an essential part of the cut and thrust of political life. Councillors should be able to express their opinions and concerns in forceful terms".

It should be noted that the law recognises the right to free speech and that there is a higher level of protection afforded to political speech. In the case of *Heesom v Public Service Ombudsman for Wales*, Mr Justice Hickinbottom noted from previous case law, inter alia, that whilst freedom of expression is important for everyone, it is especially so for an elected representative of the people. He represents his electorate, draws attention to their preoccupations and defends their interests. The enhanced protection applies to all levels of politics, including local. Article 10 of the European Convention on Human Rights protects not only the substance of what is said, but also the form in which it is conveyed.

Therefore, in the political context, a degree of the immoderate, offensive, shocking, disturbing, exaggerated, provocative, polemical, colourful, emotive, non-rational and aggressive, that would not be acceptable outside that context, is tolerated.

Moreover, he notes that politicians are required to have a thick skin and be tolerant of criticism and other adverse comment. Any comment must therefore be looked at in this context. Moreover, in order to constitute a breach of the Equalities Act there must be direct or indirect discrimination to an individual or group based on their protected characteristics.

69

**TO ANSWER QUESTIONS ASKED BY MEMBERS OF THE COUNCIL UNDER PROCEDURAL RULE 7.9**

A question was asked of the Leader of the Council from Councillor Whiting:

"How will Gedling Borough Council ensure that any lessons from the handling of the recent flooding event in Colwick and elsewhere in the borough are learned?"

Response from Councillor Clarke:

Madam Mayor, first of all may I record my sympathies for the residents who have experienced this and previous flooding events, as they have had a devastating impact on families.

Can I also pass on my thanks to Gedling Borough Council officers and all of the agencies involved in the recovery and clean-up operations across the borough.

In terms of lessons learnt, there are three mechanisms through which the latest flooding event will be reviewed.

1) The Local Resilience Forum Flood Group will hold a multi-agency debrief to review the response and a list of recommendations and learning points will come from this.

2) Nottinghamshire County Council as lead local flood authority will produce a section 19 report for flooding sites, and Gedling Borough Council officers will provide local data, information and intelligence to the County to directly feed into this report. Once finalised by the County Council, the report will then highlight as best it can the mechanisms of the flooding (in terms of the how and why the flood event happened) and will make appropriate recommendations for all partners to consider.

3) Gedling Borough Council also holds its own internal debrief following a flood event, from which an action plan is created and reported to the internal Strategic Resilience Group for monitoring and action.

May I also remind the Chamber that the Leadership brought a motion regarding flooding to the last council meeting. As a direct result of that motion, this Council has made written representations to the Secretary of State and central government calling for additional investment in flood defence and infrastructure work to ensure as far as possible that similar suffering and loss will be prevented for this and future generations of Gedling residents.

A question was asked of the Portfolio Holder for Climate Change and Natural Habitat from Councillor Whiting:

“How much has been spent topping up the surface of the car park at Colwick Rec in the past 3 years - and when will it be properly resurfaced?”

Response from Councillor V McCrossen:

Thanks for the question, I do believe that the previous ward councillor was also a great advocate for the Colwick Rec and asked the same question previously. The Colwick Rec car park surface is regularly topped-up with conglomerate gravel, which we use to fill potholes to

create an even surface that is rolled and tampered down, and we can see this is not a long-term solution.

Over the past 3 years, I can confirm that we have spent a total of £1,125 in doing that. As I am sure you are aware, the car park has seen quite a significant usage recently and we know in part this is due to the introduction of car park charges at Colwick Park by the city council, so people are clearly coming over the rec to park. Also, the relocation of some football teams, particularly at weekends, is making this very busy which adds to the wear and tear on that area.

Officers are aware of the need for works on the car park, including drainage and tarmacking which would cost in estimate between £70k to £75k, so a significant amount of money. As I am sure you are aware, due to the conservative government, we are the fifth worst funded local authority in this country so are not a washed with cash. We are having to make quite significant decisions on spending and our budget, as is a number of local authorities. Sadly, I cannot confirm a date for the works at this point in time, but we will continue to be committed to our parks and open spaces for our residents. We would like to think that when the opportunity comes, we could offer some priority to this area but as such I cannot promise this at the minute.

**70 TO RECEIVE QUESTIONS AND COMMENTS FROM MEMBERS CONCERNING ANY MATTER DEALT WITH BY THE EXECUTIVE OR A COMMITTEE (PROCEDURAL RULE 7.10)**

No comments were made.

**71 PAY POLICY STATEMENT- 2024-25**

Consideration was given to a report of the Head of HR, Performance and Service Planning, which sought to seek approval and subsequent publication on the Council's website of the new Pay Policy Statement.

**RESOLVED** to:

Agree the approval and subsequent publication of the new Pay Policy Statement on the Council's website.

**72 COUNCIL TAX REDUCTION SCHEME**

Consideration was given to a report of the Housing and Welfare Manager which sought to seek approval for the current Council Tax Reduction Scheme (CTRS) to continue without revision in 2024/25.

**RESOLVED** that:

- 1) the Council Tax Reduction Scheme (CTRS) 2024/25, to apply from 1 April 2024, be approved and adopted by full Council; and



- 2) 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; and
- 3) there are no changes to CTRS for pension age people except for those contained within the annual Council Tax Reduction Schemes (Amendment) (England) Regulations

**73            LEVELLING UP AND REGENERATION ACT 2023 | COUNCIL TAX CHARGES**

Consideration was given to a report of the Revenues Manager which sought to seek approval to implement the 100% premium council tax charge after a dwelling has been vacant for a period of one year only with effect from 1st April 2024 and to remove the existing 10% discount and levy a 100% premium charge for dwellings classed as second homes, commencing on the day the dwelling is classified as a second home with effect from 1st April 2025

**RESOLVED** that:

- 1) the 100% premium council tax charge is commenced after a dwelling has been vacant for a period of one year only with effect from 1st April 2024; and
- 2) the existing 10% discount is removed and that a 100% premium council tax charge is levied on dwellings classed as second homes, commencing on the day the dwelling is classified as a second home with effect from 1st April 2025.

**74            INDEPENDENT REMUNERATION PANEL - REPORT AND RECOMMENDATIONS FOR 2024/25**

Consideration was given to a report of the Democratic Services Manager which sought to inform Council of the latest report from the Council's Independent Remuneration Panel (IRP) relating to member remuneration for 2024/25, to invite Council to consider the recommendations made by the Panel and to agree to launch a recruitment exercise to fill the current vacancy.

A revised set of recommendations than those printed in the agenda pack were proposed by Councillor David Ellis and seconded by Councillor Elliott, in the following terms:

- 1) Thanks the Independent Remuneration Panel for its work;
- 2) Accepts the Independent Remuneration Panel's recommendation numbers one and three as contained in the report;
- 3) Does not accept the Independent Remuneration Panel's recommendation number two as contained in the report;

- 4) Agrees to link both Basic and Special Responsibility Allowances to increase in line with Chief Officer's local authority pay awards as agreed in previous years;
- 5) As a form of indexation, agrees that the Chief Officer local authority pay award adjustment be applied to Basic and Special Responsibility Allowances for the next four years in accordance with the Local Authorities (Members Allowances) (England) Regulations 2003;
- 6) Agree the schedule of members' allowances for 2024/25 as attached at appendix 1 to this report, but updated by the pay award once agreed;
- 7) Authorise the Monitoring Officer to make appropriate amendments to section 29 of the Constitution to reflect any changes to the members' allowances scheme agreed and publicise any amendment;
- 8) Agree to launch a recruitment exercise to fill the current vacancy on the Independent Remuneration Panel, and recruit one additional panel member;
- 9) Agree to establish a cross party interview panel of 3 Members to interview suitable candidates for the Independent Remuneration Panel as detailed in the report, and make recommendation to Council as to appointment.

**RESOLVED** that Council:

- 1) Thanks the Independent Remuneration Panel for its work;
- 2) Accepts the Independent Remuneration Panel's recommendation numbers one and three as contained in the report;
- 3) Does not accept the Independent Remuneration Panel's recommendation number two as contained in the report;
- 4) Agrees to link both Basic and Special Responsibility Allowances to increase in line with Chief Officer's local authority pay awards as agreed in previous years;
- 5) As a form of indexation, agrees that the Chief Officer local authority pay award adjustment be applied to Basic and Special Responsibility Allowances for the next four years in accordance with the Local Authorities (Members Allowances) (England) Regulations 2003;
- 6) Agree the schedule of members' allowances for 2024/25 as attached at appendix 1 to this report, but updated by the pay award once agreed;
- 7) Authorise the Monitoring Officer to make appropriate amendments to section 29 of the Constitution to reflect any

changes to the members' allowances scheme agreed and publicise any amendment;

- 8) Agree to launch a recruitment exercise to fill the current vacancy on the Independent Remuneration Panel, and recruit one additional panel member;
- 9) Agree to establish a cross party interview panel of 3 Members to interview suitable candidates for the Independent Remuneration Panel as detailed in the report, and make recommendation to Council as to appointment.

Councillor Hughes left the meeting.

## **75 REVIEW OF THE CODE OF CONDUCT**

Consideration was given to a report of the Monitoring Officer which sought to seek adoption of a new Member's Code of Conduct for Gedling Borough Councillors.

**RESOLVED** that:

Members adopt the Member's Code of Conduct at Appendix 1.

Councillor Hughes returned to the meeting.

## **76 TO CONSIDER COMMENTS, OF WHICH DUE NOTICE HAS BEEN GIVEN, UNDER PROCEDURAL RULE 7.11**

None.

## **77 TO CONSIDER MOTIONS UNDER PROCEDURAL RULE 7.12**

Motion 1 – this motion had been removed from the agenda as the Mayor ruled that it did not meet section 7.12e of section 4 of the council's constitution - every motion shall be relevant to some matter in relation to which the Council has powers or duties, or which affects the Borough.

A point of order was raised on this from Councillors Whiting and Gibbons to ascertain if there were any additional reasonings for the removal. The Mayor confirmed she had done this using her judgement of section 7.12e of the councils' constitution.

### Motion 2

Councillor Bestwick, seconded by Councillor Greensmith, proposed a motion in the following terms:

“Gedling Borough Council notes the difficulties faced with on-street parking and the increase in the number of cars per household.

To help mitigate new housing from increasing the amount of on-street parking, this Council has an adopted Supplementary Planning Document referenced in LPD 57 'Parking Provision for Residential and Non-Residential Developments' (February 2022) ("SPD"), however, this policy allows for unallocated spaces which includes on-street parking as part of meeting the required parking provision.

The SPD also states at paragraph 4.12 that whilst "The expectation is that parking standards will be met, however if the development is served by one or more regular public transport service, this may be a material consideration justifying a reduced parking provision requirement, especially if a site is located within; or close to a central area."

This Council can not, however, control who moves into housing that does not have provision for off-street parking and can therefore not enforce the use of public transport or none use of personal vehicles.

Therefore, Gedling Borough Council resolves to recommend that Cabinet considers a review of the 'Parking Provision for Residential and Non-Residential Developments' Supplementary Planning Document (SPD) and such review to include:

1. the removal of paragraph 4.12 and its content from the 'Parking Provision for Residential and Non-Residential Developments'.
2. the provision that all car parking requirements serving occupants on new developments must be met within residential curtilages

Proposer: Cllr Stuart Bestwick  
Seconder: Cllr Helen Greensmith"

Councillor Gibbons left the meeting.

On being put to a vote, the motion was lost.

Councillor Gibbons returned to the meeting.  
Councillor Whiting left the meeting.

### Motion 3

Councillor Sam Smith, seconded by Councillor Adams, proposed a motion in the following terms:

"Currently, ashes can be interred in Gedling Borough Council cemeteries between Monday and Friday at a fee of £221 which are observed by the Council's cemetery staff. There is, however, demand for this service at weekends, including from working families and those who have family members who are not local to the Borough.

This Council therefore resolves, subject to approval of a business case, that Council staff are made available to observe the internment of ashes on two Saturdays per month for a trial period of at least six months.

Proposer: Cllr Sam Smith  
Seconder: Cllr Mike Adams”

Councillor Whiting returned to the meeting.

And amendment was proposed by Councillor Paling and seconded by Councillor Clarke in the following terms:

“Currently, ashes can be interred in Gedling Borough Council cemeteries between Monday and Friday at a fee of £221 which are observed by the Council’s cemetery staff. There is, however, demand for this service at weekends, including from working families and those who have family members who are not local to the Borough.

This Council therefore resolves, to refer to Cabinet the consideration of a business case, to enable the internment of ashes at Council cemeteries on two Saturdays per month for a trial period of at least six months.

Any such business case will be subject to appropriate consultation with staff and representative bodies.

Proposer: Cllr Marje Paling  
Seconder: Cllr John Clarke”

An adjournment was proposed, seconded, and agreed to allow members time to review the amendment. Upon return, the proposer and seconder of the original motion indicated their support and acceptance of the amendment. As such, it was deemed to be the substantive motion.

Upon being put to a vote, the motion was carried unanimously.

**RESOLVED** that:

Currently, ashes can be interred in Gedling Borough Council cemeteries between Monday and Friday at a fee of £221 which are observed by the Council’s cemetery staff. There is, however, demand for this service at weekends, including from working families and those who have family members who are not local to the Borough.

This Council therefore resolves, to refer to Cabinet the consideration of a business case, to enable the internment of ashes at Council cemeteries on two Saturdays per month for a trial period of at least six months.

Any such business case will be subject to appropriate consultation with staff and representative bodies.

Proposer: Cllr Sam Smith

Seconder: Cllr Mike Adams

The meeting finished at 7.46 pm

Signed by Chair:  
Date:

**MINUTES  
COUNCIL**

**Wednesday 21 February 2024**

Councillor Julie Najuk (Mayor)

Present: Councillor Ron McCrossen Councillor Jenny Hollingsworth  
Councillor Michael Adams Councillor Paul Hughes  
Councillor Roy Allan Councillor Alison Hunt  
Councillor Sandra Barnes Councillor Viv McCrossen  
Councillor Stuart Bestwick Councillor Marje Paling  
Councillor David Brocklebank Councillor Michael Payne  
Councillor Lorraine Brown Councillor Lynda Pearson  
Councillor John Clarke Councillor Catherine Pope  
Councillor Jim Creamer Councillor Grahame Pope  
Councillor Andrew Dunkin Councillor Kyle Robinson-Payne  
Councillor Boyd Elliott Councillor Alex Scroggie  
Councillor David Ellis Councillor Martin Smith  
Councillor Rachael Ellis Councillor Sam Smith  
Councillor Roxanne Ellis Councillor Ruth Strong  
Councillor Andrew Ellwood Councillor Jane Walker  
Councillor Paul Feeney Councillor Michelle Welsh  
Councillor Kathryn Fox Councillor Henry Wheeler  
Councillor Des Gibbons Councillor Russell Whiting  
Councillor Helen Greensmith Councillor Paul Wilkinson

Absent: Councillor Sue Pickering and Councillor Clive  
Towsey-Hinton

**78 THOUGHT FOR THE DAY**

The Mayor's Chaplain, Father Philipp Ziomek, addressed council and gave a reading about kindness and loyalty.

**79 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Pickering and Towsey-Hinton.

**80 MAYOR'S ANNOUNCEMENTS**

The Mayor confirmed she had recently attended the B&M store opening in Arnold and noted that she was very pleased for the staff and urged her colleagues to support the store as much as possible. She also noted that the council hosted the Royal British Legion annual conference and passed on the thanks from them for allowing this.

**81 DECLARATION OF INTERESTS**

None.

**82 REFERRAL FROM CABINET - QUARTERLY BUDGET MONITORING AND VIREMENT REPORT – Q3 DEC 2023**

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

The majority of the report had been signed off by Cabinet at its meeting on 31 January, it was just recommendation 4 that Council were being asked to consider.

**RESOLVED:**

That approval be given for an additional £100,000 to the capital programme and borrowing required to fund repairs to the large storage shed as set out in section 2.3 of the report.

**83 REVIEW OF POLLING DISTRICTS, POLLING PLACES AND POLLING STATIONS 2023-24**

Consideration was given to a report of the Democratic Services Manager, which sought Council approval of a new scheme of Polling Districts, Polling Places and Polling Stations following the statutory review process.

Members noted the review had gone well and thanked the officers for their work.

**RESOLVED to:**

- 1) Note the responses to the consultation; and
- 2) Approve and adopt the new polling districts, polling places and polling stations scheme as set out in the attached document at Appendix 3; and
- 3) Request that the Chief Executive formally publishes the notice of the conclusion of the review and its findings; and
- 4) Note that the Chief Executive is authorised to designate an alternative polling place should one become unavailable at short notice before an election.

The meeting finished at 6.21 pm

Signed by Chair:



Date:

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**MINUTES  
COUNCIL**

**Wednesday 6 March 2024**

Councillor Julie Najuk (Mayor)

Present:

Councillor Michael Adams	Councillor Alison Hunt
Councillor Roy Allan	Councillor Ron McCrossen
Councillor Sandra Barnes	Councillor Viv McCrossen
Councillor Stuart Bestwick	Councillor Marje Paling
Councillor David Brocklebank	Councillor Michael Payne
Councillor Lorraine Brown	Councillor Lynda Pearson
Councillor John Clarke	Councillor Sue Pickering
Councillor Jim Creamer	Councillor Catherine Pope
Councillor Andrew Dunkin	Councillor Grahame Pope
Councillor Boyd Elliott	Councillor Kyle Robinson-Payne
Councillor David Ellis	Councillor Alex Scroggie
Councillor Rachael Ellis	Councillor Martin Smith
Councillor Roxanne Ellis	Councillor Sam Smith
Councillor Andrew Ellwood	Councillor Ruth Strong
Councillor Paul Feeney	Councillor Clive Towsey-Hinton
Councillor Kathryn Fox	Councillor Jane Walker
Councillor Des Gibbons	Councillor Michelle Welsh
Councillor Helen Greensmith	Councillor Henry Wheeler
Councillor Jenny Hollingsworth	Councillor Russell Whiting
Councillor Paul Hughes	Councillor Paul Wilkinson

Absent:

**84 THOUGHT FOR THE DAY**

The Mayor's Chaplain was unable to attend the meeting so no thought for the day was given.

**85 APOLOGIES FOR ABSENCE**

No apologies were received.

**86 DECLARATION OF INTERESTS**

None.

**87 TO CONSIDER, AND IF APPROVED, ADOPT THE RECOMMENDATIONS OF CABINET DATED 21 FEBRUARY 2024 AND SET THE COUNCIL TAX FOR THE YEAR ENDING 31 MARCH 2025**

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

1. In accordance with the recommendations of Cabinet on 21 February 2024, that the Prudential and Treasury Indicators and Treasury Management Strategy Statement (TMSS) 2024/25, which includes the Minimum Revenue Provision Policy Statement, the Borrowing Strategy, and the Annual Investment Strategy, set out at pages 5 to 49 of the Council agenda, be approved.
2. In accordance with the recommendations of Cabinet on 21 February 2024, that the Capital Programme and Capital Investment Strategy 2024/25 to 2028/29 set out at pages 51 to 79 of the Council agenda, be approved.
3. In accordance with the recommendation of Cabinet on 21 February 2024, that the financial threshold above which decisions will be regarded as Key Decisions be set at £0.5 million for 2024/25, and that the detailed budget for 2024/25 included at pages 111 to 192 of the Council agenda be approved.
4. That the sum of £16,200 be taken to General Fund Balances in 2024/25 to support future General Fund revenue expenditure.
5. That it be noted that the Portfolio holder for Corporate Resources and Performance and Deputy Leader of the Council determined on 12 December 2023 (D1473), the following amounts for the year 2024/25 in accordance with regulations made under section 31(B) of the Local Government Finance Act 1992.
  - (a) 38,962.89 being the amount calculated by the Council, in accordance with regulation 3 of the Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012, as its council tax base for the year. **(The Council Tax base for the whole district)**

(b)

<u>Part of the Council's Area</u>	<u>Tax Base</u>
Bestwood Village	702.73
Burton Joyce	1,538.33
Calverton	2,489.52
Colwick	892.59
Lambley	506.65
Linby	389.44
Newstead	374.94
Papplewick	270.14
Ravenshead	2,769.07
St Albans	949.14
Stoke Bardolph	390.16
Woodborough	934.47

being the amounts calculated by the Council, in accordance with regulation 6 of the Regulations, as the amounts of its council tax base for the year for dwellings in/ those parts of its area to which

one or more special items relate. **(The Council Tax base for each parish)**

6. That the following amounts be now calculated by the Council for the year 2024/25 in accordance with sections 31A, 31B and 34 to 36 of the Local Government Finance Act 1992 (the Act):

- (a) £45,578,640 being the aggregate of the amounts which the Council estimates for the items set out in section 31A(2) of the Act. **(Effectively gross expenditure including parish precepts, and transfers to reserves)**
- (b) £37,299,400 being the aggregate of the amounts which the Council estimates for the items set out in section 31A(3) of the Act. **(Effectively gross income and transfers from reserves)**
- (c) £8,279,240 being the amount by which the aggregate at 6(a) above exceeds the aggregate at 6(b) above, calculated by the Council, in accordance with section 31A(4) of the Act, as its Council Tax Requirement for the year. **(Expenditure less income)**
- (d) £212.49 being the amount at 6(c) above, divided by the amount at 5(a) above, calculated by the Council, in accordance with section 31B of the Act, as the basic amount of its council tax for the year. **(The overall average amount of Council Tax per Band D property, including parish precepts)**
- (e) £920,840 being the aggregate amount of all special items referred to in section 34(1) of the Act. **(Total of parish precepts)**. For information, the amount in respect of each parish is as follows:

<u>Part of the Council's Area</u>	<u>Parish Precept</u>
Bestwood Village	20,000
Burton Joyce	228,518
Calverton	275,839
Colwick	29,500
Lambley	18,749
Linby	26,441
Newstead	22,710
Papplewick	22,287
Ravenshead	163,000
St Albans	28,834
Stoke Bardolph	2,500
Woodborough	82,462

- (f) £188.86 being the amount at 6(d) above less the result given by dividing the amount at 6(e) above by the amount at 5(a) above, calculated by the Council, in accordance with section 34(2) of the Act, as the basic amount of its council tax for the year for dwellings in those parts of its area to which no special item relates. **(Gedling's own element of the Council Tax for a Band D dwelling)**.

(g)

**Part of the Council's Area**

£

Bestwood Village	217.32
Burton Joyce	337.41
Calverton	299.66
Colwick	221.91
Lambley	225.87
Linby	256.75
Newstead	249.43
Papplewick	271.36
Ravenshead	247.72
St Albans	219.24
Stoke Bardolph	195.27
Woodborough	277.10

being the amounts given by adding the amount at 6(f) above to the amounts of the special item or items relating to dwellings in those parts of the Council's area mentioned above, divided in each case by the amount at 5(b) above, calculated by the Council, in accordance with section 34(3) of the Act, as the basic amounts of its council tax for the year for dwellings in those parts of its area to which one or more special items relate. **(The combined district and parish amount of Council Tax for a Band D dwelling)**

(h)

**Part of the Council's Area**

**Valuation Bands**

	A	B	C	Valuation Bands		F	G
	£	£	£	D	E	£	£
Bestwood Village	144.88	169.03	193.18	217.32	265.61	313.91	362.20
Burton Joyce	224.94	262.43	299.92	337.41	412.39	487.37	562.35
Calverton	199.78	233.07	266.37	299.66	366.25	432.84	499.44
Colwick	147.94	172.60	197.26	221.91	271.22	320.54	369.85
Lambley	150.58	175.68	200.78	225.87	276.06	326.26	376.45
Linby	171.17	199.69	228.23	256.75	313.81	370.86	427.92
Newstead	166.29	194.00	221.72	249.43	304.86	360.29	415.72
Papplewick	180.91	211.06	241.21	271.36	331.66	391.97	452.27
Ravenshead	165.15	192.67	220.20	247.72	302.77	357.82	412.87
St Albans	146.16	170.52	194.88	219.24	267.96	316.68	365.40
Stoke Bardolph	130.18	151.88	173.58	195.27	238.66	282.06	325.45
Woodborough	184.74	215.52	246.32	277.10	338.68	400.26	461.84
All other parts of the Council's area	125.91	146.89	167.88	188.86	230.83	272.80	314.77

being the amounts given by multiplying the amounts at 6(f) and 6(g) above by the number which, in the proportion set out in section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Council, in accordance with section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation

bands. (The combined district and parish amount of Council Tax for each band of dwelling).

