



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

Agenda

Council

Date: **Wednesday 10 July 2013**

Time: **6.45 pm**

Place: **Council Chamber**

For any further information please contact:

Alec Dubberley

Service Manager, Elections and Members' Services

0115 901 3906

Council

Membership

Mayor

Councillor Bob Collis

Deputy Mayor

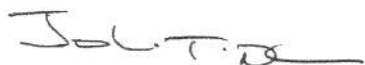
Councillor Jenny Hollingsworth

Councillor Steve Ainley
Councillor Pauline Allan
Councillor Roy Allan
Councillor Bruce Andrews
Councillor Patricia Andrews
Councillor Emily Bailey
Councillor Peter Barnes
Councillor Sandra Barnes
Councillor Chris Barnfather
Councillor Denis Beeston MBE
Councillor Alan Bexon
Councillor Krista Blair
Councillor John Boot
Councillor Nicki Brooks
Councillor Ged Clarke
Councillor John Clarke
Councillor Jim Creamer
Councillor David Ellis
Councillor Roxanne Ellis
Councillor Andrew Ellwood
Councillor Paul Feeney
Councillor Kathryn Fox
Councillor Tony Gillam
Councillor Mark Glover

Councillor Gary Gregory
Councillor Cheryl Hewlett
Councillor Sarah Hewson
Councillor Mike Hope
Councillor Paul Hughes
Councillor Meredith Lawrence
Councillor Phil McCauley
Councillor Barbara Miller
Councillor Richard Nicholson
Councillor Marje Paling
Councillor John Parr
Councillor Michael Payne
Councillor Carol Pepper
Councillor Stephen Poole
Councillor Colin Powell
Councillor Suzanne Prew-Smith
Councillor Darrell Pulk
Councillor Nick Quilty
Councillor Roland Spencer
Councillor Sarah Tomlinson
Councillor John Truscott
Councillor Gordon Tunnicliffe
Councillor Muriel Weisz
Councillor Henry Wheeler

SUMMONS

A meeting of the Borough Council will be held in the Council Chamber, Civic Centre, Arnot Hill Park on Wednesday 10 July 2013 at 6.45 pm to transact the business as set out below.



John Robinson
Chief Executive

AGENDA

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- 1 Opening Prayers.
- 2 Apologies for Absence.
- 3 Mayor's Announcements.
- 4 To approve, as a correct record, the minutes of the meeting held on 17 April 2013 and 22 May 2013 1 - 8
- 5 Declaration of Interests.
- 6 To answer questions asked by the public under Standing Order 8.
- 7 To answer questions asked by Members of the Council under Standing Order 9.
- 8 Arnold Leisure Centre Refurbishment To Follow
- 9 Proposed amendments to the Constitution: Scrutiny arrangements. 9 - 20
Report of the Corporate Director and the Council Solicitor and Monitoring Officer
- 10 Timing of Council Meetings. 21 - 22
Report of the Corporate Director and Council Solicitor and Monitoring Officer.
- 11 Recommendation from Cabinet, 6 June 2013, Minute 7, Resolutions 5 I, II, III AND IV- Council Plan and Budget Outturn and Budget Carry Forwards 2013/13.

- 12 Recommendation from Cabinet, 6 June 2013, Minute 8- Annual Treasury Activity Report 2012/13.**
- 13 To receive questions and comments from Members concerning any matter dealt with by the Executive or by a Committee or Sub-Committee (Standing Order 11.1).**
- | | | |
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| a | Planning Committee | 23 - 34 |
| b | Environment and Licensing Committee | 35 - 40 |
| c | Overview and Scrutiny Committee | 41 - 42 |
| d | Policy Review Scrutiny Committee | 43 - 44 |
| e | Planning Committee | 45 - 66 |
| f | Environment and Licensing Committee | 67 - 72 |
| g | Joint Consultative and Safety Committee | 73 - 76 |
| h | Planning Committee | 77 - 96 |
| i | Appeals and Retirements Committee | 97 - 98 |
| j | Cabinet | 99 - 104 |
| k | Overview Scrutiny Committee | 105 - 108 |
| l | Environment and Licensing Committee | 109 - 114 |
| m | Standards Committee | 115 - 116 |
| n | Audit Committee | 117 - 120 |
| o | Decisions Made Under Delegated Authority | 121 - 122 |
- 14 To consider comments, of which due notice has been given, under Standing Order 11.03(a).**

GEDLING BOROUGH COUNCIL

Wednesday, 17th April, 2013

Councillor S.J. Barnes(Chair)

Councillors:	S. Ainley	P.A. Allan	R. Allan
	B.M. Andrews	P.A. Andrews	E. Bailey
	P.G. Barnes	C.P. Barnfather	D.N. Beeston MBE
	A.S. Bexon	K.M. Blair	F.J.D. Boot (a)
	N. Brooks	G.V. Clarke (a)	W.J. Clarke
	R.F. Collis	S.M. Creamer	R. Ellis
	A.M. Ellwood	P. Feeney (a)	K. Fox
	A.J. Gillam	M.S. Glover	G.G Gregory (a)
	C.J. Hewlett	S. Hewson	J. Hollingsworth
	M. Hope	P.A. Hughes	P.R. Key
	M. Lawrence	P. McCauley (a)	B.S.R. Miller
	R.J. Nicholson	M. Paling	J.M. Parr
	M.R. Payne	V.C. Pepper	S. Poole
	C.J. Powell	S.J. Prew-Smith	D.E. Pulk
	N. Quilty	R.F. Spencer	S.J. Tomlinson
	J. Truscott	G.G. Tunnicliffe	M. Weisz
	H.T.N. Wheeler		

1 OPENING PRAYERS.

2 APOLOGIES FOR ABSENCE.

Apologies for absence were received from Councillors P. Allan, R. Allan and Powell.