**7. That it be noted that for the year 2024/25, Nottinghamshire County Council, the Office of the Nottinghamshire Police & Crime Commissioner and the Combined Fire & Rescue Authority have stated the following amounts in precepts issued to the Council, in accordance with section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings shown below:**

<b>Precepting Authority:</b>	<b>A £</b>	<b>B £</b>	<b>C £</b>	<b>D £</b>	<b>E £</b>	<b>F £</b>	<b>G £</b>	<b>H £</b>
Notts County Council	1,204.72	1,405.51	1,606.29	1,807.08	2,208.65	2,610.23	3,011.80	3,614.16
Notts Police & Crime Commissioner	188.10	219.45	250.80	282.15	344.85	407.55	470.25	564.30
Combined Fire & Rescue Authority	61.47	71.72	81.96	92.21	112.70	133.19	153.68	184.42

**8. That, having calculated the aggregate in each case of the amounts at 6(h) and 7 above, the Council, in accordance with section 30(2) of the Local Government Finance Act 1992, hereby sets the following amounts of council tax for the year 2024/25 for each of the categories of dwellings shown below: (The total amount of Council Tax for each band of dwelling)**

<b><u>Part of the Council's Area</u></b>	<b><u>Valuation Bands</u></b>							
	<b>A £</b>	<b>B £</b>	<b>C £</b>	<b>D £</b>	<b>E £</b>	<b>F £</b>	<b>G £</b>	<b>H £</b>
Bestwood Village	1,599.17	1,865.71	2,132.23	2,398.76	2,931.81	3,464.88	3,997.93	4,797.52
Burton Joyce	1,679.23	1,959.11	2,238.97	2,518.85	3,078.59	3,638.34	4,198.08	5,037.70
Calverton	1,654.07	1,929.75	2,205.42	2,481.10	3,032.45	3,583.81	4,135.17	4,962.20
Colwick	1,602.23	1,869.28	2,136.31	2,403.35	2,937.42	3,471.51	4,005.58	4,806.70
Lambley	1,604.87	1,872.36	2,139.83	2,407.31	2,942.26	3,477.23	4,012.18	4,814.62
Linby	1,625.46	1,896.37	2,167.28	2,438.19	2,980.01	3,521.83	4,063.65	4,876.38
Newstead	1,620.58	1,890.68	2,160.77	2,430.87	2,971.06	3,511.26	4,051.45	4,861.74
Papplewick	1,635.20	1,907.74	2,180.26	2,452.80	2,997.86	3,542.94	4,088.00	4,905.60
Ravenshead	1,619.44	1,889.35	2,159.25	2,429.16	2,968.97	3,508.79	4,048.60	4,858.32
St Albans	1,600.45	1,867.20	2,133.93	2,400.68	2,934.16	3,467.65	4,001.13	4,801.36
Stoke Bardolph	1,584.47	1,848.56	2,112.63	2,376.71	2,904.86	3,433.03	3,961.18	4,753.42
Woodborough	1,639.03	1,912.20	2,185.37	2,458.54	3,004.88	3,551.23	4,097.57	4,917.08
All other parts of the Council's area	1,580.20	1,843.57	2,106.93	2,370.30	2,897.03	3,423.77	3,950.50	4,740.60

An amendment was moved by Councillor Adams and seconded by Councillor Elliott on the following terms:

That the Council has the following objections and proposals to the estimates submitted by Cabinet, and it requires the Cabinet to reconsider those estimates in the light of these objections and proposals, and report back to Council within five working days after the day of this meeting.

## Revenue Budget

1. Remove £110,000 from the Civic Centre Window Replacement in the Capital Programme, leaving £90,000 for windows which need to be repaired immediately. This would result in a revenue saving equivalent to the costs of borrowing of £10,500 per year. (£10,500)
  2. Revert to Diesel rather than the significantly more expensive HVO as a fuel source for the Fleet Vehicles providing savings. (£130,000)
  3. Deletion of two portfolios and resulting Cabinet Members resulting in savings in members allowances. (£16,600)
  4. Cease printing of Contacts magazine with online distribution only. (£45,000)
- n.b. financing of window replacement in the current capital programme and purchase of new fleet vehicles would be funded by Prudential Borrowing.
- 5 Purchase two new Street Sweepers at a cost of £95,000 each, this would result in an increase in the revenue budget equivalent to the cost of borrowing of £15,000 for each sweeper. £30,000
  - 6 The addition of two new drivers. £76,000
  - 7 Creation of a Community Orchard Grant Scheme, for community groups to access, for the planting and maintenance of orchards across the Borough. £7,000
  - 8 Reduce the Proposed Council Tax increase by 1% to 1.98% £71,500
  - 9 Provision of additional efficiency savings £17,600

### Note:

The Local Government Act 2003 requires that the Council's Chief Financial Officer, in the case of Gedling that is the Head of Finance & ICT and S151 Officer, provide advice to the Council on the adequacy of financial reserves, and the robustness of the estimates. These comments can be found below: *THE ROBUSTNESS OF THE ESTIMATES AND THE ADEQUACY OF THE GENERAL FUND BALANCES*

*The annual budget and the medium-term plan are based on a range of assumptions, detailed to Cabinet on 21 February, and these have enabled estimates of current and future spending to be modelled. The Medium-Term Financial Plan (MTFP) is presented against the backdrop of major and unprecedented uncertainty, primarily due to the continuing deferral of local government finance reforms inflationary increases, significant increase in demand for services, post-Brexit supply and labour shortages. The Council has an established process for assessing the financial risk factors inherent in any business activity, and the financial risk register recognises the increasing risks to financial sustainability in the medium term arising from the increased costs and uncertain funding levels.*

*The Council has a strong track record of meeting demands within the approved budget, together with a good reputation for the robustness of its financial planning, which will continue, however, it is important to note the*



*structural deficit that remains within the MTFP which will require the development of further plans for budget efficiencies/savings and it should be expected that there will need to be some contraction of service delivery/performance if efficiency plans do not proceed in line with expectations.*

*The annual budget for 2024/25 and the subsequent years of the MTFP leave the Council with a level of balances broadly in line with the minimum required from 2026/27 onwards. Whilst existing management approaches should enable the Council to deliver the efficiency required in the medium to long term, further changes to the way that services are delivered will be required if the Council is to fully achieve its ambitions and achieve a sustainable financial position.*

*The Council will continue to implement the approved efficiency plans and to develop new budget reduction proposals in order to balance the MTFP which, if implemented, will mean that the financial outlook remains fair, and that the 2024/25 estimates, and beyond, are robust. Members are reminded that risk levels in the MTFP are increasing as a result of ongoing uncertainties surrounding the local government finance settlement and in the absence of funding increases, from 2026/27 additional budget reductions will be required and whilst some have been identified they are not currently backed by an agreed action plan. Despite this, risks are currently still at acceptable levels as there is a sufficient lead in time for developing detailed plans in the coming year.*

*An assessment of reserves and balances has been carried out and I am satisfied that the financial position as presented is robust, and that reserves and balances are adequate in the short to medium term. However, pressures on both capital and revenue budgets are substantial and the MTFP shows continued reliance on the use of General Fund balances to support expenditure levels, as reported to Cabinet on 21 February 2024.*

*The Council has in the past successfully managed such pressures, and therefore I consider that, given the information available at the time, the level of general reserves are adequate for the purpose of setting the 2024/25 Council Tax.*

Councillor Wilkinson, seconded by Councillor David Ellis, proposed a motion to briefly adjourn the meeting to allow members to consider the amendment put before them.

The motion was supported, and the Mayor declared it carried.

The meeting adjourned at 6:33pm.

The meeting resumed at 6:45pm.

Following debate, in accordance with standing orders the amendment was put to a named vote.

The Mayor declared the amendment not carried.

An amendment was moved by Councillor Ellwood and seconded by Councillor Towsey-Hinton on the following terms:

That the Council has the following objections and proposals to the estimates submitted by Cabinet, and it requires the Cabinet to reconsider those estimates in the light of these objections and proposals, and report back to Council within five working days after the day of this meeting.

### **General Fund Revenue Budget**

- |   |   |          |
|---|---|----------|
| 1 | To expand the eligibility for one free bulky waste collection per annum from the existing scheme, which is available to all residents, over the age of 65, to include one free collection per household with an adult aged 18 to 64 with a physical or mental disability as defined under the Equality Act 2010, subject to the availability of collection slots. | £25,000  |
| 2 | Discontinue the Borough-wide printing and distribution of the hard copy version of the Contacts Magazine (transfer to digital distribution) – continue to print and distribute c. 2,000 copies of the magazine to sheltered accommodation or posted on request.   | -£25,000 |

### **Note:**

The Local Government Act 2003 requires that the Council's Chief Financial Officer, in the case of Gedling that is the Head of finance & ICT and s151 Officer, provide advice to the Council on the adequacy of financial reserves, and the robustness of the estimates. These comments can be found below:

#### *THE ROBUSTNESS OF THE ESTIMATES AND THE ADEQUACY OF THE GENERAL FUND BALANCES*

*The annual budget and the medium-term plan are based on a range of assumptions, detailed to Cabinet on 21 February, and these have enabled estimates of current and future spending to be modelled. The Medium-Term Financial Plan (MTFP) is presented against the backdrop of major and unprecedented uncertainty, primarily due to the continuing deferral of local government finance reforms inflationary increases, significant increase in demand for services, post-Brexit supply and labour shortages. The Council has an established process for assessing the financial risk factors inherent in any business activity, and the financial risk register recognises the increasing risks to financial sustainability in the medium term arising from the increased costs and uncertain funding levels.*

*The Council has a strong track record of meeting demands within the approved budget, together with a good reputation for the robustness of its financial planning, which will continue, however, it is important to note the structural deficit that remains within the MTFP which will require the development of further plans for budget efficiencies/savings and it should be expected that there will need to be some contraction of service delivery/performance if efficiency plans do not proceed in line with expectations.*

*The annual budget for 2024/25 and the subsequent years of the MTFP leave the Council with a level of balances broadly in line with the minimum required from 2026/27 onwards. Whilst existing management approaches should enable the Council to deliver the efficiency required in the medium to long term, further changes to the way that services are delivered will be required if the Council is to fully achieve its ambitions and achieve a sustainable financial position.*

*The Council will continue to implement the approved efficiency plans and to develop new budget reduction proposals in order to balance the MTFP which, if implemented, will mean that the financial outlook remains fair, and that the 2024/25 estimates, and beyond, are robust. Members are reminded that risk levels in the MTFP are increasing as a result of ongoing uncertainties surrounding the local government finance settlement and in the absence of funding increases, from 2026/27 additional budget reductions will be required and whilst some have been identified they are not currently backed by an agreed action plan. Despite this risks are currently still at acceptable levels as there is a sufficient lead in time for developing detailed plans in the coming year.*

*An assessment of reserves and balances has been carried out and I am satisfied that the financial position as presented is robust, and that reserves and balances are adequate in the short to medium term. However, pressures on both capital and revenue budgets are substantial and the MTFP shows continued reliance on the use of General Fund balances to support expenditure levels, as reported to Cabinet on 21 February 2024.*

*The Council has in the past successfully managed such pressures, and therefore I consider that, given the information available at the time, the level of general reserves are adequate for the purpose of setting the 2024/25 Council Tax.*

Councillor Sam Smith, seconded by Councillor Elliott, proposed a motion to briefly adjourn the meeting to allow members to consider the amendment put before them.

The motion was supported, and the Mayor declared it carried.

The meeting adjourned 7:43pm.

The meeting resumed at 7:52pm.

Following debate, in accordance with standing orders the amendment was put to a named vote.

The Mayor declared the amendment not carried.

An amendment was moved by Councillor Whiting and seconded by Councillor Gibbons on the following terms:

That the Council has the following objections and proposals to the estimates submitted by Cabinet, and it requires the Cabinet to reconsider those estimates in the light of these objections and proposals, and report back to Council within five working days after the day of this meeting.

### **Revenue Impact of Borrowing on the Capital Programme**

- |   |   |          |
|---|---|----------|
| 1 | Resurface the car park at the Colwick Rectory Road Recreation Ground at a cost of c£80,000, this would create a revenue cost of borrowing of £9,500 per year.   | £9,500   |
| 2 | To reduce the Capital Project for Civic Centre Window Replacement by £80,000 (currently £200,000 this would retain an amount sufficient to repair broken windows that are identified and in immediate need of replacement), this would create a revenue savings equal to the costs of borrowing of £9,500 per year. | (£9,500) |

#### **Note:**

The Local Government Act 2003 requires that the Council's Chief Financial Officer, in the case of Gedling that is the Head of Finance & ICT and S151 Officer, provide advice to the Council on the adequacy of financial reserves, and the robustness of the estimates. These comments can be found below:

#### *THE ROBUSTNESS OF THE ESTIMATES AND THE ADEQUACY OF THE GENERAL FUND BALANCES*

*The annual budget and the medium-term plan are based on a range of assumptions, detailed to Cabinet on 21 February, and these have enabled estimates of current and future spending to be modelled. The Medium-Term Financial Plan (MTFP) is presented against the backdrop of major and unprecedented uncertainty, primarily due to the continuing deferral of local government finance reforms inflationary increases, significant increase in demand for services, post-Brexit supply and labour shortages. The Council has an established process for assessing the financial risk factors inherent in any business activity, and the financial risk register recognises the increasing risks to financial sustainability in the medium term arising from the increased costs and uncertain funding levels.*

*The Council has a strong track record of meeting demands within the approved budget, together with a good reputation for the robustness of its financial planning, which will continue, however, it is important to note the structural deficit that remains within the MTFP which will require the development of further plans for budget efficiencies/savings and it should be expected that there will need to be some contraction of service delivery/performance if efficiency plans do not proceed in line with expectations.*

*The annual budget for 2024/25 and the subsequent years of the MTFP leave the Council with a level of balances broadly in line with the minimum required from 2026/27 onwards. Whilst existing management approaches should enable the Council to deliver the efficiency required in the medium to long term, further changes to the way that services are delivered will be required if the Council is to fully achieve its ambitions and achieve a sustainable financial position.*

*The Council will continue to implement the approved efficiency plans and to develop new budget reduction proposals in order to balance the MTFP which, if implemented, will mean that the financial outlook remains fair, and that the 2024/25 estimates, and beyond, are robust. Members are reminded that risk levels in the MTFP are increasing as a result of ongoing uncertainties surrounding the local government finance settlement and in the absence of funding increases, from 2026/27 additional budget reductions will be required and whilst some have been identified they are not currently backed by an agreed action plan. Despite this, risks are currently still at acceptable levels as there is a sufficient lead in time for developing detailed plans in the coming year.*

*An assessment of reserves and balances has been carried out and I am satisfied that the financial position as presented is robust, and that reserves and balances are adequate in the short to medium term. However, pressures on both capital and revenue budgets are substantial and the MTFP shows continued reliance on the use of General Fund balances to support expenditure levels, as reported to Cabinet on 21 February 2024.*

*The Council has in the past successfully managed such pressures, and therefore I consider that, given the information available at the time, the level of general reserves are adequate for the purpose of setting the 2024/25 Council Tax.*

Councillor Elliott, seconded by Councillor Sam Smith, proposed a motion to briefly adjourn the meeting to allow members to consider the amendment put before them.

The motion was not supported, so the debate continued.

Following debate, in accordance with standing orders the amendment was put to a named vote.

The Mayor declared the amendment not carried.

Upon the Mayor putting the original proposition of the meeting, and in accordance with standing orders, the original proposition was put to a named vote.

The Mayor declared the motion carried.

**RESOLVED** that:

1. In accordance with the recommendations of Cabinet on 21 February 2024, that the Prudential and Treasury Indicators and Treasury Management Strategy Statement (TMSS) 2024/25, which includes the Minimum Revenue Provision Policy Statement, the Borrowing Strategy, and the Annual Investment Strategy, set out at pages 5 to 49 of the Council agenda, be approved.
2. In accordance with the recommendations of Cabinet on 21 February 2024, that the Capital Programme and Capital Investment Strategy 2024/25 to 2028/29 set out at pages 51 to 79 of the Council agenda, be approved.
3. In accordance with the recommendation of Cabinet on 21 February 2024, that the financial threshold above which decisions will be regarded as Key Decisions be set at £0.5 million for 2024/25, and that the detailed budget for 2024/25 included at pages 111 to 192 of the Council agenda be approved.
4. That the sum of £16,200 be taken to General Fund Balances in 2024/25 to support future General Fund revenue expenditure.
5. That it be noted that the Portfolio holder for Corporate Resources and Performance and Deputy Leader of the Council determined on 12 December 2023 (D1473), the following amounts for the year 2024/25 in accordance with regulations made under section 31(B) of the Local Government Finance Act 1992.
  - (a) 38,962.89 being the amount calculated by the Council, in accordance with regulation 3 of the Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012, as its council tax base for the year. **(The Council Tax base for the whole district)**

(b)

<u>Part of the Council's Area</u>	<u>Tax Base</u>
Bestwood Village	702.73
Burton Joyce	1,538.33
Calverton	2,489.52
Colwick	892.59
Lambley	506.65
Linby	389.44

Newstead	374.94
Papplewick	270.14
Ravenshead	2,769.07
St Albans	949.14
Stoke Bardolph	390.16
Woodborough	934.47

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

6. That the following amounts be now calculated by the Council for the year 2024/25 in accordance with sections 31A, 31B and 34 to 36 of the Local Government Finance Act 1992 (the Act):

- (a) £45,578,640 being the aggregate of the amounts which the Council estimates for the items set out in section 31A(2) of the Act. **(Effectively gross expenditure including parish precepts, and transfers to reserves)**
- (b) £37,299,400 being the aggregate of the amounts which the Council estimates for the items set out in section 31A(3) of the Act. **(Effectively gross income and transfers from reserves)**
- (c) £8,279,240 being the amount by which the aggregate at 6(a) above exceeds the aggregate at 6(b) above, calculated by the Council, in accordance with section 31A(4) of the Act, as its Council Tax Requirement for the year. **(Expenditure less income)**
- (d) £212.49 being the amount at 6(c) above, divided by the amount at 5(a) above, calculated by the Council, in accordance with section 31B of the Act, as the basic amount of its council tax for the year. **(The overall average amount of Council Tax per Band D property, including parish precepts)**
- (e) £920,840 being the aggregate amount of all special items referred to in section 34(1) of the Act. **(Total of parish precepts)**. For information, the amount in respect of each parish is as follows:

<u>Part of the Council's Area</u>	<u>Parish Precept</u>
Bestwood Village	20,000
Burton Joyce	228,518
Calverton	275,839
Colwick	29,500
Lambley	18,749
Linby	26,441
Newstead	22,710
Papplewick	22,287
Ravenshead	163,000
St Albans	28,834

Stoke Bardolph	2,500
Woodborough	82,462

- (f) £188.86 being the amount at 6(d) above less the result given by dividing the amount at 6(e) above by the amount at 5(a) above, calculated by the Council, in accordance with section 34(2) of the Act, as the basic amount of its council tax for the year for dwellings in those parts of its area to which no special item relates. **(Gedling's own element of the Council Tax for a Band D dwelling).**

(g)

<u>Part of the Council's Area</u>	£
Bestwood Village	217.32
Burton Joyce	337.41
Calverton	299.66
Colwick	221.91
Lambley	225.87
Linby	256.75
Newstead	249.43
Papplewick	271.36
Ravenshead	247.72
St Albans	219.24
Stoke Bardolph	195.27
Woodborough	277.10

being the amounts given by adding the amount at 6(f) above to the amounts of the special item or items relating to dwellings in those parts of the Council's area mentioned above, divided in each case by the amount at 5(b) above, calculated by the Council, in accordance with section 34(3) of the Act, as the basic amounts of its council tax for the year for dwellings in those parts of its area to which one or more special items relate. **(The combined district and parish amount of Council Tax for a Band D dwelling)**

(h)

<u>Part of the Council's Area</u>	<u>Valuation Bands</u>							
	A £	B £	C £	D £	E £	F £	G £	H £
Bestwood Village	144.88	169.03	193.18	217.32	265.61	313.91	362.20	434.64
Burton Joyce	224.94	262.43	299.92	337.41	412.39	487.37	562.35	674.82
Calverton	199.78	233.07	266.37	299.66	366.25	432.84	499.44	599.32
Colwick	147.94	172.60	197.26	221.91	271.22	320.54	369.85	443.82
Lambley	150.58	175.68	200.78	225.87	276.06	326.26	376.45	451.74
Linby	171.17	199.69	228.23	256.75	313.81	370.86	427.92	513.50
Newstead	166.29	194.00	221.72	249.43	304.86	360.29	415.72	498.86
Papplewick	180.91	211.06	241.21	271.36	331.66	391.97	452.27	542.72
Ravenshead	165.15	192.67	220.20	247.72	302.77	357.82	412.87	495.44
St Albans	146.16	170.52	194.88	219.24	267.96	316.68	365.40	438.48
Stoke Bardolph	130.18	151.88	173.58	195.27	238.66	282.06	325.45	390.54
Woodborough	184.74	215.52	246.32	277.10	338.68	400.26	461.84	554.20
All other parts of the Council's area	125.91	146.89	167.88	188.86	230.83	272.80	314.77	377.72



being the amounts given by multiplying the amounts at 6(f) and 6(g) above by the number which, in the proportion set out in section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Council, in accordance with section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands. **(The combined district and parish amount of Council Tax for each band of dwelling).**

**7. That it be noted that for the year 2024/25, Nottinghamshire County Council, the Office of the Nottinghamshire Police & Crime Commissioner and the Combined Fire & Rescue Authority have stated the following amounts in precepts issued to the Council, in accordance with section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings shown below:**

<b>Precepting Authority:</b>	<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>	<b>F</b>	<b>G</b>	<b>H</b>
	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>
Notts County Council	1,204.72	1,405.51	1,606.29	1,807.08	2,208.65	2,610.23	3,011.80	3,614.16
Notts Police & Crime Commissioner	188.10	219.45	250.80	282.15	344.85	407.55	470.25	564.30
Combined Fire & Rescue Authority	61.47	71.72	81.96	92.21	112.70	133.19	153.68	184.42

**8. That, having calculated the aggregate in each case of the amounts at 6(h) and 7 above, the Council, in accordance with section 30(2) of the Local Government Finance Act 1992, hereby sets the following amounts of council tax for the year 2024/25 for each of the categories of dwellings shown below: (The total amount of Council Tax for each band of dwelling)**

<b><u>Part of the Council's Area</u></b>	<b><u>Valuation Bands</u></b>							
	<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>	<b>F</b>	<b>G</b>	<b>H</b>
	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>
Bestwood Village	1,599.17	1,865.71	2,132.23	2,398.76	2,931.81	3,464.88	3,997.93	4,797.52
Burton Joyce	1,679.23	1,959.11	2,238.97	2,518.85	3,078.59	3,638.34	4,198.08	5,037.70
Calverton	1,654.07	1,929.75	2,205.42	2,481.10	3,032.45	3,583.81	4,135.17	4,962.20
Colwick	1,602.23	1,869.28	2,136.31	2,403.35	2,937.42	3,471.51	4,005.58	4,806.70
Lambley	1,604.87	1,872.36	2,139.83	2,407.31	2,942.26	3,477.23	4,012.18	4,814.62
Linby	1,625.46	1,896.37	2,167.28	2,438.19	2,980.01	3,521.83	4,063.65	4,876.38
Newstead	1,620.58	1,890.68	2,160.77	2,430.87	2,971.06	3,511.26	4,051.45	4,861.74
Papplewick	1,635.20	1,907.74	2,180.26	2,452.80	2,997.86	3,542.94	4,088.00	4,905.60
Ravenshead	1,619.44	1,889.35	2,159.25	2,429.16	2,968.97	3,508.79	4,048.60	4,858.32
St Albans	1,600.45	1,867.20	2,133.93	2,400.68	2,934.16	3,467.65	4,001.13	4,801.36
Stoke Bardolph	1,584.47	1,848.56	2,112.63	2,376.71	2,904.86	3,433.03	3,961.18	4,753.42
Woodborough	1,639.03	1,912.20	2,185.37	2,458.54	3,004.88	3,551.23	4,097.57	4,917.08
All other parts of the Council's area	1,580.20	1,843.57	2,106.93	2,370.30	2,897.03	3,423.77	3,950.50	4,740.60

88

**REVIEW OF COUNCIL PROCEDURAL RULES**

Consideration was given to a report of the Interim Corporate Director, seeking approval of the amended Council procedural rules.

**RESOLVED:**

The motion stands adjourned without discussion until the next ordinary meeting of Council.

The meeting finished at 9.17 pm

Signed by Chair:  
Date:

## MINUTES PLANNING COMMITTEE

Wednesday 10 January 2024

In Attendance:      Councillor Paul Wilkinson              Councillor Catherine Pope  
                            Councillor Sandra Barnes              Councillor Grahame Pope  
                            Councillor Stuart Bestwick              Councillor Martin Smith  
                            Councillor David Ellis                  Councillor Sam Smith  
                            Councillor Andrew Ellwood              Councillor Ruth Strong  
                            Councillor Ron McCrossen              Councillor Jane Walker  
                            Councillor Marje Paling                  Councillor Henry Wheeler  
                            Councillor Lynda Pearson              Councillor Russell Whiting

Absent:                      Councillor Roy Allan and Councillor Helen Greensmith

Officers in                  M Avery, N Bryan, C Goodall, C Miles, L Sturgess and  
Attendance:                  F Whyley

### **57              APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

Apologies for absence were received from Councillors Allan and Greensmith. Councillors Paling and Martin Smith attended as substitutes.

### **58              TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 29 NOVEMBER 2023**

#### **RESOLVED:**

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

### **59              DECLARATION OF INTERESTS**

None.

### **60              APPLICATION NO. 2023/0135 - LAND NORTH WEST, PARK ROAD, CALVERTON**

Application for the approval of reserved matters (layout, landscaping, scale and appearance) for the erection of 132 dwellings and associated infrastructure, pursuant to outline approval 2018/0607 (re-plan of reserved matters approvals 2020/0020 and 2022/0584 with 363 units in total).

The Development Manager 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:

<b>Document</b>	<b>Submitted</b>	<b>Reference</b>
Planning Layout	28/11/2023	CC-PL-01 Rev D
Charter Plan	28/11/2023	CA-CP-01 Rev B
Location Plan	21/09/2023	CA-LP-01 Rev A
Alnmouth		
Elevation	21/09/2023	AL_MA_End_R21-903 Rev C
Danbury Elevation	21/09/2023	Da_MA_End_R21-903 Rev C
Deepdale		
Elevation	21/09/2023	Dp_MA_End_R21-903 Rev A
Glenmore		
Elevation	21/09/2023	GI_MA_End_R21-903 Rev B
Kingley Elevation	21/09/2023	Kg_MA_End_R21-903 Rev A
Sherwood		
Elevation	21/09/2023	Sh_MA_Det_R21-903 Rev C
Barnwood F1		Bw_MA_Det_R21-903 Rev C
Elevation	21/09/2023	(Render)
Barnwood		
Elevation	21/09/2023	Bw_MA_Det_R21-903 Rev C
Saunton F1		Sa_MA_End_R21-903 Rev C
Elevation	21/09/2023	(Render)
Saunton Elevation	21/09/2023	Sa_MA_End_R21-903 Rev C
Braunton F1		Br_MA_Mid_R21-903 Rev C
Elevation	21/09/2023	(Render)
Braunton		
Elevation	21/09/2023	Br_MA_Mid_R21-903 Rev C
Rivington		
Elevation	21/09/2023	Ri_MA_Det_R21-903 Rev C
Burnham		
Elevation	21/09/2023	Bu_MA_Det_R21-903 Rev C
Kennet Elevation	21/09/2023	Ke_MA_End_R21-903 Rev C
Brampton F1		Bt_MA_Det_R21-903 Rev C
Elevation	21/09/2023	(Render)
Brampton		
Elevation	21/09/2023	Bt_MA_Det_R21-903 Rev C
Selwood Elevation	21/09/2023	Se_MA_Det_R21-903 Rev C

Selwood	F1	Se_MA_Det_R21-903 Rev C
Elevation	21/09/2023	(Render)
Kielder		Ki_MA_End_R21-903 Rev C
Elevation	21/09/2023	
Greenwood	F1	Gw_MA_Det_R21-903 Rev C
Elevation	21/09/2023	(Render)
Greenwood		
Elevation	21/09/2023	Gw_MA_Det_R21-903 Rev C
Ennerdale		En_MA_End_R21G-903 Rev
Elevation	28/11/2023	B

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

2. No part of the development hereby permitted shall be brought into use until all drives and parking areas are surfaced in a bound material (not loose gravel). The surfaced drives and parking areas shall then be maintained in such bound material for the life of the development.
3. No part of the development hereby permitted shall be brought into use until the access driveways and parking areas are constructed with provision to prevent the unregulated discharge of surface water from the driveways and parking areas to the public highway. The provision to prevent the unregulated discharge of surface water to the public highway shall then be retained for the life of the development.
4. The landscaping scheme as approved shall be carried out in the first planting season following the completion of the development. Any trees, shrubs or plants that die within a period of five years from the completion of the development, 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.

### **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 policy LPD61.
4. To ensure that the development assimilate within the green environment and to comply with guidance within the NPPF.

## Notes to Applicant

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

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

The Advanced Payments Code in the Highways Act 1980 applies and under section 219 of the Act payment will be required from the owner of the land fronting a private street on which a new building is to be erected. The developer should contact the Highway Authority with regard to compliance with the Code, or alternatively to the issue of a Section 38 Agreement and bond under the Highways Act 1980. A Section 38 Agreement can take some time to complete. Therefore, it is recommended that the developer contact the Highway Authority as early as possible.

It is strongly recommended that the developer contact the Highway Authority at an early stage to clarify the codes etc. with which compliance will be required in the particular circumstance, and it is essential that design calculations and detailed construction drawings for the proposed works are submitted to and approved by the County Council (or District Council) in writing before any work commences on site.

All correspondence with the Highway Authority should be addressed to:-

Hdc.south@nottscc.gov.uk

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)

Wheel washing facilities 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.

Please note that in accordance with Schedule 2, Part 1, Class F of the Town and Country Planning (General Permitted Development) (England) Order 2015, there would be a need to ensure that any hard surface over 5m squared would need to be permeable or drained in such a manner so as to ensure surface water drains within the curtilage of the property.

**61 APPLICATION NO. 2023/0555 - 918 WOODBOROUGH ROAD, MAPPERLEY**

Outline application for the demolition of a single storey triple garage and replacement with a 2-storey development containing up to 4 studio apartments.

The Principal Planning Officer introduced the report.

The recommendation was not carried and therefore the chair proposed an adjournment so that a revised proposal could be drafted by officers.

The meeting was adjourned at 6.28pm

The meeting resumed at 6.38pm

The Head of Development and Place proposed the following reasons for refusal, contrary to officer recommendation:

- (1) The applicant has failed to demonstrate that up to 4 studio apartments can be accommodated on the site that would provide a sufficient level of amenity for future residents due to the potential small apartment floor areas, contrary to Policy 32 – Amenity of the adopted Local Planning Document Part 2 Local Plan and paragraph 135 of the NPPF (December 2023) which requires that all planning policies and decisions should ensure a high standard of amenity for existing and future users.
- (2) The proposal would provide an insufficient level of car parking to meet the requirements of the occupants, contrary to Policy 57 of the Local Planning Document Part 2 Local Plan and adopted Supplementary Planning Document ‘Parking Provision for Residential and Non-Residential Developments’.

The revised recommendations were carried and it was

**RESOLVED:**

To refuse the application for the following reasons:

1. The applicant has failed to demonstrate that up to 4 studio apartments can be accommodated on the site that would provide a sufficient level of amenity for future residents due to the potential small apartment floor areas, contrary to Policy 32 – Amenity of the adopted Local Planning Document Part 2 Local Plan and paragraph 135 of the NPPF (December 2023) which requires that all planning policies and decisions should ensure a high standard of amenity for existing and future users.
2. The proposal would provide an insufficient level of car parking to meet the requirements of the occupants, contrary to Policy 57 of the Local Planning Document Part 2 Local Plan and adopted Supplementary Planning Document ‘Parking Provision for Residential and Non-Residential Developments’.

62

**ENFORCEMENT REF: 0105/2023 - LAKESIDE (FORMER BESTWOOD PUMPING STATION) MANSFIELD ROAD, BESTWOOD**

Unauthorised Listed Building works:

- (i) Refurbishment works to the Grade II listed East Lodge, including internal renovations and alterations.
- (ii) The reduction of a brick boundary wall and the fixing of a timber fence to the brick boundary wall.
- (iii) The removal of Grade II listed gas lamps.
- (iv) Addition of metal vent to Grade II\* listed former Pumping Station.
- (v) Timber fencing affixed to the Grade II\* listed former Pumping Station.

Breaches of Planning Control:

- (i) Construction of outbuildings, car parking area, fencing, hardstanding, lighting columns
- (ii) The illegal display of advertisements.

The Development Manager introduced the report.

**RESOLVED:**

That the Head of Development and Place, in conjunction with the Head of Governance and Customer Services, be authorised to take all relevant planning enforcement action including the service of any necessary enforcement notices and issue of proceedings through the courts, if required, to ensure the restoration of the listed buildings to their former condition, the removal of the unauthorised development and the removal of the unlawful advertisements.



**63 ENFORCEMENT REF: 0118/2022 - 15 WOODTHORPE DRIVE, WOODTHORPE**

Breach of Planning Control: Fencing

**RESOLVED:**

That the Head of Development and Place, in conjunction with the Head of Governance and Customer Services, be authorised to take all relevant planning enforcement action including the service of any necessary enforcement notices and issue of proceedings through the courts, if required, to ensure the removal or reduction in the height of the fence.

**64 APPEAL REF: APP/N3020/D/23/3325322 - 15 PADDOCK CLOSE, CALVERTON**

Proposed additional storey.

**RESOLVED:**

To note the information.

**65 APPEAL REF: APP/N3020/D/23/3328401 - 45 STOKE LANE, GEDLING**

Single storey rear and two storey and single storey side extension.

**RESOLVED:**

To note the information.

**66 AUTHORITY MONITORING REPORT**

**RESOLVED:**

To note the Gedling Borough Council Authority Monitoring Report April 2022 - March 2023.

**67 FUTURE PLANNING APPLICATIONS**

**RESOLVED:**

To note the information.

**68 DELEGATION PANEL ACTION SHEETS**

**RESOLVED:**

To note the information.

**69**

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

None.

The meeting finished at 7.00 pm

Signed by Chair:  
Date:

## MINUTES OVERVIEW AND SCRUTINY COMMITTEE

Monday 15 January 2024

Councillor Catherine Pope (Chair)

Councillor David Brocklebank	Councillor Kyle Robinson-Payne
Councillor Lorraine Brown	Councillor Martin Smith
Councillor Rachael Ellis	Councillor Sam Smith
Councillor Roxanne Ellis	Councillor Clive Towsey-Hinton
Councillor Grahame Pope	Councillor Russell Whiting

Apologies for absence: Councillor Roy Allan and Councillor Michelle Welsh

Officers in Attendance: M Avery, M Cryer, A Gibson, B Hopewell, E McGinlay and F Whyley

Guests in Attendance: M Paling

### 27 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.

Apologies for absence were received from Councillors Allan, Dunkin, and Welsh. Councillor Towsey-Hinton attended as substitute.

### 28 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 13 NOVEMBER 2023.

#### RESOLVED:

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

### 29 DECLARATION OF INTERESTS.

None.

### 30 PROGRAMME OF PORTFOLIO HOLDER ATTENDANCE.

Members welcomed Councillor Marje Paling, Portfolio Holder for Environmental Services (Operations) to the meeting to examine her portfolio. Councillor Paling gave an update to members on some key happenings within her portfolio.

No questions were received from Members in advance of the meeting, so Councillor Paling delivered an update on the various areas of responsibility within her portfolio. She gave the following updates:

Cabinet had adopted The Waste & Recycling Policy in June 2022 which set out to formalise the approach and to address areas of under-performance in relation to recycling rates and levels of recycling contamination. The Waste and Fleet Manager had been working with the refuse teams to give them fresh focus in targeting households that contaminate their recycling bins.

A winter educational pilot campaign had taken place to increase levels of recycling and reduce contamination and residual waste using bin contamination tags with QR codes printed on them. This was implemented in areas with high levels of bin contamination such as Mapperley, Lambley and Burton Joyce areas. It was noted that the labels were recyclable and sustainable, and incorporate a 'Don't Waste Your Recycling' campaign message.

Members noted that the Waste Projects Officer and Waste Manager have been working to deliver a new in-cab round scheduling and reporting software system called Abavus. As part of the process, the refuse rounds data has been sense checked which includes adding data onto the new system for Garden Waste, Bulky Waste and Trade Waste Rounds. Historically, this data was on paper-based systems which were not effective. The new software links in real time with customer services and offers residents the ability to report missed collections through a 'My Gedling App' which also provides residents with up-to-date information on bin collection issues where they live.

Members noted that Gedling Borough Council (GBC) manages three allotments sites in Arnold. Waiting lists for these sites continue to be high. It was highlighted that on average there was a two year waiting list which was kept up to date by writing annually to those still waiting.

Councillor Paling noted that cemetery inspections and maintenance were still carried out by GBC's Parks and Street Care (PASC) Supervisors and grounds maintenance operatives. It was noted that Burials are undertaken by a trained grave-digging team, ensuring that all health and safety rules and regulations continue to be adhered to. Measures to combat anti-social behaviour in GBC cemeteries involve regular patrols by Wardens and PCSO's when funerals are not taking place. It was noted that cemetery satisfaction levels remain high and customer satisfaction surveys showed an 87% satisfaction rate for 2023/24.

The Chair gave members the opportunity to ask questions.

Members queried the response time for reported missed bins via the QR tagging and Abavus systems.

Councillor Paling informed members that bins would be collected within 3 working days after the resident confirms that the contamination is

removed. The bin collection crews also return the same day when an entire street is blocked.

Members queried whether streets were swept immediately after flooding occurs in the borough to prevent leaves from blocking drains.

The Head of Environment confirmed that crews did go out to sweep hotspot areas immediately after flooding events and Nottingham County Council (NCC) teams attend any blocked drains with suction equipment to clear them.

Members queried the DEFRA figures within the report, asking whether plans were being made based on the figures from 2023 or whether there is still room for negotiation.

The Head of Environment confirmed that negotiations were ongoing as needs vary across the country.

Members queried a recent comms statement regarding bin collection calendars and asked whether GBC plan to continue sending them out to residents.

The Head of Environment confirmed that although there is a push to become more digital, bin calendars were still available for printing on the GBC website and can also be sent to residents on request.

**RESOLVED to:**

The Chair thanked Councillor Paling for the information provided.

31

**PROGRESS ON THE GREATER NOTTINGHAM STRATEGIC PLAN AND CONSULTATION METHODS FOR THE FORTHCOMING PUBLICATION DRAFT**

The Planning Policy Manager introduced a report, which had been circulated in advance of the meeting, informing members of the progress made in preparing the Greater Nottingham Strategic Plan and to set out proposals for the methods for public consultation locally within Gedling Borough on the Publication Draft version of the Greater Nottingham Strategic Plan.

A presentation was delivered, informing members on some key areas of work on the Greater Nottingham Strategic Plan, giving the following updates:

It was noted that the Greater Nottingham Strategic Plan was expected to replace the current Aligned Core Strategy adopted in 2014. The Local Planning document adopted in 2018 was also expected to be reviewed going forward. Members noted that there had been two rounds of

consultation on the strategic plan. The first was in Spring 2021 detailing the growth options available, receiving over 5000 comments. The other consultation was carried out in two stages. The first stage was the preferred approach to housing and employment, held between Jan - Feb 2023 and the second stage was the preferred approach to strategic logistics and distribution from September – November 2023. This consultation received responses from 250 stakeholders and over 800 comments were received.

Comments received on the strategy highlighted a need to increase the plan period, reduce dependence on brownfield and strategic sites to include a broader range of locations, types, and sizes and to widen the distribution of development to include key settlements and other villages.

It was highlighted that the housing target set by government using the standard method was 8,334 and the current supply was 6,502. The shortfall was planned to be met in part by a proposed strategic site extension of Top Wighay Farm and through non-strategic allocations in Part 2 of the Local Plan. This might include key settlements for growth of Bestwood Village, Calverton and Ravenshead.

It was noted that 134 representations from 53 consultees were made regarding strategic distribution sites. Many of the representations were expressing the need for strategic distribution, which the council's evidence supports. The rest were regarding the land for strategic distribution and developers promoting alternate sites.

It was noted that key elements of ongoing work include strategic transport modelling, report of responses, housing needs assessment refresh, infrastructure delivery plan, centres study, plan-wide viability, habitat regulations assessments, and a carbon reduction study.

The Chair then gave members the opportunity to ask questions.

Members queried whether the transport modelling included improvement to road networks in areas identified for potential expansion.

The Planning Policy Manager informed members that SYSTRA had been commissioned to undertake the transport handling who will look at the growth across the greater Nottinghamshire area to provide sufficient mitigation. It was noted that growth data had been provided for the strategic sites, but the details of the smaller local plan sites had yet to be determined however this data was expected to inform the mitigation required within the transport assessment.

Members queried the depth of conversation with other authorities/partners to ensure assets such as schools, libraries, dentists, and doctors were sufficient.

It was noted that through consultation with infrastructure providers and external partners such as health, education, the environment agency and others, the infrastructure delivery plan had set out detailed requirements for infrastructure at strategic sites across the borough.

**RESOLVED to:**

- 1) Note the report; and
- 2) Thank the Planning Policy manager for the information provided.

**32 EQUALITY AND DIVERSITY POLICY, FRAMEWORK AND ACTION PLAN.**

Consideration was given to a report of the Interim Corporate Director, which had been circulated in advance of the meeting, updating members on the progress made across the Council on the Equality and Diversity Framework and action plan for 2021-2024 as well as other work undertaken in relation to improving equality and diversity in the provision of Council services since the adoption of the Equality and Diversity Policy in 2021. The report also sought to establish a working group to consider the proposed amendments to the Equality and Diversity Policy 2024-27 and new approach to the framework and action plan as part of a wider public consultation.

**RESOLVED to:**

- 1) Note the work undertaken on the Equality and Diversity Framework and Action Plan and the wider work undertaken by officers and members to strengthen the Council's approach to equality and diversity in the performance of its functions from 2021-2024; and
- 2) Establish a working group to consider the proposed changes to the Council's Equality and Diversity Policy for 2024-27.

**33 CORPORATE RISK MANAGEMENT SCORECARD QUARTER 2 2022/23.**

Consideration as given to a report of the Interim Corporate Director, which had been circulated in advance of the meeting, updating members on the current level of assurance that could be provided against each corporate risk.

**RESOLVED:**

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

**34 GEDLING PLAN - Q2 PERFORMANCE.**

Consideration was given to a report of the Senior Leadership Team, which was circulated in advance of the meeting, informing Members in summary of the position against Improvement Actions and Performance Indicators in the 2023-27 Gedling Plan at the end of Quarter 2.

**RESOLVED:**

To note the report.

**35 SCRUTINY WORK PROGRAMME**

Consideration was given to a report of the Democratic Services Manager, which had been circulated in advance on the meeting, updating Members on the scrutiny work programme.

Members expressed an interest in hearing from officers on the lessons learned following the recent flooding. It was noted that this was a recent working group, for which an update would be presented to the committee soon.

**RESOLVED to:**

Note the report.

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

None.

The meeting finished at 7.05 pm

Signed by Chair:

Date:



## MINUTES CABINET

Wednesday 31 January 2024

Councillor John Clarke (Chair)

Councillor Michael Payne  
Councillor David Ellis  
Councillor Kathryn Fox  
Councillor Jenny Hollingsworth

Councillor Marje Paling  
Councillor Lynda Pearson  
Councillor Henry Wheeler

Absent: Councillor Viv McCrossen

Officers in Attendance: T Adams, M Hill, C McCleary and F Whyley

### 61 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Viv McCrossen.

### 62 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 14 DECEMBER 2023

#### RESOLVED:

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

### 63 DECLARATION OF INTERESTS

None.

### 64 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 six month period. In relation to the forward plan item Modern Slavery Statement 2022/23, a correction was noted that the Cabinet portfolio holder should state 'Public Protection', not 'Life Chances and Vulnerability'.

#### RESOLVED:

To note the report.

**65                    PROGRESS REPORT ON CARBON MANAGEMENT STRATEGY**

The Head of Environment introduced a report, which had been circulated in advance of the meeting, updating members on the progress of the Carbon Management Strategy and Action Plan. Consideration was given to two separate presentations, one from the Council's Climate Change Officer and the second from the Gedling Climate Change Group.

**RESOLVED:**

To note the summary of actions and activities already undertaken by the Council so far this year.

**66                    CONSULTATION ON EQUALITIES & DIVERSITY POLICY**

The Interim Corporate Director introduced a report, which had been circulated in advance of the meeting, seeking approval to launch a consultation on changes to the Council's Equality and Diversity Policy 2024-27 and updating members on the ongoing equality and diversity work.

**RESOLVED to:**

- 1) Note the work undertaken on the Equality and Diversity framework and action plan and the wider work undertaken to strengthen the Council's approach to equality and diversity in the performance of its functions from 2021-2024; and
- 2) Agree to the public consultation on the Council's updated Equality and Diversity Policy 2024-27.

**67                    MODERN SLAVERY AND HUMAN TRAFFICKING STATEMENT  
2022/23**

The Chief Executive introduced a report, which had been circulated in advance of the meeting, seeking approval of the Modern Slavery and Human Trafficking Statement 2022/23 and a new Modern Slavery and Human Trafficking Policy.

**RESOLVED to:**

- 1) Approve the Modern Slavery and Human Trafficking Statement 2022/23; and
- 2) Approve the Modern Slavery and Human Trafficking Policy 2024-2027.

**68 GEDLING PLAN QUARTER 3 REPORT 2023-24**

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 2023-27 Gedling Plan at the end of quarter 3 2023/24.

**RESOLVED:**

To note the report.

**69 PRUDENTIAL CODE INDICATOR MONITORING 2023/24 AND QUARTERLY TREASURY ACTIVITY REPORT FOR QUARTER ENDED 31 DECEMBER 2023**

The Head of Finance and ICT and Deputy S151 officer introduced a report, informing Cabinet of the performance monitoring of the 2023/24 prudential code indicators, and advising members of the quarterly treasury activity as required by the treasury management strategy.

**RESOLVED:**

That the report, together with the treasury activity report 2023/24 for quarter 3 at appendix 1, and the prudential and treasury indicator monitoring 2023/24 for quarter 3 at appendix 2 of the report, be noted.

**70 QUARTERLY BUDGET MONITORING AND VIREMENT REPORT – QUARTER 3 DECEMBER 2023**

The Head of Finance and ICT and Deputy S151 Officer introduced a report, which had been circulated in advance of the meeting, updating Cabinet on the forecast outturn for revenue and capital budgets for 2023/24, including all approved carried forward amounts from the 2022/23 financial year and to request approval for changes to the budget as set out in the report.

**RESOLVED to:**

- 1) Approve the general fund budget virements set out in appendix 1 of the report;
- 2) Note the use of reserves and funds during quarter three as detailed in appendix 2 of the report;
- 3) Approve the changes to the capital programme included in paragraph 2.3 of the report; and
- 4) Recommend to Council approval of an additional £100,000 to the capital programme and borrowing for funding repairs to the large storage shed as set out in section 2.3 of the report.

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

None.

The meeting finished at 3.45 pm

Signed by Chair:  
Date:

## **MINUTES ENVIRONMENT AND LICENSING COMMITTEE**

**Tuesday 6 February 2024**

Councillor Alison Hunt (Chair)

Present: Councillor Marje Paling Councillor Sue Pickering  
Councillor Boyd Elliott Councillor Alex Scroggie  
Councillor Rachael Ellis Councillor Martin Smith  
Councillor Paul Hughes Councillor Paul Wilkinson  
Councillor Julie Najuk

Absent: Councillor Des Gibbons and Councillor Clive Towsey-Hinton

Officers in Attendance: J Brough, L Chaplin, B Hopewell, A Hutchinson and R Towlson

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

Apologies for absence were received from Councillors Gibbons and Towsey-Hinton. Councillor Hughes attended as substitute.

### **10 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 9 JANUARY 2024.**

#### **RESOLVED:**

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

### **11 DECLARATION OF INTERESTS.**

None.

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

None.

### **13 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.

**14 APPLICATION FOR A ONE YEAR JOINT HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE- AN**

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

AN attended the meeting along with a friend and they both addressed the Committee.

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

**RESOLVED to:**

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

**15 APPLICATION FOR A ONE-YEAR JOINT HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE- MMK**

The Chair excused herself from the meeting due to prior contact with the applicant and Councillor Paling as Vice Chair took the Chair.

James Brough (Licensing Enforcement Officer) joined the meeting.

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

MMK attended the meeting and he addressed the Committee.

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

**RESOLVED:**

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

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

**16 CHANGE OF CIRCUMSTANCE OF JOINT HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE - NS**

The Chair rejoined the meeting.

Consideration was given to a report of the Head of Environment, 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.

NS attended the meeting along with a friend and they both addressed the Committee.

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

**RESOLVED to:**

Issue a warning to NS that the pattern of complaints gave cause for concern and to be mindful of his conduct going forward.

The meeting finished at 7.00 pm

Signed by Chair:  
Date:

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## MINUTES JOINT CONSULTATIVE AND SAFETY COMMITTEE

Tuesday 20 February 2024

Councillor Michelle Welsh (Chair)

Present: Councillor Jim Creamer Councillor Catherine Pope  
Councillor Paul Hughes Councillor Alex Scroggie  
Councillor Ron McCrossen Councillor Jane Walker  
Unison: Susan Buchanan

Officers in Attendance: D Archer and B Hopewell

### 26 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.

None.

### 27 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 14 NOVEMBER 2023.

#### RESOLVED:

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

### 28 DECLARATION OF INTERESTS.

None.

### 29 SICKNESS ABSENCE

The Head of HR, Performance and Service Planning introduced a report, which had been circulated in advance of the meeting, informing Members of the current levels of sickness absence in the organisation and to examine trends.

#### RESOLVED:

To note the report.

### 30 MINOR ESTABLISHMENT CHANGES

The Head of HR, Performance and Service Planning introduced a report, which had been circulated in advance of the meeting, highlighting any minor change to the establishment proposed by the Senior Leadership Team for implementation outside the formal full JCSC process but following consultation with trade unions.

#### RESOVLED:

To note the report.

**31 CURRENT STAFFING ISSUES**

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

**RESOLVED:**

To note the report.

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

None.

**33 EXCLUSION OF THE PUBLIC AND PRESS.**

**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 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.

**34 CONSULTATION CLOSURE- WORKFORCE STRATEGY**

The Head of HR, Performance and Service Planning introduced a report, which had been circulated in advance of the meeting, seeking approval to close formal consultation on the proposed New Workforce Strategy 2023-27 and to make comment or recommendations to inform the Appointments and Conditions of Service Committee prior to its decision relating to implementation of the new strategy.

Members were in support of the strategy and had no further formal comments or recommendations for consideration by the Appointments and Conditions of Service Committee.

**RESOLVED to:**

Close formal consultation on the proposed new workforce strategy as detailed in Appendix 1 to the report.

The meeting finished at 6.10 pm

Signed by Chair:  
Date:

## MINUTES CABINET

**Wednesday 21 February 2024**

Councillor John Clarke (Chair)

Councillor Michael Payne	Councillor Viv McCrossen
Councillor David Ellis	Councillor Marje Paling
Councillor Kathryn Fox	Councillor Lynda Pearson
Councillor Jenny Hollingsworth	Councillor Henry Wheeler

Officers in Attendance: T Adams, M Hill, C McCleary and F Whyley

### **72 APOLOGIES FOR ABSENCE**

None received.

### **73 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 31 JANUARY 2024**

#### **RESOLVED:**

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

### **74 DECLARATION OF INTERESTS**

Councillors' Hollingsworth and Pearson declared a non-pecuniary interest in item 9, as four out of the five projects are in Gedling ward.

### **75 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 six month period.

#### **RESOLVED:**

To note the report.

### **76 PRUDENTIAL AND TREASURY INDICATORS AND TREASURY MANAGEMENT STRATEGY STATEMENT 2024/25**

The Head of Finance and ICT introduced the report, which had been circulated in advance of the meeting, seeking approval of the Council's prudential code indicators and treasury strategy for 2024/25.

**RESOLVED to:**

- 1) Approve the prudential and treasury indicators and treasury management strategy statement (TMSS) 2024/25, which includes the key elements below, and refer it to Council on 6 March 2024 for approval:
  - a. The minimum revenue provision (MRP) policy statement (2.2);
  - b. The borrowing strategy (2.3.4);
  - c. The annual investment strategy (2.3.8);
  - d. Capital affordability prudential indicators for 2024/25 to 2026/27 (appendix 1);
  - e. Treasury indicators including affordability limits to borrowing for 2024/25 to 2026/27 at appendix 1 to the report; and
- 2) Note the indicative prudential indicators for 2027/28 and 2028/29 at appendix 1 to the report.

**77**

**CAPITAL PROGRAMME AND CAPITAL INVESTMENT STRATEGY  
2024/25 TO 2028/29**

The Head of Finance and ICT introduced the capital programme for the next financial year as well as an indicative capital spending strategy for the next five years.

**RESOLVED to:**

- 1) Note the estimated capital financing available for 2024/25 to 2028/29;
- 2) Approve the capital investment strategy 2024/25 to 2028/29 detailed at appendix 1 to the report and refer it to Council for approval on 6 March 2024;
- 3) Approve the capital programme for 2024/25 to 2026/27 detailed at appendix 2 to the report and refer it to Council for approval on 6 March 2024; and
- 4) Note the indicative capital programme for 2027/28 to 2028/29.