3 MAYORS ANNOUNCEMENTS.

The Mayor wished Councillor John Clarke's wife all the best as she prepared for a forthcoming hospital stay.

She had enjoyed representing the Council at a recent event hosted by Gedling Homes.

With the permission of the Mayor, Councillors John Clarke, Barnfather and Hughes paid tribute to former Prime Minister Baroness Thatcher whose funeral had taken place that day. Condolences were expressed to her family.

4 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE

MEETINGS HELD ON 13 FEBRUARY 2013 AND 4 MARCH 2013.

RESOLVED:

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

5 DECLARATION OF INTERESTS.

None.

6 TO DEAL WITH QUESTIONS ASKED BY THE PUBLIC UNDER STANDING ORDER NO.8.

None received.

7 TO DEAL WITH QUESTIONS ASKED BY MEMBERS OF THE COUNCIL UNDER STANDING ORDER 9.

In response to a question from Councillor Spencer, the Leader of the Council, Councillor John Clarke, gave the following answer:
Thank you Councillor Spencer for your question. On 25 January, which members may recall was during a period of bad weather and icy roads, green bins were not collected from Clovely Avenue. In order to catch up on their work, refuse collectors prioritised the collection of black bins which I presume is what you are referring to and this is common practice. Information about the impact of the bad weather on the collection of bins was posted on the Council's website, communicated via twitter and daily updates were issued to all Councillors.
On 22 March, again the bins were unable to be collected from Clovely Avenue as this time access to the road was blocked by parked cars. A refuse crew therefore returned the following day.
As all members know, our refuse collection service is ranked very highly in terms of customer satisfaction and value for money. I'm sure you would agree Councillor Spencer that the staff do a first class job and that when they come across problems, which they do on a daily basis, they do their very best to sort these out.

8 RECOMMENDATION FROM CABINET, 7 FEBRUARY 2013, MINUTE 91, RESOLUTIONS C, E, F AND G- QUARTERLY BUDGET MONITORING, PERFORMANCE DIGEST AND VIREMENT REPORT.

RESOLVED:

1. To approve the General Fund Revenue Budget changes above £50,000 as listed below:

- Net increase in Rent Allowances
£70,000

2. To approve the addition to the capital programme of £105,000 for the Disabled Facilities Grant funded by Government Grant;

3. To approve the reduction in the Capital Programme due to savings of the Photovoltaic Panel scheme of £94,900;

4. To approve the slippage within the capital programme for the changes over £50,000 as listed below:

- | | |
|--------------------------------------|----------|
| • Affordable Housing Scheme | £229,700 |
| • Office Accommodation Joint Working | £450,000 |
| • Arnold Town Centre redevelopment | £100,000 |
| • Cemeteries Land Purchase | £360,000 |

9 RECOMMENDATION FROM CABINET, 4 APRIL 2013, MINUTE 118-COUNCIL PLAN PERFORMANCE INDICATORS AND TARGETS 2013/14.

RESOLVED:

To approve the Performance Indicators and targets for 2013/14 for inclusion in the 2013/14 Council Plan.

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

In accordance with Standing Order 11(1) a number of comments were made and responded to by the appropriate Cabinet Member or Committee Chair.

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

None received.

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COUNCIL

Wednesday 22 May 2013

Councillor S J Barnes (Mayor)

Councillors:	S. Ainley (a)	P.A. Allan	R. Allan
	B.M. Andrews	P.A. Andrews	E. Bailey (a)
	P.G. Barnes	C.P. Barnfather	D.N. Beeston MBE
	A.S. Bexon	K.M. Blair (a)	F.J.D. Boot
	N. Brooks	G.V. Clarke	W.J. Clarke
	R.F. Collis	S.M. Creamer	R. Ellis
	A.M. Ellwood	P. Feeney	K. Fox
	A.J. Gillam	M.S. Glover	G.G Gregory
	C.J. Hewlett	S. Hewson	J. Hollingsworth
	M. Hope	P.A. Hughes	P.R. Key
	M. Lawrence (a)	P. McCauley (a)	B.S.R. Miller
	R.J. Nicholson (a)	M. Paling	J.M. Parr
	M.R. Payne	V.C. Pepper	S. Poole
	C.J. Powell	S.J. Prew-Smith	D.E. Pulk
	N. Quilty	R.F. Spencer	S.J. Tomlinson
	J. Truscott	G.G. Tunncliffe	M. Weisz
	H.T.N. Wheeler		

1 OPENING PRAYERS

2 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Ainley, Bailey, Blair, Lawrence, McCauley and Nicholson.

3 DECLARATIONS OF INTEREST

Councillors Hughes and Powell declared personal interests in agenda item 12 as Chairs of the Performance and Policy Review Scrutiny Committees respectively.

4 TO ELECT A MAYOR FOR THE ENSUING YEAR

It was proposed by Councillor John Clarke, seconded by Councillor Payne and:-

RESOLVED:

That Councillor Bob Collis be elected Mayor of the Borough of Gedling for the ensuing year.

Councillor Collis made a signed Declaration of Acceptance of Office and adjourned the meeting to allow the transfer of Chain of Office and Robes.

The meeting then resumed with Councillor Collis in the Chair.