**78**

**GENERAL FUND REVENUE BUDGET 2024/25**

The Head of Finance and ICT introduced the proposed 2024/25 general fund revenue budget.

**RESOLVED to:**

- 1) Approve a 5% discretionary income inflation increase for the individual portfolios as shown in the table at paragraph 2.4.5 of the report; and

- 2) Recommend to Council on 6 March 2024 that:
  - a. the financial threshold above which decisions will be regarded as key decisions be set at £0.5m for 2024/25;
  - b. a provisional council tax increase of 2.988% (£5.48) which balances the financing of a net council tax requirement of £7,358,400 in 2024/25;
  - c. the detailed budget for 2024/25, as detailed in appendix 1 of the report be approved.

**79 HILL CREST BUSINESS PARK EXTENSION, CALVERTON**

The Head of Regeneration and Welfare introduced a report, which had been circulated in advance of the meeting, seeking approval to proceed with the design and development of 4 additional small business units for SME's at the Hill Crest Business Park in Calverton (the site).

**RESOLVED to:**

- 1) Note the D2N2 decision to include the Hill Crest Business Park extension onto the LEP Capital Programme;
- 2) Approve an increase in the Hill Crest Business Park project budget of £146,000 to be funded from the UK SPF grant which creates an overall budget of £1,534,000;
- 3) Approve officers to continue with the completion of the D2N2 Final Business Case submission and therefore proceed with the design development to RIBA 4 at a cost of £78,000 and Employer Agents costs of £18,000 both of which are included in the proposed new budget envelope; and
- 4) Delegate authority to the Chief Executive in consultation with the Legal Services Manager and Portfolio Holder for Sustainable Growth and Economy, to sign off the final business case submission and enter into a legal agreement with the D2N2 LEP to deliver the scheme, should the business case be successful.

**80 COMMUNITY INFRASTRUCTURE LEVY (CIL) NON- PARISH FUNDING – LOCAL INFRASTRUCTURE SCHEDULE, PROJECT ASSESSMENTS AND PROPOSED FUNDING ALLOCATIONS**

The Community Infrastructure Levy Officer introduced a report, which had been circulated in advance of the meeting, seeking approval for the commencement of a four week public consultation on the projects shortlisted to receive CIL Neighbourhood Funding in the 'CIL Non-Parish

Funding – Local Infrastructure Schedule, Project Assessments and Proposed Funding Allocations’ document.

**RESOLVED:**

To approve the commencement of consultation on Monday 18th March 2024 for a period of 4 weeks on the projects nominated for CIL Non-Parish Funding.

**81**

**ANY OTHER ITEMS THE CHAIR CONSIDERS URGENT**

None.

The meeting finished at 3.15 pm

Signed by Chair:  
Date:

## MINUTES PLANNING COMMITTEE

Wednesday 28 February 2024

Councillor Roy Allan (Chair)

In Attendance: Councillor Paul Wilkinson Councillor Catherine Pope  
Councillor Sandra Barnes Councillor Grahame Pope  
Councillor Stuart Bestwick Councillor Sam Smith  
Councillor David Ellis Councillor Ruth Strong  
Councillor Rachael Ellis Councillor Jane Walker  
Councillor Andrew Ellwood Councillor Henry Wheeler  
Councillor Helen Greensmith Councillor Russell Whiting  
Councillor Ron McCrossen

Absent: Councillor Lynda Pearson

Officers in Attendance: M Avery, C Goodall, C Miles, N Osei, L Sturgess and C Turton

### 70 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.

Apologies for absence were received from Councillor Pearson. Councillor Rachael Ellis attended as substitute.

### 71 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 10 JANUARY 2024

#### RESOLVED:

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

### 72 DECLARATION OF INTERESTS

Councillor David Ellis declared a non-pecuniary interest in application 2023/0502, item 6 on the agenda, as Portfolio Holder for Public Protection and confirmed that he would take no part in the discussion nor the vote.

The Chair declared a collective non-pecuniary interest in application 2023/0502, item 6 on the agenda, as Gedling Borough Council were the applicant and the landowner.

### 73 APPLICATION NO. 2023/0474 - 2 SANDFORD ROAD, MAPPERLEY

Construction of 1 no. dwelling and 13 no. apartments.

Nicholas Bowes, a local resident, spoke against the application.

The Principal Planning Officer introduced the report.

**RESOLVED:**

To GRANT PLANNING PERMISSION: Subject to the owner entering into planning obligations secured through a s106 agreement with the Borough Council as the Local Planning Authority and the County Council as the Local Highway Authority to secure 2 no. First Homes (affordable housing) on the site as well as a contribution to bus stop improvements in the area and a local labour agreement and subject to the conditions listed for the reasons set out in the report.

**74 APPLICATION NO. 2023/0666 - 3 FLATTS LANE, CALVERTON**

Construction of first floor extension to rear of shop and creation of 3 x apartments in the extension and existing first floor area.

The Principal Planning Officer introduced the report.

**RESOLVED:**

To Grant Planning Permission subject to the following conditions:

**Conditions**

- 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:
  - Proposed Plans - Site and Location Plan - #Pln-A.02.1.1;
  - Proposed Plans - Ground Floor Plan - #Pln-A.02.1.2;
  - Proposed Plans - First Floor - #Pln-A.02.1.3;
  - Prop'd Elev. - North - #Pln-A.02.2.1;
  - Prop'd Elev. - West - #Pln-A.02.2.2; and
  - Prop'd Elev. - South - #Pln.A.02.2.3.

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

- 3 The development hereby approved shall be carried out using materials as set out in the application.



- 4 No part of the development hereby permitted shall be brought into use until the parking areas are surfaced in a bound material with the parking bays clearly delineated in accordance with drawing number PIn-A.02.1.1. 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 of vehicles.
- 5 No part of the development hereby permitted shall be brought into use until a dropped vehicular footway crossing has been widened and is available for use and constructed in accordance with the Highway Authority specification to the satisfaction of the Local Planning Authority.
- 6 No part of the development hereby permitted shall be brought into use until the parking areas are constructed with provision to prevent the unregulated discharge of surface water from the parking area(s) to the public highway in accordance with details first submitted to and approved in writing by the LPA. The provision to prevent the unregulated discharge of surface water to the public highway shall then be retained for the life of the development.
- 7 No part of the development hereby permitted shall be brought into use until the lighting column has been relocated at the applicant's expense and relocated in accordance with the Highway Authority specification.
- 8 The flat roof area between the first-floor rear extension and the existing building shall at no time be used as a balcony or roof terrace.

## 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 policies ASC10, LPD26 and LPD32.
- 4 To ensure that the dwelling hereby permitted has sufficient parking provision in accordance with Policies LPD 57 and LPD 61.
- 5 To ensure that the proposed development does not result in an adverse impact on highway safety in accordance with Policy LPD 61.
- 6 To ensure surface water from the site is not deposited on the public highway causing dangers to road users and to ensure that

the proposed development does not result in an adverse impact on highway safety in accordance with Policy LPD 61.

- 7 To facilitate the dropped kerb access to be installed.
- 8 To prevent unacceptable loss of privacy to neighbouring properties, in the interests of neighbour amenity in accordance with Policies LPD 32 and LPD 35.

### **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 (2023).

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

The applicant is advised that all planning permissions granted on or after 16th October 2015 may be subject to the Community Infrastructure Levy (CIL). Full details of CIL are available on the Council's website. Where the Council's view is that CIL is payable, 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](http://www.planningportal.gov.uk)

The development makes it necessary to widen and improve the vehicular crossing over the footway of the public highway. These works shall be constructed to the satisfaction of the Highway Authority. Works will be subject to a design check and site inspection for which a fee will apply. The application process can be found at: <http://www.nottinghamshire.gov.uk/transport/licences-permits/temporary-activities>

The proposal makes it necessary to relocate the lighting column on the footway of the public highway. These works shall be constructed to the satisfaction of the Highway Authority. You are, therefore, required to contact the County Council's Customer Services to arrange for these

works on telephone 0300 500 80 80.to arrange for these works to be carried out.

**75 APPLICATION NO. 2023/0502 - CAR PARK, CHURCH LANE, ARNOLD**

Install a 10m cabinet style galvanised column together with a 2m antennae extension and a concrete base for CCTV camera.

The Principal Planning Officer introduced the report.

**RESOLVED:**

To Grant Planning Permission subject to the following conditions:

**Conditions**

- 1 The development hereby permitted shall commence before the expiration of 3 years from the date of this permission.
- 1 This permission shall be carried out in accordance with the details set out in the application form;  
  
Updated site plan (received on 14 December)  
Pole specification (received on 02 January P1)  
Antenna and camera specification (received on 06 February P1 and P6)

**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**

The proposed development is consistent with Gedling Borough planning policies. The proposal represents an acceptable form of development which seeks to reduce crime, the detection of crime and the fear of crime. The proposal is not considered to have an unacceptable impact on the visual amenity of the area, or detrimental impact on the setting of the adjacent Listed Building. The proposal will not have an unacceptable impact on the residential amenity of the occupiers of neighbouring properties. It is considered that the proposal is appropriate for its context and is in accordance with the NPPF (Section 8 and 12), Policies

10 and 11 of the GBCAS (2014) and Policies 20, 26, 27 and 32 of the LPD.

### **Notes to Applicant**

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

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

The applicant is advised that all planning permissions granted on or 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.

## **76 APPLICATION NO. 2024/0001 - 10 NEVILLE ROAD, CALVERTON**

Proposed front and rear single storey extensions and alteration of conservatory.

The Principal Planning Officer introduced the report.

### **RESOLVED:**

To Grant Planning Permission subject to Conditions:

- 1 The development must be begun not later than three years beginning with the date of this permission.
- 2 The development shall be carried out in accordance with the details as set out within the application form received 1 January 2024 and the following plans:
  - Site Location Plan received 1 January 2024
  - Block Plan Sheet No.4 received 1 January 2024

- Floor Plans Sheet No.1 received 1 January 2024
- Elevations Sheet No.3 received 1 January 2024
- Roof Plan Sheet No. 5 received 1 January 2024.

- 3 The development hereby approved shall be carried out using materials as set out in the application.

### **Reasons**

- 1 In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 For the avoidance of doubt.
- 3 In the interests of visual amenity and in accordance with Policy 10 of the Aligned Core Strategy and Policy BE2 of the Calverton Neighbourhood Plan.

### **Reasons for Decision**

In the opinion of the Borough Council the proposed development is visually acceptable, results in no significant impact on the amenity of neighbouring residential properties and would not have any adverse impacts on highway safety. The development therefore accords with the aims set out in the National Planning Policy Framework, Policy 10 of the Aligned Core Strategy, Policies 32, 43, 57 and 61 of the Local Planning Document, Policy BE2 of the Calverton Neighbourhood Plan and the Parking Provision for Residential and Non-Residential Developments SPD.

### **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 at [www.gedling.gov.uk](http://www.gedling.gov.uk).

**77 APPEAL REF: APP/N3020/W/23/3325230 - BEACON BAPTIST CHURCH, KILLISICK ROAD, ARNOLD**

Residential development (outline) (to include demolition of existing site buildings).

**RESOLVED:**

To note the information.

**78 APPEAL REF: APP/N3020/W/23/3315910 - 34 MARLBOROUGH ROAD, WOODTHORPE**

The proposed erection of two new 4 bedroom detached houses and one new 3 bed detached bungalow.

**RESOLVED:**

To note the information.

**79 APPEAL REF: APP/N3020/D/23/3328184 - 91 MAIN STREET, BURTON JOYCE**

Driveway gates and side gate to front garden (retrospective).

**RESOLVED:**

To note the information.

**80 APPEAL REF: APP/N3020/W/23/3328444 - 164 LONGDALE LANE, RAVENSHEAD**

Single storey rear extension, conversion of covered way to living accommodation and internal alterations.

**RESOLVED:**

To note the information.

**81 APPEAL REF: APP/N3020/W/23/3323060 - OLD MANOR FARM,  
LOWDHAM LANE, WOODBOROUGH**

Proposed residential redevelopment of former farm complex - comprising the replacement of an existing dwelling, non-traditional former agricultural buildings and caravan storage building with 4 self-build dwellings and 1 agricultural workers' dwelling.

**RESOLVED:**

To note the information.

**82 FUTURE PLANNING APPLICATIONS**

**RESOLVED:**

To note the information.

**83 PLANNING DELEGATION PANEL ACTION SHEETS**

**RESOLVED:**

To note the information.

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

None.

The meeting finished at 6.37 pm

Signed by Chair:  
Date:

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

**Tuesday 5 March 2024**

Councillor John Clarke (Chair)

Councillor Michael Adams  
Councillor Sandra Barnes  
Councillor Paul Hughes

Councillor Jenny Hollingsworth  
Councillor Marje Paling

Absent: Councillor Viv McCrossen

Officers in Attendance: D Archer, M Hill and E McGinlay

### **29 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Viv McCrossen and Payne. Councillor Barnes attended as a substitute.

### **30 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 6 DECEMBER 2023**

#### **RESOLVED:**

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

### **31 DECLARATION OF INTERESTS**

None.

### **32 EXCLUSION OF THE PUBLIC AND PRESS**

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 3 and 4 of Part 1 of Schedule 12A of the Local Government Act 1972

### **33 STAFFING CONSULTATION REPORT**

The Chief Executive introduced the report, which had been circulated prior to the meeting, giving details about a proposed review of the council's senior management structure.

#### **RESOLVED:**

To support the proposed review and commence consultation with staff and unions.

**34**

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

None.

The meeting finished at 10.48 am

Signed by Chair:  
Date:

## MINUTES OVERVIEW AND SCRUTINY COMMITTEE

Monday 11 March 2024

Councillor Catherine Pope (Chair)

Councillor David Brocklebank	Councillor Roxanne Ellis
Councillor Roy Allan	Councillor Grahame Pope
Councillor Lorraine Brown	Councillor Kyle Robinson-Payne
Councillor Jim Creamer	Councillor Martin Smith
Councillor Andrew Dunkin	Councillor Sam Smith
Councillor Rachael Ellis	Councillor Russell Whiting

Officers in Attendance: B Hopewell and E McGinlay

Guests in Attendance: Councillor Pearson

### 37 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.

Apologies for absence were received from Councillor Welsh, Councillor Creamer attended as substitute.

### 38 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 15 JANUARY 2024.

#### RESOLVED:

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

### 39 DECLARATION OF INTERESTS.

Councillors Rachel Ellis and Roxanne Ellis declared an interest in Item 4 to the agenda as members of the Gedling Play Forum.

### 40 PROGRAMME OF PORTFOLIO HOLDER ATTENDANCE.

Members welcomed Councillor Lynda Pearson, Portfolio Holder for Communities and Place to the meeting to examine her portfolio. Councillor Pearson gave an update to members on some key happenings within her portfolio.

No questions were received from Members in advance of the meeting, so Councillor Pearson delivered an update on the various areas of responsibility within her portfolio. She gave the following updates:

It was noted that the UK Shared Prosperity Fund had given the council the opportunity to review the Council's heritage strategy. The full strategy could be viewed on the council's website which included plans to support visitor economy, review the Heritage Way walking and cycling route, celebrate 50 years of Gedling and mark that 200 years had passed since Byron's death through event planning and community projects.

It was noted that many changes implemented since Covid-19 had affected the way in which the council had been supporting Community Events and Play. Much of the work had been co-produced with partners and improved community engagement whilst reflecting GBC priorities.

Members noted the upcoming events for 2024/25 which included a Voluntary and Community Sector Pride Event, the Arnold Summer Fair, Nottinghamshire Day, Remembrance Parade, Apprenticeship and jobs fair, the Bonnington Theatre Programme, Pop up Town Centre Events and more.

It was noted that the council had not yet adopted a community and voluntary service (CVS) programme, but tenders had been accepted and a decision would be made in due course. It was highlighted that a CVS programme would help commissioned Health & Wellbeing providers to deliver sustainable, neighbourhood-based services to individuals with recognised barriers to entry such as health/mental health issues, IT requirements and more.

Councillor Pearson delivered an update on the work undertaken and currently ongoing regarding rural affairs, communities and economic growth. This included an adopted outdoor play and pitch strategy, strength in communities programme, working with business advice surgeries, Hill Crest business park expansion in Calverton and more.

The Chair gave members the opportunity to ask questions.

Members asked what plans were in place to commemorate the 200 years since the passing of Lord Byron and how the Council planned to celebrate 50 years of Gedling.

Councillor Pearson agreed to distribute a copy of the full plan to Members.

Councillors asked whether the council planned to commemorate 80 years since the D-day landings in conjunction with the Royal British Legion (RBL).

Councillor Pearson confirmed that the council would liaise with the RBL to support them in commemorating the D-day landings where possible.

Members sought feedback on how well the CVS in Rushcliffe had been functioning in Gedling since spreading their remit across multiple areas.

Councillor Pearson agreed that a local CVS would have a better understanding on local needs and a framework was being implemented for a service similar to the CVS and tenders were ongoing.

Members queried whether feedback was available following community work with shopping centres across the borough.

Councillor Pearson confirmed that feedback had been received and would be included within a future report to Cabinet and a redacted version would also be made available to the public.

Members queried how feedback had been used to improve the council's ability to communicate and highlight events to the public and also queried the timelines for when the events were published.

Councillor Pearson agreed to circulate additional information to members on the timelines when publishing events and explained that the Council does seek feedback to improve the methods of communicating events where possible but highlighted that responses to surveys were low.

**RESOLVED:**

The Chair thanked Councillor Pearson for the information provided.

**41 GEDLING PLAN - Q3 PERFORMANCE**

Consideration was given to a report of the Senior Leadership Team, which was circulated in advance of the meeting, informing Members in summary of the position against Improvement Actions and Performance Indicators in the 2023-27 Gedling Plan at the end of Quarter 3.

Members queried how the targets were set for leisure facilities across the borough.

It was noted that KPIs were benchmarked against other authorities and some targets were set through consultations. It was highlighted that targets were monitored by SLT and reviewed regularly. It was agreed that specific data regarding theatre targets would be circulated to members.

Members queried job fair attendance, noting that the report did not include information as to where the attendees resided and queried whether another location would be useful to have greater reach.

The Monitoring Officer agreed to enquire about the geography of attendees to see if another location would be of use and circulate the information to members.

**RESOLVED:**

To note the report.

**42 UPDATE ON WELCOME AND WARM SPACES.**

Consideration was given to a report of the Health Development Officer, which had been circulated in advance of the meeting, updating members of the transition from the warm spaces programme into the wider welcome and warm spaces programme.

Members queried whether there were any plans to expand participating venues in the future and if so, how it would be done.

It was noted that although the Council highlights warm spaces across the borough and assists them where possible, recent feedback showed that the council was unaware of some voluntary groups which could benefit from the council's efforts to promote them going forward.

Members expressed an interest in inviting the Health Development Officer to a future meeting to ask further questions.

**RESOLVED:**

To note the report.

**43 SCRUTINY WORK PROGRAMME.**

Consideration was given to a report of the Democratic Services Manager, which had been circulated in advance on the meeting, updating Members on the scrutiny work programme.

Members asked for a review of the contacts magazine to review its cost, outreach methods and whether digitalisation would impact those who prefer a paper copy.

It was agreed to invite the Communications Manager to a future meeting.

Members expressed an interest in whether to invite the Integrated Care Board (ICB) to attend a future meeting and to ask Councillor Wheeler to provide an update on the access to dentistry within the borough.

It was agreed to ask the ICB to attend a future meeting.

Members expressed an interest in asking Gedling Play Forum to attend a future meeting.

It was agreed to ask the Gedling Play Forum to attend a future meeting.

Members expressed an interest in inviting Jigsaw Homes and Nottingham City Council's housing department to a future meeting.

It was agreed to ask Jigsaw Homes and Nottingham City Council's housing department to attend a future meeting.

**RESOLVED to:**

Note the report.

**44 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 ENVIRONMENT AND LICENSING COMMITTEE

Tuesday 12 March 2024

Councillor Alison Hunt (Chair)

Present: Councillor Marje Paling Councillor Alex Scroggie  
Councillor Rachael Ellis Councillor Martin Smith  
Councillor Des Gibbons Councillor Clive Towsey-Hinton  
Councillor Julie Najuk Councillor Paul Wilkinson  
Councillor Sue Pickering

Absent: Councillor Boyd Elliott

Officers in Attendance: C Allcock, J Brough, B Hopewell and A Hutchinson

### 17 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.

Apologies for absence were received from Councillor Elliott.

### 18 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 6 FEBRUARY 2024.

#### RESOLVED:

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

### 19 DECLARATION OF INTERESTS.

None.

### 20 ANY OTHER ITEM WHICH THE CHAIR CONSIDERS URGENT.

None.

### 21 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.

### 22 APPLICATION FOR A ONE-YEAR JOINT HACKNEY

## **CARRIAGE/PRIVATE HIRE DRIVERS LICENCE- GA**

Consideration was given to a report of the Head of Environment, which had been circulated in advance of the meeting, regarding an application for a one year joint Hackney Carriage/Private Hire Driver's Licence for GA.

GA attended the meeting along with a friend and they both addressed the Committee.

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

### **RESOLVED:**

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

23

## **CHANGE OF CIRCUMSTANCE OF JOINT HACKNEY CARRIAGE / PRIVATE HIRE DRIVERS LICENCE- HA**

Consideration was given to a report of the Head of Environment, 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.

HA attended the meeting along with a friend and he addressed the Committee.

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

### **RESOLVED to:**

- 1) To suspend HA's licence for 56 days; and
- 2) Issue a warning to HA 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.

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

The meeting finished at 6.20 pm

Signed by Chair:  
Date:

## MINUTES STANDARDS COMMITTEE

Thursday 14 March 2024

Councillor Paul Feeney (Chair)

Councillor David Brocklebank	Councillor Clive Towsey-Hinton
Councillor Stuart Bestwick	Councillor Russell Whiting
Councillor Andrew Ellwood	Louise Kopyrko
Councillor Des Gibbons	

Absent: Councillor Boyd Elliott and Rosalie Hawks

Officers in Attendance: C Goodall and F Whyley

### 23 APOLOGIES FOR ABSENCE

Apologies were received from R Hawks.

### 24 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 7 DECEMBER 2023

#### RESOLVED:

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

### 25 DECLARATION OF INTERESTS

None.

### 26 RECRUITMENT OF INDEPENDENT PERSON AND RESERVE INDEPENDENT PERSON

The Monitoring Officer introduced a report, circulated in advance of the meeting, seeking approval to commence recruitment to the positions of Independent Person and Reserve Independent Person.

#### RESOLVED that:

- 1) The Monitoring Officer be authorised to commence the recruitment process to the role of Independent Person and Reserve Independent Person from 14 July 2024 for 2 years;
- 2) Any suitable candidates for the role of Independent Person should be considered for the reserve role for the same period; and
- 3) A cross party interview panel should be established to interview

- candidates and make recommendations to appoint; and
- 4) Authority be delegated to the Monitoring Officer, in consultation with the Chair, to appoint alternative members to the interview panel should appointed members be unavailable.

**27 CODE OF CONDUCT COMPLAINTS UPDATE**

The Monitoring Officer introduced a report, circulated in advance of the meeting, informing members of the Standards Committee of complaints received between 7 December 2023 and 14 March 2024.

**RESOLVED:**

To note the report.

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

None.

The meeting finished at 6.05 pm

Signed by Chair:  
Date:

## **MINUTES AUDIT COMMITTEE**

**Tuesday 19 March 2024**

Councillor Kyle Robinson-Payne (Chair)

Councillor Sandra Barnes	Councillor Paul Hughes
Councillor Jim Creamer	Councillor Alison Hunt
Councillor Helen Greensmith	Councillor Ruth Strong

Officers in Attendance: T Adams, B Hopewell and F Whyley

**30 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS.**

None.

**31 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 12 DECEMBER 2023**

**RESOLVED:**

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

**32 DECLARATION OF INTERESTS.**

None.

**33 LOCAL CODE OF CORPORATE GOVERNANCE**

Councillor Greensmith joined the meeting.

Consideration was given to a report of the Monitoring Officer, which had been circulated in advance of the meeting, seeking approval for the updated Local Code of Corporate Governance 2024/25.

**RESOLVED:**

To approve the Local Code of Corporate Governance for 2024/25.

**34 RISK MANAGEMENT STRATEGY**

Consideration was given to a report of the Interim Corporate Director, which had been circulated in advance of the meeting, seeking approval to recommend a new Risk Management Strategy to Cabinet for adoption.

**RESOLVED:**

To recommend to Cabinet, the adoption of the Risk Management Framework detailed at Appendix 1 to the report.

**35 RECRUITMENT OF INDEPENDENT CO-OPTED MEMBERS**

Consideration was given to a report of the Interim Corporate Director, which had been circulated in advance of the meeting, seeking approval to commence recruitment for two co-opted members on to Audit Committee.

**RESOLVED to:**

- 1) Authorise the Interim Corporate Director to commence the recruitment process for two independent co-opted members to join the Audit Committee;
- 2) Establish an interview panel of 3 members drawn from the membership of the Audit Committee; and
- 3) Agree that the panel, shall bring a recommendation as to appointment to Council.

**36 QUARTER 3 RISK SCORECARD**

Consideration was given to a report of the Head of Finance and ICT, which had been circulated in advance of the meeting, updating members of the Audit Committee on the current levels of assurance that can be provided against each corporate risk.

**RESOLVED to:**

Note the progress of actions identified within the Corporate Risk Register.

**37 INTERNAL AUDIT PROGRESS REPORT**

Consideration was given to a report of the Internal Audit Partner (BDO), which had been circulated in advance of the meeting, summarising the outcome of the internal audit activity completed by the BDO Internal Audit Team for the period January to March 2024.

**RESOLVED:**

To note the progress of the delivery against the 2023/24 Internal Audit Plan, including the Executive Summary for the following audit reports: Community Health and Wellbeing and Generating External Income.

**38 INTERNAL AUDIT PLAN 2024/25**

Consideration was given to a report of the Internal Audit Partner (BDO), which had been circulated in advance of the meeting, detailing the three-year Internal audit Plan for 2024/25 – 2026/27 for Gedling Borough Council.