5 VOTE OF THANKS TO OUTGOING MAYOR

It was proposed by Councillor John Clarke, seconded by Councillor Barnfather and:-

RESOLVED:

That Councillor Sandra Barnes and Councillor Peter Barnes, her Escort, be thanked for the work undertaken by them during their term of office as Mayor and Escort of the Borough.

6 TO APPOINT A DEPUTY MAYOR FOR THE ENSUING YEAR

It was proposed by Councillor John Clarke, seconded by Councillor David Ellis and:

RESOLVED:

That Councillor Jenny Hollingsworth be appointed Deputy Mayor for the ensuing year.

7 TO RECEIVE THE MAYOR'S NOMINATION OF CHAPLAIN AND THE MAYOR'S CHARITY FOR THE ENSUING YEAR

The Mayor nominated Reverend Ken Shill of St. Mary's Church as his Chaplain for the ensuing year.

The Mayor nominated Framework and Emmanuel House as his Charities for the ensuing year.

8 TO CONFIRM THE LEADER OF THE COUNCIL

It was proposed by Councillor Payne, seconded by Councillor David Ellis and:

RESOLVED:

That Councillor John Clarke be recognised as the Leader of the Council for the ensuing year.

9 TO RECEIVE NOTIFICATION FROM THE LEADER OF THE COUNCIL OF PORTFOLIO HOLDERS AND MEMBERSHIP OF THE CABINET

Councillor John Clarke advised the Council of his appointments of Cabinet Members and Deputy Leader.

10 TO RECOGNISE LEADERS OF THE POLITICAL GROUPS

It was proposed by Councillor Parr and seconded by Councillor Powell that Councillor Barnfather be recognised as the Leader of the First Opposition Group for the ensuing year.

It was proposed by Councillor Gillam and seconded by Councillor Tunnicliffe that Councillor Hughes be recognised as the Leader of the Second Opposition Group for the ensuing year.

11 APPOINTMENT OF COMMITTEES AND SUB COMMITTEES

It was proposed by Councillor John Clarke and seconded by Councillor David Ellis that the list of Chairs, Vice Chairs and members of each Committee and sub-committee of the Council as set out in the amended list, circulated at the Council meeting, be approved.

RESOLVED:

To appoint Chair, Vice Chairs and Memberships of the Council's Committees and sub-committees in accordance with the document circulated.

12 APPOINTMENT OF REPRESENTATIVES

It was proposed by Councillor John Clarke and seconded by Councillor Payne that the Council representatives on the bodies listed on the schedule circulated be approved.

RESOLVED:

That Members be appointed as representatives on the bodies indicated for the municipal year 2013/2014.

The meeting concluded at 8.01 pm

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Report to Council

Subject: Proposed amendments to the Constitution: Scrutiny arrangements

Date: 10 July 2013

Author: Stephen Bray, Corporate Director and Council Solicitor and Monitoring Officer

1. Purpose of the Report

To seek approval for amendments to the Constitution to reflect the proposed changes to the Scrutiny Committee structure.

2. Background

2.1 Executive arrangements by a local authority must include provision for the appointment of one or more Overview and Scrutiny Committees. The Committee must have the power:

- a) To review or scrutinise decisions made, or other action taken, in connection with any functions for which the executive is responsible;
- b) To make reports or recommendations to the authority or the executive with respect to the discharge of such functions;
- c) To review or scrutinise decisions made, or other action taken, in connection with any functions for which the executive is not responsible;
- d) To make reports or recommendations to the authority or the executive with respect to the discharge of such functions;
- e) To make reports or recommendations to the authority or the executive on matters which affect the authority's area or the inhabitants of the area.

Whilst the powers are set out in statute, it is for the authority to determine how many Scrutiny Committees it wishes to establish.

2.2 The Council's scrutiny arrangements have changed over time and most recently consisted of an Overview Scrutiny Committee and two separate scrutiny committees (Policy Review and Performance Review).

3. Proposal

- 3.1 At the annual meeting, Council decided not to appoint to the Policy Review Committee and Performance Review Committee and therefore they do not appear in the Committee establishment. Council agreed that the Overview and Scrutiny Committee should consist of 13 members, which were appointed on a basis proportionate to overall party membership on the Council. It is proposed that both the Policy Review and Performance Review Committees are disestablished, leaving the Overview and Scrutiny Committee to fulfil their functions, and this report deals with the constitutional changes required to give effect to this.
- 3.2 It is envisaged that quarterly performance reviews, and a continuation of the practice of holding Cabinet members to account will be the 'core business' of the new Overview and Scrutiny Committee. Policy review work would be devolved to task and finish groups, membership of which could be drawn from the Overview and Scrutiny Committee and the wider Council (not including Executive members) or from other organisations if considered appropriate.
- 3.3 The implementation of these arrangements will generate a financial saving of £6,600 in Special Responsibility Allowances and reduce the administration involved in supporting three separate Committees.
- 3.4 It is proposed that the Council approves the amendments to the Constitution set out in the appendices to this report to reflect the fact that the Council has made appointments to a single Overview and Scrutiny Committee with no standing sub-committees.
- 3.5 At the same time as making the changes referred to above, there is also an opportunity to update the sections of the Constitution relating to the Budget and Policy Framework. These sections were prepared at a time when the Council was in a position of 'no overall control' and are not only out of date in this respect but also need to be amended to reflect changes in legislation and to bring them into line with the provisions in the national model constitution as prepared by the Association of Council Solicitors and Secretaries (ACSeS) in conjunction with Dickinson Dees Solicitors.
- 3.6 The proposed changes set out in Appendix 2 fall within Standing Order 29 which states:

"29. Variation and Revocation of the Constitution

Any motion to add to, vary or revoke the Articles of the Constitution, Procedural Standing Orders, Standing Orders relating to Contracts, Standing Orders for Dealings with Land and Standing Orders relating to staff except for the amendment of financial limits and other amendments appropriate to give effect to changes in officers' duties, responsibilities and titles, shall, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council."

Consequently, the changes set out in Appendix 2 cannot be agreed straightaway.

4. Resource Implications

The disestablishment of the Performance Review and Policy Review Scrutiny Committees will result in a saving of the associated Special Responsibility Allowances paid to the Chairs of these Committees.

5. Recommendation

It is recommended that:

- 5.1 The amendments to the Constitution set out in Appendix 1 are approved.
- 5.2 The Council Solicitor and Monitoring Officer is authorised to make the amendments to the Constitution set out in Appendix 1.
- 5.3 The amendments to the Constitution set out in Appendix 2 are adjourned to the next ordinary meeting of the Council.

Part 1 – Summary and Explanation (page 6 of the current Constitution)

Delete the following text:

Overview and Scrutiny

There are two scrutiny committees which support the work of the executive and the Council as a whole. They allow citizens to have a greater say in Council matters by holding public inquiries into matters of local concern. These lead to reports and recommendations which advise the executive and the Council as a whole on its policies, budget and service delivery. Overview and scrutiny committees also monitor the decisions of the executive. They can ‘call-in’ a decision which has been made by the executive but not yet implemented. This enables them to consider whether the decision is appropriate. They may recommend that the executive reconsider the decision. They may also be consulted by the executive or the Council on forthcoming decisions and the development of policy.

And replace with:

Overview and Scrutiny

There is one Overview and Scrutiny Committee which supports the work of the executive and the Council as a whole. The Committee can enable citizens to have a greater say in Council matters by holding public inquiries into matters of local concern, leading to reports and recommendations which advise the executive and the Council as a whole on its policies, budget and service delivery. The Overview and Scrutiny Committee also monitors the decisions of the executive. They can ‘call-in’ a decision which has been made by the executive but not yet implemented. This enables them to consider whether the decision is appropriate. They may recommend that the executive reconsider the decision. They may also be consulted by the executive or the Council on forthcoming decisions and the development of policy.

Part 2 – Articles of the Constitution (pages 8-35 of the current Constitution)

Article 4.01

Delete the following text:

Policy Framework

The policy framework means the following plans and strategies:-

- Strategic Corporate Plan incorporating the Best Value Performance Plan;
- Community Strategy;
- Crime and Disorder Reduction Strategy;
- Plans and strategies which together comprise the Development Plan;
- The plan and strategy which comprise the Housing Strategy;
- The Capital Strategy and any plan or strategy for the control of the Authority's borrowing and investments.

And replace with:

Policy Framework

The policy framework means the following plans and strategies:-

- Sustainable Community Strategy (incorporated within the Council Plan);
- Development Plan documents;
- Gambling Statement of Policy; and
- The Capital Strategy and any plan or strategy for the control of the Authority's borrowing and investments.

Article 5.02 - delete "Policy Review Scrutiny Chairman" and replace with "Chairman of the Overview and Scrutiny Committee".

Article 6, 11.05 and Schedule 1 –

Delete all references to "Scrutiny Committees" and replace with references to "Overview and Scrutiny Committee".

Part 3 – Responsibility for Functions

Scrutiny Committee Remits (page 70 of the current Constitution)

Delete the remit of the Overarching Scrutiny Committee, Performance Review Scrutiny Committee and Policy Review Scrutiny Committee and replace with the following:

Overview and Scrutiny Committee

Remit:

- Oversee the strategic direction of the scrutiny function and its methods of working
- Consider and agree all topics for scrutiny, to decide upon timescales, personnel and associated logistical issues
- Assist the Council and the Executive in the development of its budget and policy framework
- Establish task and finish working groups focusing on particular areas of policy development and review with a view to making recommendations to the Executive when necessary
- Conduct research, community and other consultation in the analysis of policy issues
- Consider and implement mechanisms to encourage and enhance community participation in the development of policy
- Question members of the Executive, Committees and Chief Officers about their views on issues and proposals affecting the area
- Liaise with organisations operating in the area to ensure that the interests of local people are enhanced by collaborative working
- Consider the impact of policies to assess if they have made a difference
- Review and scrutinise the performance of the Executive in relation to its policy objectives, performance targets and/or particular service areas
- Review and scrutinise the performance of the Council in relation to its policy objectives, performance targets and/or particular service areas
- Question members of the Executive, Committees and Chief Officers about their decisions and performance of any functions for which they are responsible
- Review and scrutinise the performance of other public bodies in the area and invite reports from them about their activities and performance
- Report to full Council, the Executive, or relevant committees with recommendations for improvements in service areas or other matters

within its remit

- Exercise the right to call in for reconsideration key decisions made but not yet implemented by the Executive and Officers
- Consider “Councillor Calls for Action” raised in accordance with agreed procedures

Part 4 – Rules of Procedure

Access to Information Procedure Rules (pages 90-100 of the current Constitution)

Delete all references to “Policy Review Scrutiny Committee” and replace with “Overview and Scrutiny Committee”.

Delete all references to “Scrutiny Committee(s)” and replace with “Overview and Scrutiny Committee”.