**RESOLVED:**

To approve the Internal Audit Plan for 2024/25 – 2026/27.

**EXCLUSION OF THE PRESS AND PUBLIC.**

Councillor Robinson-Payne moved that under Section 100(A)(4) of the Local Government Act 1972 the public and press be excluded from the meeting during consideration of the ensuing report 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.

**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 CONFIDENTIAL REPORT ON AGRESSO - EXEMPT**

Consideration was given to a report of the Internal Audit Partner (BDO), which had been circulated in advance of the meeting, presenting a review of Agresso IT Controls to the Audit Committee and identifying control weaknesses in the set-up of the finance system.

**RESOLVED:**

To note the outcome of the BDO report on the Agresso IT Controls.

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

None.

The meeting finished at 7.15 pm

Signed by Chair:  
Date:

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## MINUTES APPOINTMENTS AND CONDITIONS OF SERVICE COMMITTEE

Wednesday 20 March 2024

Councillor John Clarke (Chair)

Councillor Michael Adams  
Councillor Paul Hughes

Councillor Marje Paling  
Councillor Lynda Pearson

Absent: Councillor Michael Payne, Councillor Viv McCrossen,  
Councillor Jenny Hollingsworth

Officers in Attendance: D Archer and C McCleary

### 35 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Payne, V McCrossen and Hollingsworth. Councillor Pearson attended as a substitute for Councillor Hollingsworth.

### 36 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 5 MARCH 2024

#### RESOLVED:

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

### 37 DECLARATION OF INTERESTS

None.

### 38 ANY OTHER ITEM WHICH THE CHAIR CONSIDERS URGENT

None.

### 39 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 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.

40

**WORKFORCE STRATEGY- CONSULTATION CLOSURE**

Consideration was given to a report of the Head of HR, Performance and Service Planning, which had been circulated in advance of the meeting, informing members of the consultation response received from trade unions and from the Joint Consultative and Safety Committee (20 February 2024) and to seek approval to implement the proposal for the new Workforce Strategy 2023-27.

**RESOLVED to:**

- 1) Note the consultation comments and recommendations from the Joint Consultative and Safety Committee (JCSC) and trade unions; and
- 2) Approve the implementation of the proposals made to adopt the new Workforce Strategy 2023-27 shown at Appendix 1 to the report, with immediate effect.

41

**CONSULTATION COMMENCEMENT- ELECTRIC VEHICLE MILEAGE RATES**

The Head of HR, Performance and Service Planning presented a report, which had been circulated prior to the meeting, seeking authority to begin consultation with trade unions on the addition of an electric vehicle car allowance rate to the other existing rates for travel already adopted by the Council and the formalisation of the current cycle mileage allowance that had been previously informally applied.

**RESOLVED:**

To support draft proposals set out at Section 4 of the report and endorse the commencement of the consultation and implementation process.

The meeting finished at 10.20 am

Signed by Chair:  
Date:

## **MINUTES PLANNING COMMITTEE**

**Wednesday 27 March 2024**

Councillor Roy Allan (Chair)

In Attendance:                    Councillor Paul Wilkinson                    Councillor Catherine Pope  
   Councillor Michael Adams                    Councillor Grahame Pope  
   Councillor Sandra Barnes                    Councillor Sam Smith  
   Councillor David Ellis                        Councillor Ruth Strong  
   Councillor Andrew Ellwood                   Councillor Henry Wheeler  
   Councillor Ron McCrossen                   Councillor Russell Whiting  
   Councillor Lynda Pearson

Absent:                                Councillor Stuart Bestwick, Councillor Helen  
   Greensmith and Councillor Jane Walker

Officers in Attendance:        M Avery, N Bryan, C Goodall, C Miles, N Osei,  
   L Sturgess and C Turton

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

Apologies for absence were received from Councillors Bestwick, Greensmith and Walker. Councillor Adams attended as substitute.

### **86                    TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 28 FEBRUARY 2024**

#### **RESOLVED:**

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

### **87                    DECLARATION OF INTERESTS**

The Chair declared a collective non-pecuniary interest on behalf of all members of the committee in item 8 on the agenda, as Gedling Borough Council was the applicant and owned the land and on item 9 on the agenda, as Gedling Borough Council owned the land.

### **88                    APPLICATION NO. 2023/0913 - LAND OFF GEORGES LANE, CALVERTON**

Construction of two open round barrows and a grass covered barrow for the placement of cremation urns, access path and landscaping.

Matthew Lymn Rose of A W Lymn The Family Funeral Service (The Applicant), spoke in support of the application.

The Principal Planning Officer provided an update to the committee in respect of paragraph 7.14 of the report, which stated that the Section 106 legal agreement would ensure that if planning permission were to be granted, works could not commence on the current proposal until the previous proposal was substantially complete, but that it should read that if planning permission were to be granted, the current proposal could not be brought into use until the previous planning permission was substantially complete.

She added that the site location plan on page 19 of the public document pack was incorrect and then presented the correct plan to the committee.

She then went on to introduce the report.

**RESOLVED:**

To Grant Planning Permission, subject to the signing of a Section 106 legal agreement 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 following drawings and documents, received 22nd December 2023;-

Application forms

Drawing no. 2019-18-05 Elevations

Drawing no. 2019-18-04 Sections

Drawing no. 2019-18-02 C Proposed site plan and site location plan

- 3 No development shall be commenced until details of the materials identified below 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. Facing stonework, Internal pathway and circulation area.

**Reasons**

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

- 2 For the avoidance of doubt
- 3 In the interests of visual amenity

### **Reasons for Decision**

Appropriate facilities associated with cemeteries and burial grounds are an appropriate form of development within the Green Belt, subject to not conflicting with the purposes of including land within it e.g. openness considerations. The scheme has been re-designed to the minimum built-form necessary. However, there is still some built-form and the proposal does still have some impact on the openness of the Green Belt, albeit now limited. However, the development is inappropriate development within the Green Belt, due to this impact on the openness of the Green Belt. Very special circumstances exist which outweigh other policy considerations. These relate mostly to the need for such a facility within the area but also the link to the existing cemetery permission and the need for a rural location. As such, the proposal complies with paragraphs 152 and 153 of the NPPF. The proposal does not have an unacceptable impact on the visual amenity or landscape character of the area, residential amenity, highway safety, designated heritage assets, ecological considerations or ground water. As such, the proposal complies with the NPPF, Policies A, 1, 3, 10, 11 and 17 of the ACS, Policies 6, 19, 26, 30, 32, 57 and 61 of the LPD and Policies ISF1, ISF2, ISF3, BE1, BE5, NE3, NE4 and NE5 of the Calverton Neighbourhood Plan.

### **Notes to Applicant**

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

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

The applicant is advised that all planning permissions granted on or 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.

**89 APPLICATION NO. 2023/0233 - LAND OFF MARION AVENUE, HUCKNALL**

Residential development of 30 dwellings with associated infrastructure, open space and landscaping with access from Marion Avenue.

Ashley Ankrett, a local resident, spoke against the application.

Clayton Penny of Chevin homes, the applicant, spoke in support of the application.

The Principal Planning Officer introduced the report.

**RESOLVED:**

To GRANT PLANNING PERMISSION: Subject to the owner entering into a planning obligation secured through a s106 legal agreement with the Borough Council as the Local Planning Authority and the County Council to secure affordable housing, public transport improvements; education; health; play equipment; monitoring and a local labour agreement; 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. The development authorised by this permission shall be carried out in complete accordance with the approved drawings and specification listed below:

Site Location Plan (ref: n2064\_001) - submitted 15th March 2023  
Planning Layout (ref: n2064\_008F) - submitted 6th February 2024  
House Type Pack Rev A - submitted 4th August 2023  
Preliminary Ecological Appraisal - Reference BG22.187 REV1 submitted 15th March 2023  
Open Space Plan (ref: n2064\_015C) - submitted 14th March 2024  
Ecological Impact Assessment (ref: BG22.187.13) - submitted 4th December 2023  
Biodiversity Impact Assessment for Net Gain - Reference BG22.187.2 submitted 15th March 2023

Design and Access Statement - (ref: n2064\_DAS) - submitted 15th March 2023

Flood Risk Assessment Report Ref: 2206730-01A - submitted 15th March 2023

Landscape Management Plan Ref: GL2077 - submitted 15th March 2023

Outline Trees, Arboricultural Consultancy Report Reference: JH0223ALISONAVE dated February 2023 - submitted 15th March 2023

Transport Technical Note Ref: 2206730-02 - submitted 15th March 2023

Soft Landscape Proposals (ref: GL2077 01 Rev A) - submitted 15th March 2024

3. No building shall be erected until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
4. No development shall take place until details of all materials to be used for hard surfaced areas within the site including roads, footpaths, recreation areas, and car parking areas have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the details so approved.
5. Occupation of any proposed dwellings shall not take place until such time as the site access arrangement via Marion Avenue as shown on drawing number Planning Layout (ref: n2064\_008F) - submitted 6th February 2024 has been provided in full.
6. Occupation of the proposed dwellings shall not take place until their respective driveway has 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 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.
7. Prior to the commencement of the development hereby approved, a Construction Management Plan (CMP) shall be submitted to and approved by the Local Planning Authority. The CMP shall provide details of, but not limited to, the following: a) Details of

noise, dust and vibration suppression b) Details of any compound and welfare areas to include their location and appearance, heights of any cabins to be sited, and details of any associated external lighting. c) Details of on-site materials storage areas d) Details of on-site construction parking and manoeuvring area, including loading and unloading of plant and materials e) Details of any crusher to be used on site f) Details of any piling which is required g) Details of reasonable avoidance measures (RAMs) in respect of protected species h) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate i) Details of wheel washing facilities during construction j) A scheme for recycling/disposing of waste resulting from demolition and construction works. k) Details of the routing of deliveries and construction vehicles to site and any temporary access points. l) Details of any hoarding to be erected. The development shall be carried out in accordance with the approved details for its entire construction phase.

8. Development shall not commence until a programme of archaeological work including a Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and:
  1. The programme and methodology of site investigation and recording
  2. The programme for post investigation assessment
  3. Provision to be made for analysis of the site investigation and recording
  4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
  5. Provision to be made for archive deposition of the analysis and records of the site investigation
  6. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation. Thereafter, the development shall only commence in accordance with the Written Scheme of Investigation as approved.
  
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 Report Ref: 2206730-01A - submitted 15th March 2023 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. 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 and NPPF Paragraph 169. Limit the discharge generated by all rainfall events up to the 100 year plus 40% (climate change)



critical rain storm to QBar rates for the developable area. Provide detailed design (plans, network details, calculations and supporting summary documentation) in support of any surface water drainage scheme, including details on any attenuation system, the outfall arrangements and any private drainage assets. 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 30 year and 1 in 100 year plus climate change return periods. No surcharge shown in a 1 in 1 year; No flooding shown in a 1 in 30 year.; For all exceedance to be contained within the site boundary without flooding properties in a 100 year plus 40% storm. Evidence to demonstrate the viability (e.g Condition, Capacity and positive onward connection) of any receiving watercourse to accept and convey all surface water from the site. Details of STW approval for connections to existing network and any adoption of site drainage infrastructure. Evidence of approval for drainage infrastructure crossing third party land where applicable. Provide a surface water management plan demonstrating how surface water flows will be managed during construction to ensure no increase in flood risk off site. Evidence of how the on-site surface water drainage systems shall be maintained and managed after completion and for the lifetime of the development to ensure long term effectiveness.

10. All construction and/or demolition works on the site and all deliveries of construction materials to the site must only take place between the following hours: 0700 and 1900 on Mondays to Fridays (inclusive), and; 0800 and 1700 on Saturdays. There shall be no construction, demolition or associated deliveries whatsoever on the site on Sundays or on Bank or Public Holidays.
11. The development hereby permitted must not be occupied or first brought into use until full details and timings of the biodiversity enhancements and protection measures as set out in the submitted Ecological Impact Assessment (ref: BG22.187.13) - submitted 4th December 2023 and the Biodiversity Impact Assessment for Net Gain - Reference BG22.187.2 submitted 15th March 2023 have been submitted to and approved by the Local Planning Authority. Thereafter, the approved biodiversity improvements must be retained and be appropriately maintained on the site throughout the lifetime of the development.
12. The approved Landscaping Scheme pursuant to the Soft Landscape Proposals (Ref: GL2077 01 Rev A - submitted 15th

March 2024) and the Landscape Management (Plan Ref: GL2077 - submitted 15th March 2023)

must be carried out and completed in accordance with the approved details no later than during the first planting season (October - March) following either the substantial completion of the development hereby permitted or it being first brought into use, whichever is sooner. If, within a period of 5 years of from the date of planting, any tree or shrub planted as part of the approved Landscaping Scheme is removed, uprooted, destroyed, dies or become diseased or damaged then another tree or shrub of the same species and size as that originally planted must be planted in the same place during the next planting season following its removal. Once provided all hard landscaping works shall thereafter be permanently retained throughout the lifetime of the development.

13. No development shall take place above damp proof course level until detailed drawings including materials, design, and heights of all boundaries treatments have been submitted to and approved by the Local Planning Authority. No dwelling shall be occupied until such time as all boundary treatments are in place, which shall remain for the lifetime of the development.
14. From the date of first occupation every dwelling built on the site shall be provided with access to electric vehicle (EV) charge point(s) in line with Part S of the Building Regulations. 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.
15. The development hereby permitted must not be commenced until the tree protection measures as set out in the submitted Arboricultural Impact Assessment, Doc Ref: BG21.281.1 have been implemented in accordance with those approved details. Thereafter, all works to existing trees hereby given consent must be carried out in accordance with British Standard BS 3998:2010 Tree work - Recommendations. The approved tree protection measures must remain in place on the site throughout the construction of the development hereby permitted. No materials, supplies, plant, machinery, soil heaps, changes in ground levels or construction activities are permitted within the protected area(s) without the written agreement of Local Planning Authority.
16. 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.

- 17 No part of the development shall be commenced until details of the existing and proposed ground and finished floor levels of the site and approved building[s] have been submitted to and approved in writing by the local planning authority. The development shall be carried out thereafter in accordance with the approved details.

### **Reasons**

1. To comply with the requirements of Section 91(1) of the Town and Country Planning Act 1990 (as amended).
2. To define the permission and for the avoidance of doubt.
3. To ensure the appearance of the development is satisfactory having regard to policies ASC10 and LPD26.
4. To ensure the appearance of the development is satisfactory having regard to policies ASC10 and LPD26.
5. In the interests of highway safety.
6. In the interests of highway safety.
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.

8. To protect and record any potential heritage remains having regard to Policy LPD 30 - Archaeology of the adopted 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. To ensure that the occupiers of neighbouring properties are not adversely affected by unacceptable noise pollution from the development hereby permitted, and to comply with policies ASC10 and LPD26.
11. To ensure the development contributes to the enhancement of biodiversity on the site having regard to Policy 18 - Protecting and Enhancing Biodiversity of the adopted Local Plan and Chapter 15 (Conserving and enhancing the natural environment) of the National Planning Policy Framework (2023).
12. To ensure the development creates a visually attractive environment and to safeguard against significant adverse effects on the landscape character of the area having regard to Policy LDP19 - Landscape Character and Visual Impact.
13. To define the permission, to protect neighbouring amenity and to comply with policies ASC10 and LPD26.
14. 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.
15. To ensure the adequate protection of the existing trees and hedgerows on the site during the construction of the development having regard to having regard to Policy LDP19 - Landscape Character and Visual Impact of the adopted Local Plan and Chapter 15 (Conserving and Enhancing the Natural Environment) of the National Planning Policy Framework (2023).
16. To ensure the development is safe and suitable for use.

- 17 To ensure the character of the area and residential amenity is respected and to comply with policies ACS10 and LPD32.

### **Notes to Applicant**

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

The applicant should note that notwithstanding any planning permission that if any highway forming part of the development is to be adopted by the Highways Authority, then the new roads and any highway drainage will be required to comply with the Nottinghamshire County Council's current highway design guidance and specification for roadworks. The Advanced Payments Code in the Highways Act 1980 applies and under section 219 of the Act payment will be required from the owner of the land fronting a private street on which a new building is to be erected. The developer should contact the Highway Authority with regard to compliance with the Code, or alternatively to the issue of a Section 38 Agreement and bond under the Highways Act 1980. A Section 38 Agreement can take some time to complete. Therefore, it is recommended that the developer contact the Highway Authority as early as possible. It is strongly recommended that the developer contact the Highway Authority at an early stage to clarify the codes etc. with which compliance will be required in the particular circumstance, and it is essential that design calculations and detailed construction drawings for the proposed works are submitted to and approved by the County Council (or District Council) in writing before any work commences on site. Correspondence with the Highway Authority should be addressed to: [hdc.south@nottscc.gov.uk](mailto:hdc.south@nottscc.gov.uk) It is an offence under S148 and S151 of the Highways Act 1980 to deposit mud on the public highway and as such you should undertake every effort to prevent it occurring.

Please note that should protected species be found on site during the development there would be a requirement to seek the advice of a suitably qualified ecologist and comply with the Wildlife and Countryside Act.

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).

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)

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 is reminded that this permission is also subject to another planning application in respect of the access arrangement within the administrative area of Ashfield District Council. The applicant should also note that there are planning obligation made under the provisions of Section 106 of the Town and Country Planning Act 1990 (as amended) the purpose of which is to exercise controls to secure the proper planning of the area. The planning obligation runs with the land and not with any person or company having an interest therein.

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

a) 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.

b) It is strongly recommended that the developer contact the Highway Authority at an early stage to clarify the codes etc. with which compliance will be required in the particular circumstance, and it is essential that design calculations and detailed construction drawings for the proposed works are submitted to and approved by the County Council (or District Council) in writing before any work commences on site. Correspondence with the Highway Authority should be addressed to: [hdc.south@nottscc.gov.uk](mailto:hdc.south@nottscc.gov.uk)

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

Councillor Whiting left the meeting at 6:50pm.  
Councillor Whiting re-joined the meeting at 6:51pm.

**90 APPLICATION NO. 2021/0072 - LAND TO THE WEST OF MANSFIELD ROAD, REDHILL**

Proposals for 141 dwellings with associated landscaping, public open space, highways and infrastructure on land west of the A60, Redhill.

Robbie Locke of Cora Homes, the applicant, spoke in support of the application.

The Principal Planning Officer provided the following updates:

- In the committee report there was a typo as it was detailed that 141 dwellings were proposed, when a total of 144 dwellings were actually proposed.
- Two further letters of objection had been received, but all matters raised no new issues to those already contained within the published committee report.
- One letter of support had been received, made on the grounds that the development would provide an affordable home for a local resident with specific special needs requirements; that they had been waiting for suitable premises, but none were available; and that buying a new home and adapting it to their needs would be financially prohibitive.
- The Deputy Leader had made very late representation on the basis that a signalised traffic junction from Mansfield Road onto Adams Drive needed to be provided; that sufficient measures should be in place to limit water run-off from the site into housing at Phase 1 at Lodge Close, Larkspur Avenue, Henry Street and Richmond Gardens; that a pedestrian only link should be provided link to the existing public footpath to the south of the site; that additional tree planting should be provided along the green space between private shared drive, the SUDS and the adjacent rear of the

properties on Lodge Close, Larkspur Avenue, Henry Street and Richmond Gardens; and that there would be a loss of green space.

- The Highway Authority had responded to state that a further condition should be added to require more details to be provided in respect of the submitted Travel Plan. They also requested that obligations for bus stops could also be used to upgrade existing bus stop infrastructure.

He then went on to introduce the report.

Councillor McCrossen left the meeting at 7.20pm  
Councillor McCrossen re-joined the meeting at 7:21pm

### **RESOLVED:**

To GRANT PLANNING PERMISSION: Subject to the owner entering into a planning obligation secured through a s106 legal agreement with the Borough Council as the Local Planning Authority and the County Council to secure affordable housing, education improvements; healthcare enhancements; bus stop installations; library improvements and a Local Labour Agreement; 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. The development authorised by this permission shall be carried out in complete accordance with the approved drawings and specification listed below:

Site Location Plan	Plan Ref:	3424-01 A2	received	02 Feb	2021
Planning Layout	Plan Ref:	REDH-SK-001-I-A1		26	September 2023
Materials Layout	Plan Ref:	02352 - 005-A-A1	received	02	Feb 2024
Open Space Plan	Plan Ref:	Redh-SK-002-A1	received	13	September 2023
Proposed House Type M2 604	24/Three	Plan Ref: P243-22017-001	-A2	received	19 April 2023
Proposed House Type B2	24/Three	Plan Ref: P243-22017-002-A2		received	19 April 2023
Proposed House Type 834 HQ1 2.1	24/Three	Plan Ref: P243-22017-003	-A2	received	19 April 2023
Proposed House Type 904 HQ1 3.1	24/Three	Plan Ref: P243-22017-004	-A2	received	19 April 2023



Proposed House Type BH\_725 24/Three Plan Ref: P243-  
22017-005 -A2 received 19 April 2023

Proposed House Type BH\_866 24/Three Plan Ref: P243-  
22017-006 -A2 received 19 April 2023

Proposed House Type BH\_891 24/Three Plan Ref: P243-  
22017-007 -A2 received 19 April 2023

Proposed House Type BH\_937 24/Three Plan Ref: P243-  
22017-008 -A2 received 19 April 2023

Proposed House Type BH\_986 24/Three Plan Ref: P243-  
22017-009 -A2 received 19 April 2023

Proposed House Type BH\_1030 24/Three Plan Ref: P243-  
22017-010 -A2 received 19 April 2023

Proposed House Type BH\_1142 24/Three Plan Ref: P243-  
22017-011 -A2 received 19 April 2023

Proposed House Type BH\_1196 24/Three Plan Ref: P243-  
22017-012 -A2 received 19 April 2023

Proposed House Type BH\_1220 24/Three Plan Ref: P243-  
22017-013 -A2 received 19 April 2023

Proposed House Type BH\_1290 24/Three Plan Ref: P243-  
22017-014 -A2 received 19 April 2023

Proposed House Type BH\_1324 24/Three Plan Ref: P243-  
22017-015 -A2 received 19 April 2023

Proposed House Type BH\_1420 24/Three Plan Ref: P243-  
22017-016 A-A2 received 19 April 2023

Proposed House Type BH\_1428 24/Three Plan Ref: P243-  
22017-017 -A2 received 19 April 2023

Proposed House Type BH\_1578 24/Three Plan Ref: P243-  
22017-018 -A2 received 19 April 2023

Proposed House Type BH\_1696 24/Three Plan Ref: P243-  
22017-019 -A2 received 19 April 2023

Proposed Sectional Street Scenes 24/Three Plan Ref:  
P243-22017-S01 C-A0 received 19 April 2023

Landscape and Visual Baseline Ref: edp4818\_r004b- B- A4  
received 02 Feb 2021

Phase 1 and 2 Geo-environmental Site Assessment Ref: RSK  
302161 R01 A4 received 02 Feb 2021

Travel Plan Ref: ADC-1759-RP-C-v3 3- A4 received 02 Feb  
2021

Transport Assessment Ref: ADC-1759-RP-A-v4 4 A4  
received 02 Feb 2021

Planning Statement Chave Planning Ref: 1046.R01.2 2  
A4 received 02 Feb 2021

Arboricultural Technical Note Ref: edp4818\_r001a A  
A4 received 02 Feb 2021

Flood Risk Assessment Ref: ADC-1759-RP-B-v2  
received 02 Feb 2021

Design & Access Statement received 02 Feb 2021

Swept Path Analysis Refuse Vehicle Ref: DR-400B-A1  
received 26 September 2023

s278 Arrangement Works - Phase 2 General Arrangement Ref:  
ADC2896-DR-101-P6-A1 received 26 September 2023  
Proposed Highway Lighting & Electrical Works Via Ref:  
H08630/4005-A2 received 26 September 2023  
Traffic signalised junction arrangement overall scheme layout  
Ref: TP2150932/TS101 - A2 received 26 September 2023  
Ecological Appraisal prepared by Environmental Dimensions  
Partnership LTd, Reference edp4818\_r006a received 02  
Feb 2021

3. Occupation of any proposed dwellings shall not take place until such time as the site access arrangement via Adams Drive (Phase 1) as shown on drawing number Planning Layout Plan Ref: REDH-SK-001-I-A1 received on 26 September 2023 has been provided in full.
4. No dwelling hereby approved shall take place until such time as the signal-controlled T-junction and associated works as detailed on s278 Arrangement Works - Phase 2 General Arrangement Ref: ADC2896-DR-101-P6-A1 received 26 September 2023, Proposed Highway Lighting & Electrical Works Ref: H08630/4005-A2 received 26 September 2023, and Traffic signalised junction arrangement overall scheme layout Ref: TP2150932/TS101 - A2 received 26 September 2023 drawings are fully complete and the signal control junction is operational
5. Occupation of the proposed dwellings shall not take place until their respective driveway has 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 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.
6. Prior to the commencement of the development hereby approved, a Construction Management Plan (CMP) shall be submitted to and approved by the Local Planning Authority. The CMP shall provide details of, but not limited to, the following: a) Details of noise, dust and vibration suppression b) Details of any compound and welfare areas to include their location and appearance, heights of any cabins to be sited, and details of any associated external lighting. c) Details of on-site materials storage areas d) Details of on-site construction parking and manoeuvring area, including loading and unloading of plant and materials e) Details of any crusher to be used on site f) Details of any piling which is

required g) Details of reasonable avoidance measures (RAMs) in respect of protected species h) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate i) Details of wheel washing facilities during construction j) A scheme for recycling/disposing of waste resulting from demolition and construction works. k) Details of the routing of deliveries and construction vehicles to site and any temporary access points. l) Details of any hoarding to be erected. The development shall be carried out in accordance with the approved details for its entire construction phase.

7. 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 (Plan Ref: ADC-1759-RP-B-v2) received on 02 Feb 2021 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. 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 and NPPF Paragraph 169. Limit the discharge generated by all rainfall events up to the 100 year plus 40% (climate change) critical rain storm to QBar rates for the developable area. Provide detailed design (plans, network details, calculations and supporting summary documentation) in support of any surface water drainage scheme, including details on any attenuation system, the outfall arrangements and any private drainage assets. 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 30 year and 1 in 100 year plus climate change return periods. No surcharge shown in a 1 in 1 year; No flooding shown in a 1 in 30 year.; For all exceedance to be contained within the site boundary without flooding properties in a 100 year plus 40% storm. Evidence to demonstrate the viability (e.g Condition, Capacity and positive onward connection) of any receiving watercourse to accept and convey all surface water from the site. Details of STW approval for connections to existing network and any adoption of site drainage infrastructure. Evidence of approval for drainage infrastructure crossing third party land where applicable. Provide a surface water management plan demonstrating how surface water flows will be managed during construction to ensure no increase in flood risk off site. Evidence of how the on-site surface water drainage systems shall be maintained and managed after completion and for the lifetime of the development to ensure long term effectiveness.

8. All construction and/or demolition works on the site and all deliveries of construction materials to the site must only take place between the following hours: 0700 and 1900 on Mondays to Fridays (inclusive), and; 0800 and 1700 on Saturdays. There shall be no construction, demolition or associated deliveries whatsoever on the site on Sundays or on Bank or Public Holidays.
9. The development hereby permitted must not be occupied or first brought into use until full details and timings of the biodiversity enhancements and protection measures as set out in the submitted Ecological Appraisal prepared by Environmental Dimensions Partnership LTd, Reference edp4818\_r006a received 02 Feb 2021 have been submitted to and approved by the Local Planning Authority. Thereafter, the approved biodiversity improvements must be retained and be appropriately maintained on the site throughout the lifetime of the development.
10. Notwithstanding the details contained within the landscape proposals contained on plan reference: Soft Landscape Proposals (ref: GL2077 01) - submitted 15th March 2023, the development hereby permitted must not be occupied or first brought into use until a further details of the Landscaping Scheme, have been submitted to and approved in writing by the Local Planning Authority. They shall include: a. details of all hard and soft landscaping features to be used and include the following: b. Detailed plans showing the location of all new trees and shrubs to be planted, including the number and/or spacing of shrubs in each shrub bed or hedgerow. c. A schedule of the new trees and shrubs (using their botanical/latin names) to be planted including their size at planting (height or spread for shrubs, height or trunk girth for trees); d. Plans showing the proposed finished land levels/contours of landscaped areas; e. Details of all proposed hard surfaces areas, retaining structures, steps, means of enclosure, surface finishes and any other hard landscaping features; f. Details of the protection measures to be used of any existing landscape features to be retained. The approved Landscaping Scheme must be carried out and completed in accordance with the approved details no later than during the first planting season (October - March) following either the substantial completion of the development hereby permitted or it being first brought into use, whichever is sooner. If, within a period of 5 years of from the date of planting, any tree or shrub planted as part of the approved Landscaping Scheme is removed, uprooted, destroyed, dies or become diseased or damaged then another tree or shrub of the same species and size as that originally planted must be planted in the same place during the next

planting season following its removal. Once provided all hard landscaping works shall thereafter be permanently retained throughout the lifetime of the development.

11. No development shall take place above damp proof course level until detailed drawings including materials, design, and heights of all boundaries treatments have been submitted to and approved by the Local Planning Authority. No dwelling shall be occupied until such time as all boundary treatments are in place, which shall remain for the lifetime of the development.
12. From the date of first occupation every dwelling built on the site shall be provided with access to electric vehicle (EV) charge point(s) in line with Part S of the Building Regulations. 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.
13. The development hereby permitted must not be commenced until the tree protection measures as set out in the submitted Arboricultural Technical Note Ref: edp4818\_r001a Rev A received on 02 Feb 2021 have been implemented in accordance with those approved details, with the exception of Tree reference G20 which can be removed due to its unsafe condition. Thereafter, all works to existing trees hereby given consent must be carried out in accordance with British Standard BS 3998:2010 Tree work - Recommendations. The approved tree protection measures must remain in place on the site throughout the construction of the development hereby permitted. No materials, supplies, plant, machinery, soil heaps, changes in ground levels or construction activities are permitted within the protected area(s) without the written agreement of Local Planning Authority.
14. Prior to the commencement of development the following shall be submitted to and approved in writing by the Local Planning Authority:
  - a. 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.
- b. Where required, a detailed remediation scheme (to bring the site to a condition suitable for the intended use by removing unacceptable risks to critical receptors) should be submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures.
  - c. 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.
15. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority and once the Local Planning Authority has identified the part of the site affected by the unexpected contamination development must be halted on that part of the site. An assessment must be undertaken in accordance with the requirements above, and where remediation is necessary a remediation scheme, together with a timetable for its implementation and verification reporting, must be submitted to and approved in writing by the Local Planning Authority.
  16. Development shall not commence until an assessment of the air quality impacts (including exposure) of the proposal has been submitted to, and approved in writing by, the Local Planning Authority. The level of assessment/mitigation should be commensurate with the scale of development and should characterise the significance of the impact from all sources. Any air quality assessment should be carried out in accordance with relevant guidance by suitably qualified persons. Measures required, mitigating the air quality impacts of the development should be submitted to, and approved in writing by, the Local Planning Authority in the form of an Air Quality Mitigation Statement. Any mitigation measures shall be implemented before the completion of the development and shall thereafter be retained for the life of the development.
  17. No part of the development shall be commenced until details of the existing and proposed ground and finished floor levels of the

site and approved building[s] have been submitted to and approved in writing by the local planning authority. The development shall be carried out thereafter in accordance with the approved details.

18. Prior to the commencement of development hereby approved details of a Local Labour Agreement in relation to the construction phase of the development, and job creation once operational, shall be submitted to and approved in writing by the Local Planning Authority. The local labour agreement shall be implemented in accordance with the approved details thereafter.
19. No dwelling hereby approved shall be occupied until such time as the associated visitor car parking space has been formed, surfaced in a bound material (not loose gravel), and delineated and as a visitor parking space. It shall thereafter be retained for the lifetime of the development.

### **Reasons**

1. To comply with the requirements of Section 91(1) of the Town and Country Planning Act 1990 (as amended).
2. To define the permission and for the avoidance of doubt.
3. In the interest of highway safety.
4. In the interest of highway safety.
5. In the interest of highway safety.
6. In the interests of protecting neighbouring amenity and 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.
7. 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.

8. To ensure that the occupiers of neighbouring properties are not adversely affected by unacceptable noise pollution from the development hereby permitted, and to comply with policies ASC10 and LPD26.
9. To ensure the development contributes to the enhancement of biodiversity on the site having regard to Policy 18 - Protecting and Enhancing Biodiversity of the adopted Local Plan and Chapter 15 (Conserving and enhancing the natural environment) of the National Planning Policy Framework (2023).
10. To ensure the development creates a visually attractive environment and to safeguard against significant adverse effects on the landscape character of the area having regard to Policy LDP19 - Landscape Character and Visual Impact.
11. To define the permission, to protect neighbouring amenity and to comply with policies ASC10 and LPD26.
12. 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.
13. To ensure the adequate protection of the existing trees and hedgerows on the site during the construction of the development having regard to having regard to Policy LDP19 - Landscape Character and Visual Impact of the adopted Local Plan and Chapter 15 (Conserving and Enhancing the Natural Environment) of the National Planning Policy Framework (2023).
14. To ensure the development is safe and suitable for use.
15. To ensure the development is safe and suitable for use.
16. To ensure the development is constructed in an appropriate sustainable manner which takes into consideration air quality with



in the Borough, and takes into consideration paragraph 192 of the National Planning Policy Framework (2023) and Policy LPD11.

17. To ensure the character of the area and residential amenity is respected and to comply with policies ACS10 and LPD32.
18. To seek to ensure that the construction of the site employs wherever possible local people and assists economic growth in the area and to accord with Policy LPD 48.
19. In the interest of highway safety and to define the permission having regard to Local Planning Document Policies LPD 57 and 61, and the Parking Provision for residential developments Supplementary Planning Document.

### **Notes to Applicant**

The principle of the development accords with the objectives of national and local planning policies, in particular as the site is a housing allocation in the adopted Local Planning Document. It is considered that the proposed 141 dwellings could be accommodated on the site in a manner that would not cause undue harm to visual and residential amenity, highway safety and ecological interests or would cause flood risk concerns. It is therefore considered that the granting of 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.

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

The applicant should note that notwithstanding any planning permission that if any highway forming part of the development is to be adopted by the Highways Authority, then the new roads and any highway drainage will be required to comply with the Nottinghamshire County Council's current highway design guidance and specification for roadworks. The Advanced Payments Code in the Highways Act 1980 applies and under section 219 of the Act payment will be required from the owner of the

land fronting a private street on which a new building is to be erected. The developer should contact the Highway Authority with regard to compliance with the Code, or alternatively to the issue of a Section 38 Agreement and bond under the Highways Act 1980. A Section 38 Agreement can take some time to complete. Therefore, it is recommended that the developer contact the Highway Authority as early as possible. It is strongly recommended that the developer contact the Highway Authority at an early stage to clarify the codes etc. with which compliance will be required in the particular circumstance, and it is essential that design calculations and detailed construction drawings for the proposed works are submitted to and approved by the County Council (or District Council) in writing before any work commences on site. Correspondence with the Highway Authority should be addressed to: [hdc.south@nottscc.gov.uk](mailto:hdc.south@nottscc.gov.uk) It is an offence under S148 and S151 of the Highways Act 1980 to deposit mud on the public highway and as such you should undertake every effort to prevent it occurring.

Please note that should protected species be found on site during the development there would be a requirement to seek the advice of a suitably qualified ecologist and comply with the Wildlife and Countryside Act.

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).

5. 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)

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 also note that there are planning obligation made under the provisions of Section 106 of the Town and Country Planning Act 1990 (as amended) the purpose of which is to exercise controls to secure the proper planning of the area. The planning obligation runs with the land and not with any person or company having an interest therein.

It is strongly recommended that the developer contact the Highway Authority at an early stage to clarify the codes etc. with which compliance will be required in the particular circumstance, and it is essential that design calculations and detailed construction drawings for the proposed works are submitted to and approved by the County Council (or District Council) in writing before any work commences on site. Correspondence with the Highway Authority should be addressed to: [hdc.south@nottscc.gov.uk](mailto:hdc.south@nottscc.gov.uk)

**91 APPLICATION NO. 2023/0701 - SITE OF DAYBROOK LAUNDRY, MANSFIELD ROAD, DAYBROOK**

Erection of a 51 no. apartment retirement living development (use Class C3), landscaping, car parking and all associated works.

James Hanna of McCarthy Stone, the applicant, spoke in support of the application.

The Principal Planning Officer introduced the report.

**RESOLVED:**

To Grant Planning Permission: Subject to the conditions listed for the reasons set out in the report:

**Conditions**

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.
2. The development authorised by this permission shall be carried out in complete accordance with the approved drawings and report specification listed below:

Plan Ref: 22024-1000 P2 – location plan received 11.10.2023

Plan Ref: 22024-1002 P2 – proposed site plan received 18.09.2023

Plan Ref: 22024-1007 P2 – boundary treatment received 18.09.2023

Plan Ref: 22024-1010 P1 – GF plan received 18.09.2023

Plan Ref: 22024-1012 P1 - roof plan received 18.09.2023  
Plan Ref: 22024-1013 P1 – close boarded fence details received 18.09.2023  
Plan Ref: 22024-2000 P2 – south & east elevations received 18.09.2023  
Plan Ref: 22024-2001 P2 – north & west elevations received 18.09.2023  
Plan Ref: 22024-2010 P2 - streetscene received 18.09.2023  
Plan Ref: 22024-3000 P2 – site sections received 18.09.2023  
Plan Ref: 22024-3010 P2 – daylight review received 18.09.2023  
Plan Ref: R-2684-1C – landscape masterplan received 18.09.2023  
Plan Ref: 29688/104 Rev B – Proposed Kerbing Layout received 18.09.2023  
Design and Access statement dated June 2023, received 15.09.2023  
Phase I and II Site Appraisal ReF: MRN-PPC-00-XX-R-G-0002 received 15.09.2023  
Air Quality Assessment Ref: R6140-R1-V3 received 18.09.2023  
Preliminary Ecological Appraisal – Ref: RT-MME-158919-03 Rev B received 18.09.2023  
Flood Risk & Drainage Impact Assessment – Ref: 29688/DIA/WOB Rev 02 received 18.09.2023

3. No apartment hereby approved shall be occupied until such time as all car parking, turning and servicing areas are provided in accordance with the approved plans. The parking, turning and servicing areas shall not be used for any purpose other than parking, turning, loading and unloading of vehicles, and shall thereafter be retained for the life of the development.
4. Prior to the date of first occupation the development shall be provided with access to electric vehicle (EV) charge point(s) in line with Part S of the Building Regulations and as detailed on Plan Ref: 22024-1002 P2 – proposed site plan received 18.09.2023. A minimum of two active charge points and, cable routes installed to at least one-fifth of the total number of parking spaces. 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 site users. They shall be thereafter maintained in the location as approved for the lifetime of the development.
5. The development hereby approved shall be undertaken in accordance with the submitted Flood Risk & Drainage Impact Assessment – Ref: 29688/DIA/WOB Rev 02 received 18.09.2023.
6. Prior to the commencement of development hereby approved details of a Local Labour Agreement in relation to the construction phase of the development, and job creation once operational, shall be submitted to and approved in writing by the Local Planning

Authority. The local labour agreement shall be implemented in accordance with the approved details thereafter.

7. 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.
8. No development shall commence until such time as a Waste Audit has been submitted and approved in writing by the Local Planning Authority, which shall demonstrate in both construction and operational phases of a proposed development, waste will be minimised as far as possible and that such waste as is generated will be managed in an appropriate manner in accordance with the Waste Hierarchy. In particular, the waste audit could cover the following:
  - a. the anticipated nature and volumes of waste that the development will generate;
  - b. where appropriate, the steps to be taken to ensure the maximum amount of waste arising from development on previously developed land is incorporated within the new development;
  - c. the steps to be taken to ensure effective segregation of wastes at source including, as appropriate, the provision of waste sorting, storage, recovery and recycling facilities; and
  - d. any other steps to be taken to manage the waste that cannot be incorporated within the new development or that arises once development is complete

Thereafter, development shall proceed in accordance with the approved Waste Audit.

9. The approved landscaping as detailed on the Soft Landscape Proposals (Plan Ref: R-2684-1C – landscape masterplan received 18.09.2023) shall be carried out in the first planting season following the first occupation of the development. If within a period of five years beginning with the date of the planting of any tree, hedge, shrub or seeded area, that tree, shrub, hedge or seeded area, or any tree, hedge, shrub or seeded area that is planted in replacement of it, is removed, uprooted or destroyed or dies, or becomes in the opinion of the Local Planning Authority seriously damaged or defective, another tree, shrub or seeded area of the

same species and size as that originally planted shall be planted at the same place.

- 10.**The materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
- 11.**Notwithstanding submitted details, prior to the use commencing, an updated Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. Development shall thereafter comply with the updated Travel Plan as approved.
- 12.**Each Unit of the development hereby permitted shall be occupied only by:
  - a) at least one person over the age of 60 years;
  - b) persons living as part of a single household with such a person or persons;
  - c) persons who where living in the unit as part of a single household with such a person or persons who have since died.
- 13.**Development shall not commence until a detailed remediation scheme (to bring the site to a condition suitable for the intended use by removing unacceptable risks to critical receptors) is submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures. The agreed remediation scheme shall be implemented in accordance with the approved timetable of works.
- 14.**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.
- 15.**In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority and once the Local Planning Authority has identified the part of the site affected by the unexpected contamination development must be halted on that part of the site. An assessment must be undertaken in accordance with good practice and where remediation is necessary a remediation scheme, together with a timetable for its implementation and verification

reporting, must be submitted to and approved in writing by the Local Planning Authority.

16. The development hereby permitted must not be occupied or first brought into use until full details and timings of the biodiversity enhancements and protection measures as set out in the submitted Preliminary Ecological Appraisal – Ref: RT-MME-158919-03 Rev B received 18.09.2023 have been implemented. Thereafter, the approved biodiversity improvements must be retained and be appropriately maintained on the site throughout the lifetime of the development.

## Reasons

- 1) To comply with Section 91 of the Town and Country Planning Act 1990, as amended by the Planning & Compulsory Purchase Act 2004.
- 2) For the avoidance of doubt and to define the permission.
- 3) In the interest of highway safety and to comply with policy LPD61.
- 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 Councils Local Plan.
- 5) To reduce the risk of flooding to the proposed development and future occupants and to comply with policy LPD4.
- 6) To seek to ensure that the construction of the site employs wherever possible local people and assists economic growth in the area and to accord with Policy LPD 48.
- 7) 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.
- 8) To accord with Policy WCS2 'Waste awareness, prevention and re-use' of the Waste Core Strategy and paragraph 049 of the Planning Practice Guidance.
- 9) To ensure a satisfactory form of development and appropriate landscaping of the site and to comply policy LPD19.
- 10) To ensure that the character of the area is respected and to comply with policies ASC10 and LPD26.

- 11) To ensure that the development encourages forms of travel other than the private motor vehicle and to comply with guidance within the NPPF.
- 12) In order to support the considerations of the viability assessment which effectively reduced the level of financial obligations required from this development based on the demographic of the proposed occupiers and given the lower level of parking provided, and subsequently to prevent the sale of these units on the open market to any individual and to comply with policies LPD36, LPD37 and LPD57.
- 13) To ensure the development is safe and suitable for use, thereby taking into consideration paragraph 189 of the National Planning Policy Framework and policy LPD7 of the Councils Local Plan.
- 14) To ensure the development is safe and suitable for use, thereby taking into consideration paragraph 189 of the National Planning Policy Framework and policy LPD7 of the Councils Local Plan.
- 15) To ensure the development is safe and suitable for use, thereby taking into consideration paragraph 189 of the National Planning Policy Framework and policy LPD7 of the Councils Local Plan.
- 16) To ensure the development contributes to the enhancement of biodiversity on the site having regard to Policy 18 - Protecting and Enhancing Biodiversity of the adopted Local Plan and Chapter 15 (Conserving and enhancing the natural environment) of the National Planning Policy Framework (2023).

### **Informatives**

In accordance with the requirements of Article 31 of the Town and Country Planning (Development Management Procedure) (England) (Order) 2010, as amended, and the National Planning Policy Framework 2023, the Council has worked in a positive and proactive way in determining the application and has granted planning permission.

Works to the public highway are subject to the approval of the Highway Authority. For the new accesses works to be carried out to the satisfaction of the Highway Authority, you should contact Via (in partnership with Nottinghamshire County Council) on 0300 500 8080 or at Licences@viaem.co.uk to arrange for these works to take place.

The applicants should consult Severn Trent Water Limited who should be satisfied that the sewerage and sewage disposal systems serving the development have sufficient capacity to accommodate additional



flows, generated as a result of the development, without causing pollution.

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)

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) and The Electric Vehicles (Smart Charge Points) Regulations 2021.

**92 APPLICATION NO. 2024/0071 - EAGLE SQUARE, FRONT STREET, ARNOLD**

Temporary planning permission of 12 Market Stalls to continue to trade for a further 12 months (change of use).

The Development Manager introduced the report.

**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 permitted shall be completed in accordance with the following plans, received by the Local Planning Authority on 31 January 2024:

2020\_1042-BLOCK\_PLAN-916940  
2020\_1042-PLANNING\_STATEMENT-916944

## **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.

## **Reasons for Decision**

The principle of the development is supported in that it will result in retention of a market facility in Arnold Town Centre whilst the Arnold Market redevelopment scheme is under construction and as such it will enhance the character of the area as well as enhance the vitality and viability of Arnold Primary and Secondary Shopping Area. Furthermore, the application would not be detrimental to residential amenity or highway safety. The application is, therefore, deemed to comply with policies A, 2, 6, 10 and 10 of the Aligned Core Strategy (2014); policies 32, 35, 49, 50, 53, and 61 of the Local Planning Document (2018) and guidance within the National Planning Policy Framework (notably chapters 2, 4, 6, 7, 9, and 12).

## **Notes to Applicant**

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 was no problems for which the Local Planning Authority had to seek a solution in relation to this application.

Additionally, 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.

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**APPLICATION NO. 2023/0778 - RICHARD HERROD CENTRE,  
FOXHILL ROAD CENTRAL, CARLTON**

New storage container associated with Gedling Southbank FC together with associated ground work in respect of site levels.

The Development Manager introduced the report.

**RESOLVED:**

To Grant Planning Permission subject to conditions:

**Conditions**

- 1 The development must be begun not later than three years beginning with the date of this permission.
- 2 This permission shall undertaken in accordance with the application form and the following drawings:- Steel Storage Container Adjacent Sports Pavillion Richard Herrod Leisure Centre Foxhill Road Scale 1:50 (Elevations); and- Site Location Plan (Amended and received 25th January 2024).

**Reasons**

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

**Notes to Applicant**

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

The applicant is advised that all planning permissions granted on or after 16th October 2015 may be subject to the Community Infrastructure Levy (CIL). Full details of CIL are available on the Council's website at [www.gedling.gov.uk](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

**94 APPEAL REF: APP/N3020/W/23/3327141- 90 SOMERSBY ROAD,  
WOODTHORPE**

Proposed front porch extension, increase in ridge height of existing roof, erection of pitched roof over existing two storey side extension and construction of front and rear dormers.

**RESOLVED:**

To note the information.

**95 PLANNING DELEGATION PANEL ACTION SHEETS**

**RESOLVED:**

To note the information.

**96 FUTURE PLANNING APPLICATIONS**

**RESOLVED:**

To note the information.

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

None.

The meeting finished at 7.55 pm

Signed by Chair:  
Date:

## MINUTES CABINET

**Thursday 28 March 2024**

Councillor John Clarke (Chair)

Councillor David Ellis	Councillor Marje Paling
Councillor Kathryn Fox	Councillor Lynda Pearson
Councillor Jenny Hollingsworth	Councillor Henry Wheeler
Councillor Viv McCrossen	

Absent: Councillor Michael Payne

Officers in Attendance: T Adams, M Hill, C McCleary, F Whyley

### **82 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Payne.

### **83 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 21 FEBRUARY 2024**

#### **RESOLVED:**

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

### **84 DECLARATION OF INTERESTS**

None.

### **85 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 six month period.

#### **RESOLVED:**

To note the report.

### **86 GEDLING PLAN - PERFORMANCE INDICATORS 2024-25**

The Chief Executive presented a report, which had been circulated in advance of the meeting, seeking approval of the performance indicators and targets against which progress of the Gedling Plan will be measured in 2024/25.

**RESOLVED:**

To approve the performance indicators and targets for 2024/25, as set out in Appendix 1 of the report.

**87 REVIEW OF LOCAL DEVELOPMENT SCHEME**

The Planning Policy Manager presented a report, which had been circulated in advance of the meeting, seeking approval of the revised Local Development Scheme.

**RESOLVED:**

To approve the revised Local Development Scheme appended to the report as Appendix A and agree that it shall come into effect on 1<sup>st</sup> April 2024.

**88 CORPORATE PEER CHALLENGE REVIEW**

The Chief Executive presented a report, which had been circulated in advance of the meeting, seeking approval of the Corporate Peer Challenge Progress Review Report and a new Corporate Peer Challenge Action Plan.

**RESOLVED to:**

- 1) Note the Corporate Peer Challenge Progress Review Report; and
- 2) Approve the new Corporate Peer Challenge Action Plan.

**89 EQUALITIES AND DIVERSITY POLICY**

The Interim Corporate Director presented a report, which had been circulated in advance of the meeting, seeking approval of the Council's Equality, Diversity and Inclusion Policy 2024-27 and updating Members on the responses to consultation on the policy and future work plans in respect of equality and diversity.

**RESOLVED to:**

- 1) Approve the Equality, Diversity and Inclusion Policy 2024-27; and
- 2) Note the consultation responses and future workplan in relation to equality and diversity.

**90 RISK MANAGEMENT STRATEGY AND FRAMEWORK**

The Interim Corporate Director presented a report, which had been circulated in advance of the meeting, seeking approval of a new Risk

Management Framework which includes a policy, strategy, risk appetite statement and risk management toolkit.

**RESOLVED:**

To adopt the Risk Management Framework at Appendix 1 to the report including the risk appetite statement which sets the Council's overall risk appetite as moderate.

**91**

**DIGITAL DATA AND TECHNOLOGY STRATEGY**

The Interim Corporate Director presented a report, which had been circulated in advance of the meeting, seeking approval of the Digital, Data and Technology Strategy which will drive improvement in the way the Council delivers its services and create more efficient ways of working.

**RESOLVED:**

To adopt the Digital, Data and Technology Strategy at Appendix 1 to the report.

**92**

**ANY OTHER ITEMS THE CHAIR CONSIDERS URGENT**

None.