Budget and Policy Framework Procedure Rules (pages 101-108 of the current Constitution)

Delete the following text:

Process for developing the framework

2.01 The process by which the budget and policy framework shall be developed is as follows:

- (a) Policies and Strategies not required to be produced in partnership:
 - (i) The process shall commence under the auspices of the Policy Review scrutiny committee, which shall appoint a working party for the purpose.
 - (ii) The working party shall prepare the first draft of the policy or strategy in consultation as it sees fit or as directed by the scrutiny committee.
 - (iii) The working party shall refer the first draft to the Policy Review scrutiny committee, which shall consider it, amend it as it sees fit and forward it to the Executive.
 - (iv) The Executive shall undertake formal consultation as necessary and appropriate on

- the draft and prepare a second draft.
- (v) The Executive shall then present its draft policy or strategy to the Council for adoption.
 - (vi) If in any case the Leader is of the view that it is necessary in the interests of effective planning that a shorter process be adopted, he may seek the approval of the Policy Review Scrutiny Committee Chairman of a different procedure, in which case, if such approval be given, that different process shall be followed.
 - (vii) This process shall also be followed in the case of any other policy, strategy or plan outside the formal policy framework which the Executive is to formulate if in the opinion of the Executive this would be appropriate.
- (b) Policies and Strategies produced in partnership:
- (i) The relevant Cabinet Portfolio Holder shall be appointed the Council's representative on the partnership.
 - (ii) The partnership shall prepare the draft policy or strategy in consultation as appropriate.
 - (iii) The Portfolio Holder shall secure the inclusion of the Policy Review Scrutiny Committee in the list of consultees for the policy or strategy.
 - (iv) The Portfolio Holder shall present the draft policy or strategy to the cabinet for consideration and comment.
 - (v) The partnership shall adopt the policy or strategy.
 - (vi) The Cabinet shall present the policy or strategy to Council for adoption.

And replace with the following and renumber the subsequent paragraphs accordingly:

Process for developing the framework

2.01 The process by which the Policy Framework shall be developed is:

- (a) The Executive will publicise by including in the Forward Plan a timetable for making proposals to the Council for the adoption

of any plan or strategy that forms part of the Policy Framework, and its arrangements for consultation after publication of the initial proposals. The Chairman of the Overview and Scrutiny Committee will also be notified.

- (b) At the end of the consultation period, the Executive will draw up firm proposals having regard to the responses to the consultation. If the Overview and Scrutiny Committee wishes to respond to the Executive in that consultation process then it may do so. As the Overview and Scrutiny Committee has responsibility for fixing its own work programme, it is open to the Overview and Scrutiny Committee to investigate, research or report in detail with policy recommendations before the end of the consultation period, having particular regard not to duplicate any consultation carried out by the Executive. The Overview and Scrutiny Committee shall report to the Executive on the outcome of its deliberations.
- (c) The Executive will take any response from the Overview and Scrutiny Committee into account in drawing up firm proposals for submission to the Council, and its report to Council will reflect the comments made by consultees and the Executive's response.
- (d) Once the Executive has approved the firm proposals, it will refer them at the earliest opportunity to the Council.

Delete all references to "Policy Review Scrutiny Committee" and replace with "Overview and Scrutiny Committee".

Delete all references to "Scrutiny Committee(s)" and replace with "Overview and Scrutiny Committee".

Overview and Scrutiny Procedure Rules (pages 109-113 of the current Constitution)

Delete the following text:

- 1.01 The Council will appoint scrutiny committees from time to time as set out in Article 6. Such committees may appoint sub-committees. Scrutiny committees may also be appointed for a fixed period, on the expiry of which they shall cease to exist.
- 1.02 Before the commencement of each year financial year which is not an election year and as soon as practicable after the

annual meeting of the council in a financial year which is also an election year the chairmen of the scrutiny committees shall meet to agree the work programme for the year which shall be recommended for adoption by each scrutiny committee, such work programme to take into account resources available and the best value reviews which are scheduled to be undertaken by the scrutiny committees in the year in question.

- 1.03 Subject to paragraph 1.02 above, the scrutiny committees will be responsible for setting their own work programme and in doing so they shall take into account wishes of members on that committee who are not members of the largest political group on the Council.

And replace with:

- 1.01 The Council will appoint an Overview and Scrutiny Committee as set out in Article 6. Such committee may appoint working groups to carry out a detailed assessment of particular topics for report back to them. It is anticipated that such groups would be appointed for a specific task, on the expiry of which they shall cease to exist.
- 1.02 The Overview and Scrutiny Committee will be responsible for setting its own work programme and in doing so they shall take into account resources available and the wishes of members on that committee who are not members of the largest political group on the Council.

Delete the following text:

3. Meetings of the overview and scrutiny committees

There shall be at least one ordinary meeting of each scrutiny committee in each committee cycle year. In addition, extraordinary meetings may be called from time to time as and when appropriate. A scrutiny committee meeting may be called by the chairman of the Policy Review scrutiny committee.

And replace with:

3. Meetings of the Overview and Scrutiny Committee

The Council may determine a cycle of meetings for the Overview and Scrutiny Committee. The Chairman or in their absence Vice-

Chairman may change the date or cancel meetings or call additional meetings as they consider necessary to deal with the Committee's work programme.

Delete all references to "Scrutiny Committee(s)" and replace with "Overview and Scrutiny Committee".

Part 5 – Codes and Protocols

Petitions Policy (pages 219-224 of the current Constitution)

Delete all references to "Scrutiny Committee(s)" and replace with "Overview and Scrutiny Committee".