The meeting finished at 2.40 pm

Signed by Chair:

Date:

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**Decisions made under delegated authority**

<b>Business (click to view decision)</b>	<b>Summary</b>	<b>Ref</b>	<b>Date</b>	<b>Portfolio</b>	<b>Was decision made under urgency provisions?</b>
Community Centre Fees and Charges 2024/25	Approval of a revised set of charges and pricing structure for Community Centres from 1 April 2024.	D1505	28/03/2024	Leader of the Council	No
Rent Review for the Secretary of State for Work and Pensions Lease of Part of Civic Centre	Approval of the rent reviews in respect of the lease to the Secretary of State for Work and Pensions of Part of Civic Centre dated 11 July 2014.	D1499	28/03/2024	Leader of the Council	No
Off Street Parking Places Order	Approval to commence the procedure to amend the Council's current Civil Enforcement Off Street Parking Places Order 2020.	D1507	27/03/2024	Leader of the Council	No
Waste Services (Trade) Fees and Charges for 2024/25	Approval of a revised set of Fees and Charges for Trade Waste Services for introduction from 1 April 2024.	D1512	26/03/2024	Portfolio Holder for Environmental Services (Operations)	No
Bonington Theatre and Cinema Fees and Concessions Report 24/25	Approval of the 2024/25 fees and charges for the Bonington Theatre and their introduction from 1 September 2024.	D1502	22/03/2024	Portfolio Holder for Lifestyles, Health and Wellbeing	No
Leisure Fees and Concessions Report 24/25	Approval of the 2024/25 fees and charges for Leisure Centres for their introduction from 1 April 2024.	D1501	22/03/2024	Portfolio Holder for Lifestyles, Health and Wellbeing	No

Approval of Annual Events Programme 2024/25	Approval of the proposed Annual Events Programme 2024/25.	D1496	20/03/2024	Portfolio Holder for Communities and Place	No
Bank Holiday Opening for Leisure Facilities 2024	Approval of opening hours for the Council's leisure facilities for bank holidays in 2024, up to and including the August Bank Holiday.	D1503	18/03/2024	Portfolio Holder for Lifestyles, Health and Wellbeing	No
Land Charges Fees and Charges for 2024/25	Approval of a revised set of fees and charges for the Local Land Charge personal searches for their introduction from 1 April 2024.	D1510	18/03/2024	Portfolio Holder for Sustainable Growth and Economy	No
Building Control (Commercial) Fees and Charges for 2024/25	Approval of a revised set of Fees and Charges for the Building Control Service and their introduction from 01 April 2024.	D1509	18/03/2024	Portfolio Holder for Sustainable Growth and Economy	No
Building Control (Discretionary) Fees and Charges for 2024/25	Approval of a revised set of Fees and Charges for the Building Control Service and their introduction from 01 April 2024.	D1508	18/03/2024	Portfolio Holder for Sustainable Growth and Economy	No
Ambition Arnold One Public Estate Programme 10 Grant Award	Approval to revise the Ambition Arnold budget by £150,000 funded by the One Public Estate (OPE) Programme 10 award with the funding supporting feasibility works as per the conditions of the grant funding.	D1498	04/03/2024	Leader of the Council	No
Arnold Market Place: First Floor Enterprise Centre and Market	Approval of a revised budget allocation of £655,000 to support the completion of the AMP Enterprise Centre, that is to be funded from the UKSPF Town Centre Improvement budget in	D1488	21/02/2024	Leader of the Council	Yes

	the Capital Programme.				
National Non-Domestic Rates - Discretionary Relief Application - YMCA England & Wales	Approval for discretionary charitable relief under section 47 of the Local Government Finance Act 1988.	D1476	31/01/2024	Portfolio Holder for Corporate Resources and Performance	No
National Non-Domestic Rates - Discretionary Relief Application - Bags of Blessings	Approval for discretionary charitable relief under section 47 of the Local Government Finance Act 1988.	D1477	31/01/2024	Portfolio Holder for Corporate Resources and Performance	No

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## Report to Council

**Subject:** Review of Council Procedure Rules

**Date:** 17 April 2024

**Author:** Interim Corporate Director

### Purpose

To seek approval of the amended Council's Procedure Rules.

### Recommendation(s)

#### THAT Council:

- 1) Agrees the amended procedure rules at Appendix 1 to this report.
- 2) Authorises the Monitoring officer to update the Constitution and any minor amendments to formatting or typographical errors.

## 1 Background

1.1 Section 4 of the Council's Constitution sets out the Procedure Rules for Full Council. These rules provide the framework for the running of Council meetings and have been established in line with legislative requirements to ensure good governance at meetings and in decision making.

1.2 In July 2023, Council approved the establishment of a cross party working group to review the procedure rules. Since July, the working group has met on three occasions with the Monitoring Officer and Democratic Services Manager to consider changes to the rules. As a result of this work, the procedure rules have been amended and are presented to Council for consideration.

1.3 The rules have been reviewed and include the following changes:

- All references to officers and Councillors and the Mayor have been amended to ensure they are not presented in the masculine.
- Wherever possible wording has been simplified
- The layout of the rules has changed to ensure, particularly for rules of debate, that sections are easy to find and rules are now set out

under separate headings.

- The rules around public questions have been amended to give structure to public questions and clarify that the Mayor can determine whether questions be put in a questioners absence.
- The time limits for submitting motions has increased to eight working days in order to enable better administration of the motion process prior to publication of agendas.
- All motions must now be considered by the Mayor prior to publication, only the mayor may reject a motion.
- The rules for the budget meeting have been clarified including the requirement for recorded votes and clarity on agenda items.
- A time limit for submission of petitions has been introduced in line with submission of public questions to enable assessment prior to publication.
- Not all changes to constitutional rules will require two passes though council, only procedure rules.
- Examples of common points of order have been included in the rules.

1.4 In the round, the changes to the procedure rules are not significantly changing the process and procedures for the meeting, nor the remit of the council. There are no changes to time limits and the usual questions by public, councillors and petitions remain.

## **2 Proposal**

2.1 It is proposed that the amended procedure rules at Appendix 1 be approved. The proposed amendments have been made in consultation and discussion with the working group and in accordance with legislative requirements set out in the Local Government Act 1972 and regulations made thereunder.

2.2 It is proposed that the Monitoring Officer, if the amendments are approved, updates the Constitution, and ensures any typo or formatting issues are resolved.

2.3 As per the current procedural rules, this report will stand adjourned without debate until the next council meeting on 17 April 2024. The report will be debated and hopefully signed off in April 2024, to allow the new rules to come into force for the 2024/25 municipal year.

## **3 Alternative Options**

3.1 Members could determine not to amend the Procedural Rules, however, the amendments proposed have been considered in detail by the working group and are considered necessary to provide clarity for members and

the public on the procedure for Council meetings.

#### **4 Financial Implications**

4.1 There are no financial implications arising out of this report.

#### **5 Legal Implications**

5.1 The Council's Procedural Rules follow requirements set out in the relevant local government legislation including the 1972 and 2000 Local Government Acts. The changes proposed are in accordance with legislative requirements. It is also proposed as part of the changes that when preparing motions, councillors have regard to any practical guidance issued. The Monitoring Officer will update the draft Motions Protocol and issue to members to provide practical guidance on motions.

#### **6 Equalities Implications**

6.1 The procedure rules have been reviewed to ensure that terms are not all masculine and to try and make the process clearer in terms of layout.

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

7.1 There are no carbon reduction/sustainability implications arising from this report.

#### **8 Appendices**

8.1 Appendix 1 – Amended Council Procedural Rules (Section 4 of the constitution)

#### **9 Background Papers**

9.1 None

#### **10 Reasons for decision**

10.1 To ensure efficiency and legality in the running of Council meetings.

#### **Statutory Officer approval**

**Approved by:**

**Date:**

**On behalf of the Chief Financial Officer**

**Drafted by the Monitoring Officer**

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## Section 4 – The Full Council

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## **Gedling Borough Council Constitution**

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## 1 Membership

All elected members of the Borough Council shall be Members of the Full Council.

## 2 Quorum and Frequency of meetings

- a) No business shall be transacted at a meeting of the Council, unless at least one quarter of the whole number of Members of the Council are present;
- b) If during any meeting of the Council the Mayor, after counting the number of Members present, declares that there is not a quorum present, the meeting shall stand adjourned;
- c) The consideration of any business not transacted shall stand adjourned to a time fixed by the Mayor at the time the meeting is adjourned, or, if the Mayor does not fix a time, to the next ordinary meeting of the Council;
- d) Ordinary meetings will take place five times per annum. The Annual General Meeting will take place every year ordinarily in May.

## 3 Responsibility

Only the Council will exercise the following functions:

- a) adopting and amending the constitution;
- b) approving or adopting the plans and strategies that form the policy framework and the budget;
- c) subject to the urgency procedure contained in the Access to Information Rules in Section 18 of this Constitution, making decisions about any matter in the discharge of an executive function which is covered by the policy framework or the budget where the decision maker is minded to make it in a manner which would be contrary to the policy framework or not in accordance with the constitution or Financial Rules;
- d) electing the Leader of the Council at the post-election annual meeting;
- e) appointing members, Chairs and Vice-Chairs of other Council committees and bodies. Where the Council does not appoint the Chair or Vice-Chair of a body, the body itself may do so;
- f) electing the Mayor and Deputy Mayor;
- g) appointing a Youth Mayor;
- h) establishing committees and agreeing and amending the terms of reference, determining the powers they may exercise, determining their composition and making appointments to them, unless delegated elsewhere;
- i) removing the Leader of the Council by way of resolution by a simple majority. If the Council passes the resolution to remove the Leader then a new Leader is to be elected at the meeting in which the Leader is removed from office or at a subsequent meeting;
- j) appointing representatives to outside bodies unless the appointment has been delegated by the Council;
- k) adopting or amending the members' allowances scheme, having regard to

- the recommendations of an Independent Remuneration Panel, and determining allowances payable to Councillors;
- l) changing the name of the area, conferring the title of honorary alderman or freedom of the borough;
  - m) confirming the appointment of the Chief Executive and Head of Paid Service;
  - n) making, amending, revoking, re-enacting or adopting bylaws and promoting or opposing the making of local legislation or personal Bills;
  - o) deciding whether or not to delegate non-executive functions to another local authority or to accept delegations from another Council;
  - p) approving, varying or revoking the code of conduct for members and co-opted members;
  - q) decisions relating to the Statement of Licensing Policy (Section 5 and 7 of the Licensing Act 2003);
  - r) making, varying or revoking an order under section 172a (Early Morning Alcohol Restriction Order – Licensing Act 2003);
  - s) passing a resolution not to issue casino premises licences (Section 166 and 154(2)(c) of the Gambling Act 2005);
  - t) making or revising a Council Tax Reduction Scheme;
  - u) considering any recommendation from the Appointments and Conditions of Service Committee for the dismissal of the Head of Paid Service, Chief Financial Officer and Monitoring Officer, having first taken into account the views of the Independent Panel in accordance with the Local Authority (Standing Orders)(England Regulations 2001 (as amended));
  - v) establishing the composition and terms of reference of an Independent Panel constituted under the Local Authorities (Standing Orders) (England) Regulations 2001 (as amended);
  - w) making appointment to the above Independent Panel hearing appeal of the Chief Executive, the Head of Paid Service, the Monitoring Officer and the Section 151 Officer against dismissal;
  - x) Hearing appeal of the Chief Executive, the Head of Paid Service, the Monitoring Officer and the Chief Financial Officer against disciplinary action short of dismissal;
  - y) Maintaining the content of Section 19b of this Constitution setting out the responsibilities for the Council's functions which are not the responsibility of the Executive; and
  - aa) all other matters which, by law, must be reserved to Council.

#### **4 Council Meetings**

There are three types of Council meeting:

- a) the annual meeting;
- b) ordinary meetings;
- c) extraordinary meetings;

and they will be conducted in accordance with the procedures listed below.

## 5 The Mayor and Deputy Mayor

The Mayor and Deputy Mayor will be elected by the Council annually. The Mayor and Deputy Mayor cannot be members of the Executive.

## 6 Functions of the Mayor

The Mayor (and in their absence the Deputy Mayor) will have the following responsibilities:

- a) To take precedence and be the first citizen of the Borough;
- b) To promote the Council as a whole and act as a focal point for the community;
- c) To uphold and promote the purposes of the Constitution, and to interpret the Constitution when necessary;
- d) To preside over meetings of the Council so that its business can be carried out efficiently and with regard to the rights of councillors and the interests of the community;
- e) To ensure that the Council meeting is a forum for the debate of matters of concern to the local community and the place at which members who are not on the Executive or appointed as committee chairs are able to hold the Executive and committee chairs to account;
- f) To promote public involvement in the Council's activities;
- g) To be the conscience of the Council;
- h) To attend such civic and ceremonial functions as is appropriate; and
- i) In the absence of the Chair of the Overview and Scrutiny Committee, to consider proposals from the Executive for urgent key decisions to be taken.

## 7 Procedure Rules for Full Council

### 7.1 Meetings of the Council

- a) The Annual Meeting of the Council shall be held:
  - 1) In a year of ordinary elections of Councillors, on the eighth day after the day of retirement of Councillors (NB retirement takes place on the fourth day after the election), or any other day within twenty-one days of retirement as the Council may fix;
  - 2) In any other year on such day in March, April or May as the Council may fix;
  - 3) The Summons to the Annual Meeting shall set out the business to be conducted and the agenda shall be restricted, apart from the matters set to be decided at the Annual Meeting by these procedures, to:
    - the election of the Mayor and Deputy Mayor of the Council;
    - the appointment of a Youth Mayor;
    - the appointment of Committees and Sub-Committees;

- the recognition of Group Leaders;
  - the appointment of the Leader of the Council in the year following the ordinary election of Councillors
  - the appointment of persons to represent the Council on outside bodies;
  - the approval of dates and times for a programme of ordinary meetings of the Council and Committees for the year;
  - the notification to the Council by the Leader of the Council of the composition, constitution and identities of the Cabinet for the coming year and any proposed Executive delegation arrangements;
- 4) The election of the Mayor, followed by the election of the Deputy Mayor, shall be the first business transacted at the Annual Meeting of the Council;
- b) In addition to the Annual Meeting of the Council, and any meetings convened by the Mayor or by Members of the Council, meetings for the transaction of general business shall be held in each year on such dates as shall be fixed by the Council at the Annual Meeting. Approval to change the dates of meetings so fixed can only be given at a Council meeting by a two thirds majority of those present and voting;
- c) No scheduled meeting of the Council shall be cancelled, postponed or otherwise altered unless agreed by the Mayor or Deputy Mayor following consultation with the Leader of the Council and the Leader of the Second Group, or their appointed representatives;
- d) The Mayor may call an extraordinary meeting of the Council at any time and shall call an extraordinary meeting if requested to do so by a Scrutiny Committee pursuant to the Budget and Policy Framework Procedure Rules;
- e) Any five members of the Council may call an extraordinary meeting if they have signed a requisition presented to the Mayor and the Mayor has refused to call a meeting or has failed to call a meeting within seven days of the presentation of the requisition;
- f) The business to be conducted at an extraordinary meeting shall be restricted to the item of business contained in the request for the extraordinary meeting, except that the Mayor has absolute discretion to permit other items of business to be conducted for the efficient discharge of the Council's business;
- g) One ordinary meeting of the Council each year will be fixed to consider the Council's budget for the following financial year ("the budget meeting"). The business to be conducted at the budget meeting shall be restricted to consideration of the budget and Gedling Plan only. The Mayor has absolute discretion to permit other items of business to be conducted for the efficient discharge of the Council's business.

### 7.2 Conduct of Meetings

Any power or duty of the Mayor in relation to the conduct of a meeting of the Council may be exercised in their absence by the Deputy Mayor or in their absence, by the person appointed to preside at the meeting.

## 7.3 Order of Business

Except as otherwise provided by paragraph 7.1 or 7.5, the order of business at every Ordinary Meeting of the Council shall be:

- a) To choose a person to preside if the Mayor and Deputy Mayor be absent;
- b) Apologies for absence;
- c) Any announcements, correspondence, communications or other business specially brought forward by the Mayor;
- d) To approve as a correct record and sign the Minutes of the last meeting of the Council;
- e) Declarations of interest from Members;
- f) To deal with any business expressly required by statute to be done;
- g) To dispose of business (if any) remaining from the last meeting;
- h) To deal with any petitions received under paragraph 7.8;
- i) To answer questions asked by the public under paragraph 7.7;
- j) To answer questions asked by Members under paragraph 7.9;
- k) To receive and consider reports, and recommendations of the Executive and Committees;
- l) To consider comments and questions under 7.11;
- m) To consider motions under paragraph 7.12 in the order in which notice has been received;
- n) Other business if any specified in the summons.

## 7.4 Variations of Order of Business

Business falling under Items (a), (b), (c), (e) or (f) of paragraph 7.3 shall not be displaced but otherwise, the order of business may be varied:

- a) By the Mayor at their discretion;
- b) By a resolution passed on a motion (which need not be in writing) duly moved and seconded which shall be moved and put without discussion.

## 7.5 Motions and Amendments Which May be Moved without Notice

The following motions and amendments may be moved without notice:

- a) The appointment of a Chair of the meeting at which the motion is made;
- b) Questioning the accuracy of the Minutes;
- c) To change the order of business in the agenda;
- d) Referring a matter arising from the agenda to the Executive or to a Committee;
- e) Appointment of a Committee or Members of that Committee arising from an item of business on the agenda;
- f) Appointment of a new Leader whether following a resolution to dismiss the Leader or other eventuality;
- g) Adoption of reports and recommendations of the Executive or of Committees or Officers and any consequent resolutions;
- h) That leave be given to withdraw a motion;
- i) Extending the time limit for speeches;
- j) Amendments to motions;
- k) That the Council proceed to the next business;
- l) That the question be now put;

- m) That the debate be now adjourned;
- n) That the Council do now adjourn;
- o) Suspending Procedure Rules for Full Council in accordance with paragraph 7.30;
- p) Motion under Section 100a of the Local Government Act 1972 to exclude the public and press;
- q) That a Member named under paragraph 7.15 be not further heard or do leave the meeting;
- r) Giving consent of the Council where the consent of the Council is required by this section of the constitution.

### 7.6 Minutes

- a) At each ordinary meeting of the Council other than the budget meeting, the Mayor shall put the question that the Minutes of the previous ordinary meeting of the Council and any extraordinary meeting held since the last ordinary meeting of the Council be approved as a correct record;
- b) No discussion shall take place upon the Minutes, except upon their accuracy, and any question of their accuracy must be raised by motion. If no such question is raised, or if it is raised then as soon as it has been disposed of, the Mayor shall sign the Minutes.

### 7.7 Questions by the Public

- a) A period of up to 30 minutes shall be allocated at every ordinary council meeting, other than the budget meeting, for any member of the public and any single representative of any group or association operating in the Borough to ask questions of any member of the Executive or committee chair;
- b) A question under this rule may only be asked if notice has been given by delivering the question in writing (email is acceptable) to the Chief Executive by 5.00 pm at least six clear working days before the meeting (for example, for a meeting on Wednesday, the question must be received by 5 pm on the Monday in the week before the meeting). Each question must give the name and address of the questioner;
- c) Questions will be asked in the order they are received except that the Mayor may determine a different order to group together similar questions;
- d) At any meeting no person or representative may submit more than one question;
- e) Questions must:
  - 1) be about a matter in respect of which the Council has powers or duties or which affects the Borough;
  - 2) concern a single subject, be concise and not in multiple parts;
  - 3) be in the form of a question not a statement;
  - 4) not be defamatory, frivolous or offensive or contain factual inaccuracies;
  - 5) not be substantially the same as another question which has been put at a meeting of the Council in the previous six months;  
or
  - 6) not require the disclosure of confidential or exempt information.
- f) The Chief Executive may reject a question if it does not fall within paragraph 7.7 (e);



- g) Copies of questions will be circulated to all Members and made available to the public attending the meeting;
- h) The Mayor will invite the questioner to put the question to the member named in the question, or any other member nominated by the Mayor if no member has been named by the questioner. If the questioner who has submitted the question is unable to be present at the meeting, the Mayor has the discretion to put the question in the absence of the questioner, to defer it to the next meeting or to direct that a written response is provided;
- i) Any answer may take the form of:
  - 1) a direct verbal answer;
  - 2) where the desired information is contained in a publication of the Council, a reference to that publication;
  - 3) a written answer circulated at the meeting; or
  - 4) a combination of such forms.
- j) Any question which cannot be dealt with during public question time either because of lack of time or because of the non-attendance of the member to whom it was to be put, will be dealt with by a written answer;
- k) Every question shall be put and answered without discussion, but the member to whom it has been put may decline to answer;
- l) Any Councillor may move that a question be referred to Cabinet, Committee or sub-committee, such a motion will be voted on without discussion.

### 7.8 Petitions

- a) At an ordinary meeting of the Council, other than the budget meeting, a petition organiser, or their nominated representative may present a petition to the Council in accordance with the Council's Petition Scheme;
- b) A petition organiser must be a resident of the borough or someone working or studying in the borough;
- c) If, in line with the Petition Scheme a petition is to be debated at Council, notice of the petition must have been given by delivering the petition in writing (email is acceptable) to the Chief Executive by 5.00 pm at least six clear working days before the next Council meeting (for example, for a meeting on Wednesday, the petition must be received by 5 pm on the Monday in the week before the meeting);
- d) If the petition is presented to Council for debate, the Mayor will accept the petition on behalf of the Council;
- e) The petition organiser, or their nominated representative may address the Council on the subject of the petition for a maximum of five minutes;
- f) The request to the Council which is the subject of the petition shall be deemed to be the motion before the Council and to have been moved and seconded when the petition is accepted by the Mayor;
- g) Paragraph 7.14 (Rules of Debate for Council Meetings) shall apply to the debate on the motion, save that for the purposes of a debate on a petition, considered pursuant to this paragraph, paragraph 7.14.7 (v) shall be substituted by "The mover of an amendment shall have the right to reply at the close of the debate on their amendment. If their amendment is carried and if any further amendment is moved, the mover of the original amendment shall have the right of reply at the close of the debate on that further

- amendment and shall not otherwise speak on that amendment”;
- h) The Council may decide to:
    - 1) take the action the petition requests in whole or in part;
    - 2) not to take the action requested for reasons put forward in the debate in whole or in part;
    - 3) commission further investigation into the issue by the relevant committee, portfolio holder or officer;
    - 4) Make recommendations to the Executive to inform a decision within the remit of the Executive.
  - i) The debate on the petition will close when the last member remaining entitled to speak and wishing to do so has spoken and the substantive motion then before the Council shall be put to the vote.

### 7.9 Questions asked by Members

- a) At an Ordinary Meeting of the Council, other than the budget meeting, a Member of the Council may ask any member of the Executive or the Chair of any Committee any question on any matter in relation to which the Council has powers or duties, if either:
  - 1) Notice has been given by delivering it in writing (email is acceptable) to the Chief Executive by 5.00 pm at least six clear working days before the meeting (for example for a meeting on Wednesday, the question must be received by 5 pm on the Monday in the week before the meeting). The question will be set out in the Summons for the meeting;
  - 2) the question relates to urgent matters, the content of the question has been given by delivering it in writing (email is acceptable) to the Chief Executive by 10.00 am on the day of the meeting and the Mayor has given permission for the question to be put. A copy of the question will be circulated to all Members and made available to the public attending the meeting.
- b) Any Member asking a question under rule 7.9 may ask one related supplementary question of the member of the Executive or Committee Chair answering the original question. The supplementary question may be put without notice but must arise directly out of the original question or the reply;
- c) Every question or supplementary question shall be put and answered without discussion, but the person to whom a question has been put may decline to answer. Any answer may take the form of:
  - 1) a direct verbal answer;
  - 2) where the desired information is contained in a publication of the Council, a reference to that publication;
  - 3) a written answer circulated to Members at the meeting of the Council.
  - 4) a combination of such forms.
- d) If the Member asking the question is not present at the meeting, the question will not be dealt with;
- e) Except by consent of the Council, signified without discussion, a Member's speech by way of any reply to a question shall not exceed five minutes.

### **7.10 Reports and Recommendations of the Executive and Committees**

- a) Immediately after questions under paragraph 7.9 have been dealt with, the reports and recommendations of the Executive or Committees shall be considered by the Council in the order in which they appear in the Summons and the rules of debate for Council meetings shall apply to the consideration of such reports and recommendations;
- b) The procedure set out in Part II of the Budget and Policy framework Procedure Rules in this Constitution shall be applied in the consideration of any draft plan or strategy recommended to the Council for adoption or approval by the Council.

### **7.11 Comments and Questions**

- a) At an Ordinary Meeting of the Council a Member of the Council may comment or ask a question upon any matter dealt with by the Executive or by a Committee or Sub-Committee under delegated powers and reported to the particular meeting of the Council for information;
- b) The Mayor shall ask for comments or questions to be put in relation to the work of the Executive and of each Committee;
- c) The appropriate Cabinet member or appropriate Committee Chair, or another Member nominated by them, may if they so desire, reply to any comments or questions;
- d) Except by consent of the Council, a Member's speech by way of question, comment or any reply thereto shall not exceed five minutes;
- e) If the Chief Executive is of the opinion that a comment or question is not within the scope of this paragraph or is, vexatious, scurrilous or otherwise improper, the Mayor can take the decision not to hear such a comment.

### **7.12 Notice of Motion**

- a) Except for a motion which under paragraph 7.6 may be moved without notice, written notice of every motion must be given by delivering it in writing (email is acceptable) to the Chief Executive by 5.00 pm at least eight clear working days before the day of the meeting (for example for a meeting on a Wednesday, the motion must be received by 5 pm on the Thursday in the week before the Thursday before the meeting). Each notice of motion shall name the Members of Council intending to propose and second the motion and in the case of notice in writing shall be signed by the said Members. Motions received will be recorded and open to public inspection;
- b) No Member may give notice of more than one motion for any Council meeting, except with the consent of the Mayor;
- c) The Chief Executive shall set out in the Summons for every meeting of the Council all valid motions of which notice has been duly given in the order in which they have been received, unless the Member giving such a notice intimated in writing, when giving it, that they proposed to move it at some later meeting, or has since withdrawn it in writing;
- d) Every motion shall:

- 1) be relevant to some matter in relation to which the Council has powers or duties or which affects the Borough. not be defamatory, frivolous, vexatious, scurrilous or otherwise improper;
  - 2) Not be substantially the same as a motion which has been put at a meeting of the Council in the past 6 months;
  - 3) Have been discussed with the s.151 Officer and the Monitoring Officer to enable the proposer of the motion to receive advice in relation to any legal or financial implications;
- e) The Mayor, in consultation with the Chief Executive, has authority to refuse inclusion of the motion on the meeting agenda if it does not fall within para 7.12 (d);
- f) If the Mayor exercises powers under para 7.12 e, the Mayor may direct that the notice be returned with an intimation that it will not be placed on the Notice of Meeting except upon the written request of three Members of the Council, and the Monitoring Officer shall return the same accordingly;
- g) If the same notice be afterwards re-delivered to the Chief Executive with a request for its insertion in the Notice of Meeting written thereon and signed by three Members of the Council, the Chief Executive shall then insert such notice, with the names of the requesting Members, in the notice of the next following meeting of the Council;
- h) Members should have due regard to any guidance issued by the Monitoring Officer in relation to the content of motions.