Part 8 – The Executive

Executive Procedure Rules (pages 219-224 of the current Constitution)

2.02 – delete "Policy Review Scrutiny Committee" and replace with "the Chairman of the Overview and Scrutiny Committee".

APPENDIX 2

Contracts Standing Orders (pages 114-123 of the current Constitution)

Standing Order 7, 10 and 12.02 – delete “Chairman of the Policy Review Scrutiny Committee” and replace with “Chairman of the Overview and Scrutiny Committee”.

Standing Order 9.09 – delete “Policy Review Scrutiny Chairman” and replace with “Chairman of the Overview and Scrutiny Committee”.

Standing Orders for Dealings with Land (pages 124-126 of the current Constitution)

Delete all references to the “Chairman of the Policy Review Scrutiny Committee” and replace with “Chairman of the Overview and Scrutiny Committee”.



Report to Council

Subject: Timing of Council Meetings

Date: 10 July 2013

Author: Stephen Bray, Corporate Director and Council Solicitor and Monitoring Officer.

1. Purpose of the Report

To enable Council to consider changing the start time of Council meetings following a request from the Labour Group.

2. Background

Standing Order 1.07 of the Procedural Standing Orders states that:

"The Annual Meeting and other meetings of the Council for the transaction of general business shall be held at 6.45pm."

3. Proposal

- 3.1 Council is asked to consider changing the start time of Council meetings from 6.45 pm to an earlier time of 6.00 pm.
- 3.2 To implement a change of start time for Council meetings the Constitution will need to be amended. It is therefore proposed that Standing Order 1.07 is amended as follows:-

"The Annual Meeting and other meetings of the Council for the transaction of general business shall be held at 6.00 pm."

- 3.3 The proposed changes fall within Standing Order 29 which states:

"29. Variation and Revocation of the Constitution

Any motion to add to, vary or revoke the Articles of the Constitution, Procedural Standing Orders, Standing Orders relating to Contracts, Standing Orders for Dealings with Land and Standing Orders relating to staff except for the amendment of financial limits and other amendments

appropriate to give effect to changes in officers' duties, responsibilities and titles, shall, when proposed and seconded, stand adjourned without disclosure to the next ordinary meeting of the Council."

Consequently, these changes cannot be agreed straightaway and would need to be held over to the next meeting.

4. Resource Implications

There are no direct resource implications arising from this report.

5. Recommendation

To authorise the Council Solicitor and Monitoring Officer to amend Standing Order 1.07 of the Constitution so that meetings of Council will begin at 6.00 pm.

PLANNING COMMITTEE

Wednesday, 10th April, 2013

Councillor P.G. Barnes(Chair)

Councillors:	P.D. Allan(a)	R.A. Allan(a)
	C.P. Barnfather	D.N. Beeston MBE
	A.S. Bexon	F.J.D. Boot
	R.F. Collis	A.M. Ellwood
	C.J. Hewlett	S. Hewson(a)
	J. Hollingsworth	M. Hope
	M. Lawrence	B.S.R. Miller
	M. Paling	C.J. Powell
	S.J. Prew-Smith	J. Truscott
	G.G. Tunncliffe	

146 APOLOGIES FOR ABSENCE.

Apologies for absence were received from Councillors R. Allan, P. Allan and Hewson.

147 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 13 MARCH 2013.

RESOLVED:

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

148 DECLARATION OF INTERESTS.

All Members declared a non-pecuniary interest in Agenda Item 4 as Members of Gedling Borough Council.

149 APPLICATION NO. 2012/1456 GEDLING COUNTRY PARK, SPRING LANE

Consideration was given to a supplementary note, which had been circulated prior to the meeting, setting out amended conditions to those presented in the original report.

The recommendation with the conditions as amended was moved from the Chair and duly seconded.

Members asked that the minute record that the application was delegated to Officers at the previous meeting of the Planning Committee but the delegation had not been exercised and the matter was now returned to Committee, rather than withdrawn as stated within the report.

RESOLVED to GRANT PLANNING PERMISSION, subject to the following conditions:

Conditions

1. The development must be begun not later than three years beginning with the date of this permission.

2. The development hereby approved shall be carried out in accordance with the approved plans received on the 7th December 2012, the 18th December 2012, the revised plans received on the 28th January 2013, the revised plans received on the 27th February 2013 and the revised plan received on the 1st March 2013, drawing numbers LR/4017514/02 C, LR/4017514/07, LR/4017514/08, LR/4017514/09, LR/4017514/10, LR/4017514/11, LR/4017514/12, LR/401754/05, LR4017514/03A, LR/4017514/04A, LR/4017514/06, LR/4017514/06, LR/4017514/04A, LR/4017514/02A and LR/4017514/03B.

3. The development hereby approved shall be carried out in two phases in accordance with the details set out in section 3 of the Design and Access Statement received on the 18th December and in accordance with the phasing details contained on drawing LR/4017514/04 A, Phase 1 being carried out by the 31st December 2013 and Phase 2 being carried out by the 31st December 2014, unless otherwise prior agreed in writing by the local planning authority.

Pre-commencement Conditions

4. Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme to be submitted shall demonstrate:
 - (1) The utilisation of holding sustainable drainage techniques that provide water quality, amenity, biodiversity, and water resource benefits;
 - (2) The limitation of surface water run-off to equivalent greenfield rates;

- (3) The ability to accommodate surface water run-off on-site up to the critical 1 in 100 year event plus an appropriate allowance for climate change, based upon the submission of drainage calculations;
- (4) That there will be no increase in the risk of flooding to the adjacent residential development;
- (5) Management of any overland flow routes that may affect the site from adjacent areas; and
- (6) Responsibility for the future maintenance of drainage features.