### **7.13 Motion to Remove Leader of Council**

A motion of no confidence in the Leader of the Council, or to remove or dismiss the Leader of the Council shall only be moved at a Council Meeting if the notice thereof given in pursuance of this paragraph bears the names of at least one-fifth of the whole number of Members of the Council. In order for such a motion to be carried it must be supported by at least two thirds of those Members voting and present at the meeting at the time the question is put.

### **7.14 Rules of Debate for Council Meetings**

#### **7.14.1 General Requirements**

- a) A motion shall not be discussed unless it has been proposed and seconded. The member who gave notice of a motion shall be permitted to confirm that they do not intend to move the motion and the reasons why but shall not otherwise be permitted to speak;
- b) A Member when seconding a motion or amendment may, if they declare their intention to do so, reserve their speech until later in the debate;
- c) If two or more Members wish to speak, the Mayor shall call on one to speak; the other or others shall then wait to be called to speak. While a Member is speaking, the other Members shall remain seated and will not speak unless rising to a point of order or in personal explanation. Members shall speak of each other in Council during the transaction of business by their respective titles of "Mr. Mayor" (or "Deputy Mayor") or "Madam Mayor" (or "Deputy Mayor") or 'Councillor' as the case may be;

- d) Whenever the Mayor speaks during a debate a Member shall resume their seat and the Council shall be silent;
- e) Members should conduct themselves in accordance with the Council's Code of Conduct.

### **7.14.2 Withdrawal of a motion**

- f) If a motion set out in the Summons is not moved by the Member who gave notice of it, the motion shall, unless postponed by consent of the Council, be treated as withdrawn and shall not be moved without fresh notice;
- g) A motion or amendment may be withdrawn by the mover with the consent of their seconder.

### **7.14.3 Motions which may be moved during debate**

- h) When a motion is under debate, no other motion shall be moved except the following:
  - 1) to withdraw a motion;
  - 2) to amend the motion;
  - 3) to adjourn the meeting to a specified date and time;
  - 4) to adjourn the debate to a specified date and time;
  - 5) to proceed to the next business;
  - 6) that the question be now put;
  - 7) that a Member be not further heard;
  - 8) by the Mayor under Rule 7.17 that a Member do leave the meeting;
  - 9) a motion under Section 100(a)(4) of the Local Government Act 1972 to exclude the press and public.

### **7.14.4 Amendments to a Motion**

- i) An amendment must be proposed and seconded and shall be put in writing and handed to the Mayor before it is put to the meeting;
- j) An amendment shall be relevant to the motion, must not negate the motion that it seeks to alter because the same effect can be achieved by voting against the motion and shall be either:
  - 1) to refer a subject of debate to the Cabinet or to a Committee for consideration or reconsideration;
  - 2) to leave out words;
  - 3) to leave out words and insert or add others; or
  - 4) to insert or add words as long as the effect is not to negate the motion;
- k) The Mayor, having due regard to the advice of the Monitoring Officer or Chief Executive may reject an amendment where it does not fall within the remit of this paragraph. The Mayor's determination on this matter is final;
- l) Only one amendment may be moved and discussed at a time and no further amendment shall be moved until the amendment under discussion has been disposed of;
- m) If an amendment is not carried, other amendments to the original

motion may be moved;

- n) If an amendment is carried, the motion as amended takes the place of the original motion. This becomes the substantive motion upon which further speakers may be invited and to which any further amendments are moved.

### 7.14.5 Alteration of a motion

- o) A Member may alter a motion of which they have given notice, or, with the further consent of their seconder, alter a motion which they have moved if (in either case) the alteration is one which could be made as an amendment;
- p) The Mayor, having due regard to the advice of the Monitoring Officer or Chief Executive may reject an alteration where it does not fall within the remit of this paragraph.

### 7.14.6 Length and content of speeches and when to speak

- q) A Member shall direct their speech to the question under discussion or to a personal explanation or to a point of order;
- r) Except by consent of the Mayor, the speech of the proposer of any motion or amendment shall not exceed ten minutes, and all other speeches shall not exceed five minutes. If the Mayor consents, the speech may be continued for a further five minutes, unless the Mayor is of the opinion that the subject matter of the speech is of more than ordinary importance, in which case the speech may be continued for such further time as the Mayor may allow. In no case shall more than one extension of time be granted;
- s) A Member who has spoken on any motion shall not speak again whilst it is the subject of debate except:
  - 1) to speak once on an amendment moved by another Member;
  - 2) if the motion has been amended since they last spoke, to move a further amendment;
  - 3) if their first speech was on an amendment moved by another Member, to speak on the main issue, whether or not the amendment on which they spoke was carried;
  - 4) in exercise of a right of reply as detailed below;
  - 5) on a point of order; or
  - 6) by way of personal explanation.

### 7.14.7 Right of Reply

- t) The mover of a motion has the right to reply at the close of the debate on the motion, immediately before it is put to the vote;
- u) If an amendment is moved, the mover of the original motion shall also have a right of reply at the close of the debate on the amendment, and shall not otherwise speak on the amendment. The mover of the amendment shall have a right of reply to the debate on his amendment immediately before the mover of the original motion;
- v) If an amendment is carried, the motion as amended shall take the

place of the original motion and shall become the substantive motion upon which any further amendment may be moved. The mover of the original motion shall still have the right to reply at the close of the substantive motion. The right to reply does not extend to the proposer of the amendment which was carried and became the substantive motion;

### 7.14.8 Closure Motions

w) A Member who has not already spoken on the proposition or, if an amendment has been moved and is under debate, the amendment under debate, may move, without comment, at the conclusion of a speech of another Member that:

- 1) that the Council proceed to the next business' (in the case of comments or questions), '
- 2) that the question be now put', '
- 3) that the debate be now adjourned' ;or
- 4) 'that the Council do now adjourn',

on the seconding of which the Mayor shall proceed as follows:

- 5) On a motion to proceed to the next business they shall put to the vote the motion to proceed to the next business and if the vote be passed the appropriate Committee Chair shall be given an opportunity to respond to the comment(s) or question(s) previously made or put;
- 6) On a motion that the question be now put: unless in their opinion the matter before the meeting has been insufficiently discussed, they shall first put to the vote the motion that the question be now put and, if it is passed, then give the mover of the original motion their right of reply under Paragraph u above before putting their motion to the vote;
- 7) On a motion to adjourn the debate or the meeting: if in their opinion the matter before the meeting has not been sufficiently discussed and cannot reasonably be sufficiently discussed on that occasion, they shall put the adjournment motion to the vote without giving the mover of the original motion their right of reply on that occasion.

### 7.14.9 Point of Order or Personal Explanation

x) A Member may raise a point of order or personal explanation at any time, and shall be entitled to be heard immediately. A point of order shall only relate to an alleged breach of a Council procedure rule or statutory provision and the Member shall specify which procedure rule or statutory provision, and the way in which they consider it has been broken.;

y) Examples of points of order may include:

- 1) the Mover has spoken for more than ten minutes when moving the motion;
- 2) the Councillor has spoken for more than five minutes;
- 3) the Councillor is not speaking to the subject under discussion;

- 4) the Councillor has already spoken on the motion;
- 5) disorderly conduct.
- z) A personal explanation shall be confined to some material part of a former speech by the Member which may appear to have been misunderstood in the present debate.
- aa) The ruling of the Mayor on a point of order or on the admissibility of a personal explanation shall not be open to discussion.

### 7.15 Disorderly Conduct

- a) If at a meeting any Member of the Council, in the opinion of the Mayor misconducts themselves by persistently disregarding the ruling of the Chair, or by behaving irregularly, improperly, or offensively, or by wilfully obstructing the business of the Council, the Mayor or any other Member may move that the Member named be not further heard on this matter', and the motion, if seconded, shall be put and determined without discussion;
- b) If the Member named continues their misconduct on the item under consideration or any subsequent item after a motion under the foregoing paragraph has been carried, the Mayor shall:
  - 1) either move 'that the Member named do leave the meeting' (in which case the motion shall be put and determined without seconding or discussion); or
  - 2) adjourn the meeting of the Council for such period as the Mayor in their discretion shall consider expedient;
- c) In the event of general disturbance which in the opinion of the Mayor renders the due and orderly dispatch of business impossible, the Mayor, in addition to any other power vested in them, may, without question put, adjourn the meeting of the Council for such period as they, in their discretion shall consider expedient;
- d) If a member of the public interrupts the proceedings at any meeting, the Mayor shall warn the person concerned. If they continue the interruption, the Mayor shall order their removal from the meeting;
- e) In the event of general disturbance in any part of the meeting room open to the public, the Mayor shall order that part to be cleared.

### 7.16 Rescission of Preceding Resolution

- a) No motion shall be moved at a Council meeting to rescind any resolution passed within the preceding six months, and no motion or amendment to the same effect as one which has been rejected within the preceding six months shall be proposed unless the notice thereof given in pursuance of paragraph 7.12 bears the names of at least one quarter of the whole number of Members of the Council (or in the eventuality referred to in Paragraph 45 of the Schedule 12 to the Local Government Act, 1972 one quarter of the number of Members remaining qualified). When such motion or amendment has been disposed of by the Council, it shall not be open to any Member to propose a similar motion within a further period of six months.
- b) Provided that this paragraph shall not apply to any motion to remove the Leader of the Council pursuant to paragraph 7.13 and shall not restrict the



right of the Executive or a Committee to resolve to place a recommendation before the Council to rescind a previous Minute.

### **7.17 Voting**

- a) Unless otherwise provided in these procedure rules any matter will be decided by simple majority of those members voting and present in the room at the time the question was put;
- b) Voting at meetings of the Council shall be by show of hands and on the requisition of any two Members of the Council, made before the vote is taken, the voting on any matter shall be recorded so as to show how each Member voted and there shall also be recorded the name of any Member then present who abstained from voting (a “named vote”);
- c) In the case of a “named vote”, a record shall be taken by an officer calling out the name of each Member present whereupon the Member whose name is called shall state whether they vote for, against the motion or wish to abstain. Members’ replies will be included in the minutes;
- d) For all votes, The Mayor has the discretion to implement an electronic system of voting;
- e) Where immediately after a vote is taken at a meeting any member so requires, there shall be recorded in the minutes of the proceedings of that meeting whether that person cast their vote for the question or against the question or whether they abstained from voting;
- f) In the case of an equality of votes upon any question the Mayor shall have a second or casting vote;
- g) Immediately after any vote is taken at a budget decision meeting of the Council there must be recorded in the minutes of the proceedings of that meeting the names of the persons who cast a vote for the decision or against the decision or who abstained from voting;
- h) At a budget meeting, a recorded vote is required of any budget decisions taken.

### **7.18 Voting on Appointments**

Where there are more than two persons nominated for any position to be filled by the Council, and of the votes given there is not a majority in favour of one person, the name of the person having the least number of votes shall be struck off the list and a fresh vote shall be taken and so on until a majority of votes is given in favour of one person.

### **7.19 Record of Attendances**

Every Member of the Council attending a meeting of the Council will have their attendance recorded by either signing the attendance sheet circulated at the meeting or through the clerk to the meeting making a record of their attendance.

### **7.20 Disclosable Pecuniary Interests**

- a) If a Member is aware that they have a disclosable pecuniary interest in any matter to be considered, or being considered at the meeting, the Member must withdraw from the room or chamber where the meeting considering the business is being held:
- 1) in the case where paragraph b below applies, immediately after making representations, answering questions or giving evidence;
  - 2) in any other case, wherever it becomes apparent that the business is being considered at that meeting;

Unless the Member has obtained a dispensation from the Council's Standards Committee or Monitoring Officer.

- b) Where a Member has a disclosable pecuniary interest in any business of the Council, the Member may attend a meeting (including a meeting of the Overview and Scrutiny Committee of the Council or of a sub-committee of such a committee) but only for the purpose of making representations, answering questions or giving evidence relating to the business, provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise.

### 7.21 Recording of meetings

- a) Where the public are excluded from a meeting, persons present shall not report on the meeting using methods:
- 1) which can be used without that person's presence at the meeting, and
  - 2) which enable persons not present at the meeting to see or hear the proceedings at the meeting as it takes place or later;

Unless the meeting first resolves to allow such reporting to take place.

- b) For the purposes of this paragraph, "reporting" means:
- 1) Filming, photographing or making an audio recording of proceedings at the meeting;
  - 2) Using any other means for enabling persons not present to see or hear proceedings at the meeting as it takes place or later; or
  - 3) Reporting or providing commentary on proceedings at the meeting, verbally or in writing, so that the report or commentary is available as the meeting takes place or later to persons not present.

### 7.22 Election of a Chair of a Committee

Every Committee and Sub-Committee shall, at its first meeting, before proceeding to any other business, elect a Chair and Vice-Chair for the year unless such appointments have been determined by the Council. In the absence from a meeting of the Chair and Vice-Chair, a Chair for that meeting shall be elected by those present as the first item.

### 7.23 Sub-Committees

Each Committee appointed by the Council may appoint Sub-Committees for

purposes to be specified by the Committee.

### **7.24 Meetings of Ordinary Committees and Sub-Committees**

- a) All meetings of Ordinary Committees and Sub-Committees shall be summoned by the Chief Executive;
- b) The Chair of an ordinary Committee or Sub-Committee may instruct the Chief Executive of the Council to summon a special meeting at any time. A special meeting shall also be summoned on the requisition of not less than a quarter of the whole number of the Committee or Sub-Committees delivered in writing (email is acceptable) to the Chief Executive. Each such instruction or requisition shall be in writing and shall specify the business which it is desired shall be transacted at the meeting. The Summons to a special meeting shall set out the business to be considered thereat, and no business other than that set out in the Summons shall be considered at that meeting.

### **7.25 Quorum of Committees and Sub-Committees**

- a) Except where ordered by the Council, business shall not be transacted at a meeting of any Committee unless at least one quarter of the whole number of the Committee is present, provided that in no case shall the quorum of a Committee be less than three Members.
- b) Unless specified by the Committee which has appointed it, business shall not be transacted at a Sub-Committee unless at least one quarter of the whole number of the Sub-Committee is present. Provided that in no case shall the quorum of a Sub-Committee be less than two Members.

### **7.26 Substitutes on Committees**

- a) For each of the standing Committees and Sub-Committees for the Council, where a member of a committee is listed as a member of a political group for the purposes of allocating committee seats, all other eligible members of that political group properly notified to the proper officer who are not appointed members of that Committee or Sub-Committee are appointed as substitute members.
- b) Where a member (the original member) of a standing Committee or sub-committee of the Council is unable to attend a meeting of that Committee or Sub-Committee the original member may request the member appointed as a substitute pursuant to paragraph (a) above (the substitute member) for that committee or sub-committee for the political group to which the original member belongs to attend the Committee or Sub-Committee on behalf of the original member. The attendance of the substitute shall be notified in writing (email is acceptable) to the Chief Executive no later than 5.00 pm on the day before the meeting. The substitute member shall announce at the start of the meeting which member they are substituting for under the item "Apologies for Absence and Substitutions".
- c) A substitute member shall not be permitted to attend a meeting of the Planning Committee, Environment and Licensing Committee or Licensing Act Committee unless they have previously received appropriate training to the

satisfaction of the Monitoring Officer.

- d) The substitute member attending the Committee or Sub-Committee shall declare their presence as substitute at the commencement of the business of the Committee or Sub-Committee. The substitute member shall then act for all purposes, for the duration of that meeting only, as though they were the original member of the Committee or Sub-Committee.
- e) If the original member of the Committee or Sub-Committee is the Chair or Vice-Chair of that Committee or Sub-Committee the substitute member shall not automatically be entitled to act in that office.

### **7.27 Interpretation of procedures for meetings**

The ruling of the Mayor (or, if they shall be in the chair, the Deputy Mayor or any other member chairing the meeting) as to the construction or application of these procedures, or as to any proceedings of the Council, shall not be challenged at any meeting of the Council.

### **7.28 Suspension of procedures for meetings**

- 1) Subject to paragraph b) below, any of the preceding procedures for the conduct of meetings may be suspended so far as regards any business at the meeting where its suspension is moved.
- 2) A motion to suspend the procedures for meetings (which shall be specified in the motion) shall be moved with notice unless at least one half of the whole number of the members of the Council are present at the meeting and the motion shall not be carried except by the vote of not less than two-thirds of the Members of the Council present.

### **7.29 Application to Committees and Sub-Committees**

Paragraphs numbered 7.2, 7.3, 7.4, 7.6, 7.14, 7.15, 7.16, 7.17, 7.18, 7.19, 7.20, 7.21, 7.22, 7.23, 7.24, 7.25, 7.26, 7.27, 7.28, and 7.29, shall apply to meetings of the Committees and Sub-Committees of the Council as they apply to the Council meeting and references to "the Mayor and Deputy Mayor" shall apply to the Chair and Vice-Chair respectively of the Committee or Sub-Committee concerned and references to the "Council Chamber" shall apply to the room in which the meeting is held.

### **7.30 Absence of Chief Executive**

In the absence of the Chief Executive, any function of the Chief Executive shall be exercisable by a Director or the Monitoring Officer.

### **7.31 Variation and Revocation of the Constitution**

Any motion that has the effect of adding to, varying or revoking these Procedure Rules shall, if carried, not come into effect until the next meeting of the Council.

## **8 Ordinary Committees**

The Council may from time to time appoint committees to discharge any functions

of the Council which are not the responsibility of the Executive.

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## Report to Council

**Subject:** Discretionary Local Scheme – War Pensions

**Date:** 17 April 2024

**Author:** Housing and Welfare Manager

### Wards Affected

All

### Purpose

This report seeks approval to reconfirm the 100% discretionary disregard applied without revision in the calculation of Housing Benefit for all War Widows (Widowers)/War Disablement Scheme and the Armed Forces Compensation Scheme income received. This disregard applies to both the customers and any partner's income.

### Recommendation(s)

**THAT:**

- All income from War Widows (Widowers)/War Disablement Scheme and the Armed Forces Compensation Schemes be fully disregard when assessing entitlement to Housing Benefit.

<b>1</b>	<b>Background</b>
1.1	The War Pensions Scheme (WPS) is designed to help ex-military service personnel who have suffered an injury whilst serving in the armed forces. It can also provide help for the partner or husband/wife of someone who died serving in the armed forces. The money is either paid as a one off payment or as a weekly pension income.
1.2	The Housing Benefit Regulations 2006 make provision for the first £10.00 of income from War Widows (Widowers)/War Disablement Scheme and the Armed Forces Compensation Scheme to be disregarded in any benefit assessment. The cost of this disregard is fully reimbursed to the Council.

1.3	The Housing Benefit (War Pension Disregards) Regulations 2007 prescribe the payments which make up war pensions that may be disregarded by local authorities operating a discretionary scheme
1.4	<p>Section 134(8)(a) and 139(6)(a) of the Social Security Administration Act 1992 gives the Council discretion to disregard any amount it chooses in addition to the statutory provision.</p> <p><b>s.134 (8) of the Social Security Administration Act 1992</b></p> <p><i>An authority may modify any part of the housing benefit scheme administered by the authority—</i></p> <p><i>(a) so as to provide for disregarding, in determining a person's income (whether he is the occupier of a dwelling or any other person whose income falls to be aggregated with that of the occupier of a dwelling), the whole or part of any [prescribed] war disablement pension or [prescribed] war widow's pension payable to that person;</i></p> <p><i>(b) to such extent in other respects as may be prescribed, and any such modification may be adopted by resolution of an authority.</i></p>
1.5	Historically the Council has taken advantage of this provision and fully disregards the income of claimants and their partners who receive from the War Widows (Widowers)/War Disablement Scheme and the Armed Forces Compensation Schemes when calculating Housing Benefit.
1.6	The Armed Forces Act 2021 amended the Armed Forces Act 2006 ('the Act') by inserting sections 343AA to 343AF. These place a legal duty (the 'Covenant Duty') on specified public persons and bodies ('specified bodies'), to have due regard to the principles of the Armed Forces Covenant when exercising certain statutory functions in the fields of healthcare, education and housing ('relevant functions'). The specified bodies and relevant functions are listed in sections 343AA to 343AD of the Act. The Covenant Duty came into effect on 22 November 2022.
1.7	<p>The Borough of Gedling signed its Armed Forces Covenant on 29 April 2013.</p> <p>The Armed Forces Covenant for Gedling is a statement of mutual support between local civilian and armed forces communities, and complements the National Armed Forces Covenant.</p>



	<p>The Covenant ensures that the Borough of Gedling:</p> <ul style="list-style-type: none"> <li>• Recognises the contribution made by the Armed Forces community</li> <li>• remembers the sacrifices made by members of the Armed Forces community</li> <li>• shares knowledge, experience and expertise to provide help and advice to current and former members of the Armed Forces community and their families</li> <li>• encourages the integration from service life into civilian life.</li> </ul> <p>The Community Covenant also aims to ensure that the local Armed Forces community is not disadvantaged in the services offered in the borough, and enables the Armed Forces community to contribute its skills and experience.</p>
1.8	The granting of a 100% income disregard would also meet the Council's priority in the Gedling Plan in relation to reducing hardship and providing support to the most vulnerable.
<b>2</b>	<b>Proposal</b>
2.1	To continue to disregard 100% of all War Widows (Widowers)/War Disablement Scheme and the Armed Forces Compensation Scheme payments received by either the main applicant and/or their partner following the statutory £10.00 disregard calculation having been applied when administering Housing Benefit claims.
<b>3</b>	<b>Alternative Options</b>
3.1	Local authorities have the discretion to disregard all or just part of any War Widows (Widowers)/War Disablement Scheme and the Armed Forces Compensation Scheme payments once the mandatory £10.00 disregard has been applied when administering claims for Housing Benefit Therefore, there is discretion to disregard none of the income at all or a lesser percentage rather than the current 100% rate.
<b>4</b>	<b>Financial Implications</b>
4.1	For the 2023/24 Housing Benefit subsidy claim, a total of 5 claims were processed which had War Widows (Widowers)/War Disablement Scheme and the Armed Forces Compensation Scheme payments included in the assessment of Housing Benefit.

4.2	Any additional benefit granted due to a 100% disregard being applied after the mandatory £10.00 disregard has been applied and reduces the amount of Housing Benefit subsidy received by the Council.
4.3	The Department for Works and Pensions sets a national formula on the amount of Housing Benefit subsidy that can be reclaimed. To calculate this, 75% of the total war pension scheme expenditure incurred each financial year is compared to 0.2% of the total subsidy claimed by the Council for the same financial year. The lower of these two calculated figures is the amount of subsidy a Council can claim.
4.4	<p>For 2023/24, the provisional Housing Benefit subsidy amounts to £17,742,377. The final claim is due for submission to the Department for Works and Pensions on the 30 April 2024.</p> <p>0.2% of this subsidy amounts to <b>£35,485</b>.</p> <p>The total arising from applying a 100% local discretionary war pension scheme amounts to £8,038.</p> <p>After applying the national formula, 75% of the total war pension scheme expenditure incurred amounts to <b>£6,029</b>.</p> <p>As <b>£6.029</b> is the lower of the two qualifying financial parameters shown in bold font above, this figure is transferred to Cell 128S of the MPF720A subsidy claim form and relates to the actual amount of subsidy claimed by the Council.</p> <p>The financial impact on the authority after all the relevant subsidy grant allocation have been claimed, amounts to <b>£2,009</b> for 2023/24. This being the difference between the total expenditure arising from applying a 100% local discretionary war pension of £8,038 and the subsidy claimed back amounting to £6,029.</p> <p>In effect for every £100 of benefit awarded under a 100% disregarded scheme, the cost to the Council is £25.</p>
<b>5</b>	<b>Legal Implications</b>
5.1	Any disregard of prescribed war disablement pension or prescribed war widows pension can be determined by the authority as detailed within this report (para 1.4). This resolution will ensure that those disregards continue and confirms the Council's approach. This determination also supports the Council's duty under the Armed Forces Act 2021 to have regard to the Armed Forces Covenant.

<b>6</b>	<b>Equalities Implications</b>
6.1	An Equality Impact Assessment (EIA) can be found at Appendix 1
<b>7</b>	<b>Carbon Reduction/Environmental Sustainability Implications</b>
7.1	None arising.
<b>8</b>	<b>Appendices</b>
8.1	Appendix 1 - Equality Impact Assessment (EIA)
<b>9</b>	<b>Background Papers</b>
9.1	None
<b>10</b>	<b>Reasons for Recommendations</b>
10.1	The Armed Forces Act 2021 places a legal duty (the 'Covenant Duty') on Gedling Borough Council to have due regard to the principles of the Armed Forces Covenant when exercising certain statutory functions in the fields of healthcare, education and housing. In continuing to disregard 100% of all War Widows (Widowers)/War Disablement Scheme and the Armed Forces Compensation Scheme payments received by either the main applicant and/or their partner, the Council will be complying with these requirements and provide financial support to our Armed Forces community.

<p><b>Statutory Officer approval</b></p> <p><b>Approved by:</b>  <b>Date:</b>  <b>On behalf of the Chief Financial Officer</b></p> <p><b>Approved by:</b>  <b>Date:</b>  <b>On behalf of the Monitoring Officer</b></p>
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## Appendix 1: Discretionary Local Scheme – War Pensions

Discretionary Local Scheme – War Pensions						
The main objective of Discretionary Local Scheme – War Pensions	To seek approval to reconfirm the 100% discretionary disregard applied without revision in the calculation of Housing Benefit for all War Widows (Widowers)/War Disablement Scheme and the Armed Forces Compensation Scheme income received					
What impact will this Discretionary Local Scheme – War Pensions report have on the following groups? Please note that you should consider both external and internal impact: <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		
	Internal			X		
Marriage and civil partnership	External			X		
	Internal			X		

Disability	External			X	
	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 Council's scheme applies to all recipients who receive either a War Widows (Widowers)/War Disablement Scheme or Armed Forces Compensation Scheme income, irrespective of whether or not the recipients hold one or more of the stated protected characteristics listed above.
	Internal			X	

Is there is any evidence of a high disproportionate adverse or positive impact on any groups?		No	
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 action including any consultation that is going to be carried out:			
Planned Actions	Timeframe	Success Measure	Responsible Officer

#### Authorisation and Review

Completing Officer	Paul Whitworth
Authorising Service Manager	Tanya Najuk
Date	09/04/2024
Review date ( if applicable)	No review required

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