5. Unless otherwise agreed by the Local Planning Authority, development must not commence until the following has been complied with:

- a) A Site Characterisation:- an assessment of the nature and extent of any potential contamination has been submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site. Moreover, it must include; a survey of the extent, scale and nature of contamination, and: an assessment of the potential risks to: human health, property, adjoining land, controlled waters, ecological systems, archaeological sites and ancient monuments.
- b) Submission of Remediation Scheme:- where required, a detailed remediation scheme (to bring the site to a condition suitable for the intended use by removing unacceptable risks to critical receptors) should be submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures.
- c) In the event that remediation is required to render the development suitable for use, the approved remediation scheme shall be implemented in accordance with the approved timetable of works specified within the approved remediation scheme.
- d) Prior to public opening, a Verification Report (that demonstrates the effectiveness of the remediation carried out) must be submitted and approved in writing by the Local Planning Authority.

e) 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.

6. Unless otherwise agreed by the Local Planning Authority, development must not commence until an assessment has been undertaken in accordance with the requirements of Condition 5 a above, and where remediation is necessary a remediation scheme, together with a timetable for its implementation and verification reporting, must be submitted to and approved in writing by the Local Planning Authority. Any remediation work done must be done in accordance with that approved scheme.

7. Before development is commenced there shall be submitted to and approved in writing by the Local Planning Authority precise details of the works to be undertaken in order to provide the visibility splay to the access into the site from Arnold Lane. Once these details are approved the development shall be carried out in accordance with these approved details before the access from Arnold Lane is first brought into use and the visibility splay maintained at all times thereafter in accordance with the approved details.

Prior to the site being first brought into use

8. The site shall not be brought into use until such time as a scheme to provide appropriate crossing to watercourses which will not pose a detriment to flood risk or biodiversity has been submitted to the Local Planning Authority and approved by the Local Planning Authority in writing. The approved scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the approved scheme or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

9. Prior to the development being first brought into use there shall be submitted to and approved in writing by the Local Planning Authority details of a proposed parking area for bicycles. The bicycle parking area shall be provided in accordance with these approved details before the development is first brought into use and the area retained for the parking of bicycles at all times.

10. The car parking proposed to be provided off the access from Arnold Lane shall be made available for the users of the country park as the

development is brought into use and the proposed height restrictor barriers to be provided at this entrance shall be provided in accordance with the details set out in Section 3 of the Design and Access Statement (received 18th December 2012). The car park shall remain available to members of public and the height restrictor barrier shall be retained thereafter, for the lifetime of the development unless otherwise prior agreed in writing by the Local Planning Authority.

11. Before vehicular access is provided from the proposed access off Spring Lane a visibility splay of 3.5 metres by 160 metres shall be provided to the Spring Lane entrance into the site and shall be retained thereafter at all times.

Phases of the Development

12. Prior to the proposed car parking/footpath areas relating to the proposed vehicular access off Arnold Lane being first brought into use there shall be submitted to and approved in writing by the Local Planning Authority precise details of any security/flood lighting proposed to be erected at the site. Once these details are approved the development shall be carried out in accordance with these approved details unless otherwise agreed in writing by the Local Planning Authority.

13. Prior to any works commencing on the proposed footpaths within the site there shall be submitted to and approved in writing by the Local Planning Authority precise details of the positioning of the footpaths within the site which takes account of the amendments to the boundaries of the country park. Once these details are approved the development shall be carried out in accordance with these approved details unless otherwise agreed in writing by the Local Planning Authority.

14. Before the proposed red shale surfacing is used for the surfacing of footways within the site the red shale surfacing material is required to be tested to ensure that it is suitable for its intended use. The details of the testing of the red shale shall be submitted to the Local Planning Authority for assessment. Once the details are approved only the tested surfacing material shall be used within the site. Should the red shale surfacing material once tested be unsuitable for use on the site details of a replacement surfacing material shall be submitted to the Local Planning Authority for written approval. Once these details are approved the development shall be carried out in accordance with these approved details unless otherwise agreed in writing by the Local Planning Authority.

15. Prior to the construction of the proposed pedestrian bridges there shall be submitted to and approved in writing by the Local Planning

Authority precise details of the pedestrian bridges hereby proposed. This shall include precise details of their design, siting and their construction. Once these details are approved the development shall be carried out in accordance with these approved details unless otherwise agreed in writing by the Local Planning Authority.

16. Before public vehicular access is provided from the proposed access off Spring Lane the access road from Spring Lane including the proposed footways shall be completed and surfaced in a hard bound material (not loose gravel) for a minimum distance of 25 metres behind the Highway boundary in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The surfaced access and footways shall then be maintained in such approved hard bound material for the life of the development.

17. Before public vehicular access is provided from the proposed access off Spring Lane the car parking area to be provided off the Spring Lane access shall be provided in accordance with drawing number LR/4017514/06 (received 28 January 2013) and the car parking spaces shall be kept available for parking in association with the development thereafter.

18. Prior to the proposed car parking/footpath areas relating to the proposed vehicular access off Spring Lane being first brought into use by the public there shall be submitted to and approved in writing by the Local Planning Authority precise details of any security/flood lighting proposed to be erected at the site. Once these details are approved the development shall be carried out in accordance with these approved details unless otherwise agreed in writing by the Local Planning Authority within three months of the approval of these details.

19. Within six months of works commencing on site a Landscape and Wildlife Management Plan for the site shall be submitted to and approved in writing by the Local Planning Authority, and shall detail the proposed landscape and wildlife management of the site for a minimum of five years. Once these details are approved the details contained within the approved Landscape and Wildlife Management Plan shall be adhered to at all times. Any future changes to the approved Landscape and Wildlife Management Plan shall be prior approved in writing by the Local Planning Authority.

20. The proposed replacement hedgerow to the Spring Lane boundary as shown on the plans hereby approved shall be carried out in the first planting season following the substantial completion of the development and should the hedgerow become diseased or die within five years of

the completion of the development it shall be replaced in the next planting season by the applicants or their successors in title in accordance with the approved plans.

21. The recommendations as set out within Section 4.1 – Summary of Recommendations of Applied Ecology’s 2012 Report should be adhered to at all times during works being undertaken on the site.

22. Before development is commenced in respect to Phase 2 of the works to be undertaken at the site there shall be submitted to and approved in writing by the Local Planning Authority precise details of the footway proposed to be provided along Spring Lane. Once these details are approved the development shall be carried out in accordance with these approved details unless otherwise agreed in writing by the Local Planning Authority.

Life Time Conditions

23. The gates to the proposed access points into the site shall open inwards.

24. The vehicular access points into the site shall not be used between the hours of 21.00 and 06.00 from 1st June to 30th September inclusive and shall not be used between the hours of 19.00 and 07.00 from 1st of October to 31st May inclusive.

Reasons

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

2. For the avoidance of doubt.

3. For the avoidance of doubt

4. To prevent the increased risk of flooding; to improve and protect water quality; to improve habitat and amenity; and to ensure the future maintenance of the sustainable drainage structures.

5. To provide adequate crossing to water courses and to reduce the risk of flooding

6. To ensure a satisfactory development where contamination has been dealt with appropriately

7. To ensure a satisfactory development where contamination has been

dealt with appropriately

8. In the interests of highway safety.

9. In the interests of highway safety.

10. In the interests of highway safety.

11. To ensure a satisfactory development, in accordance with the aims of policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).

12. To ensure a satisfactory development, in accordance with the aims of policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).

13. To ensure a satisfactory development, in accordance with the aims of policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).

14. To ensure a satisfactory development, in accordance with the aims of policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).

15. In the interests of highway safety

16. In the interests of highway safety.

17. In the interests of highway safety

18. In the interests of highway safety

19. To ensure a satisfactory development, in accordance with the aims of policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008) and the National Planning Policy Framework paragraph 118.

20. To ensure a satisfactory development, in accordance with the aims of policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008)

21. To ensure a satisfactory development, in accordance with the aims of policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008) and the National Planning Policy Framework paragraph 118.

22. To ensure a satisfactory development, in accordance with the aims of policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008

23. To ensure a satisfactory development, in accordance with the aims of policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008

24. To ensure a satisfactory development, in accordance with the aims of policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008

Reasons for Decision

The proposal provides an important area of open space, results in no significant impact on neighbouring properties or the area in general. The proposal raises no highway safety implications and is not detrimental to wildlife on the site or in the surrounding area. The proposal therefore accords with policies ENV1, ENV42, ENV43, ENV44, policies contained within the National Planning Policy Framework March 2012 and the policies contained within the Aligned Core Strategy.

Notes to Applicant

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

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

Planning Statement - The Borough Council has worked positively and proactively with the applicant in accordance with paragraphs 185 to 186 of the National Planning Policy Framework.

You are advised that conditions 4 to 7 and 14 should be read in

conjunction with the attached comments received from the Environment Agency and the Borough Council's Public Protection Section.

It is suggested that consideration be given to crime reduction signage being displayed within the site in order to reduce crime within the area.

You are advised that any works proposed to the hedgerows and trees on the site shall be undertaken outside of the bird breeding season.

Councillor Barnes left the meeting and Councillor Miller took the Chair.

**150 APPLICATION NO.2007/0748
SPRING LANE, MAPPERLEY (ALTERATION TO S106
AGREEMENT)**

Councillor Lawrence moved the recommendation which was duly seconded.

An amendment to the recommendation to include the sum of £318,000, as specified within the report , was agreed. The amended recommendation was put to the vote and carried.

RESOLVED:

To authorise the Service Manager, Planning and Economic Development to instruct the Council's Solicitor and Monitoring Officer to undertake the necessary work to prepare and finalise a Deed of Variation to the Planning Obligation already agreed and lodged with the Borough Council (7 September 2010) to enable a financial contribution of £318,000 to be made in lieu of the on-site provision of twelve units of affordable housing for the development permitted by Planning Permission 2007/0748 (and 2010/1022 reserved Matters).

151 PLANNING DELEGATION ACTION SHEETS

RESOLVED:

To note the information.

152 FUTURE PLANNING APPLICATIONS

RESOLVED:

To note the information.

153 ANY OTHER ITEMS WHICH THE CHAIRMAN CONSIDERS

URGENT.

None.

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ENVIRONMENT AND LICENSING COMMITTEE

Tuesday, 16th April, 2013

Councillor B.M. Andrews

Councillors:	N. Brooks	G.V. Clarke
	R. Ellis	A.J. Gillam
	J. Hollingsworth	M. Hope
	M. Lawrence	B.S.R. Miller
	M. Paling	J. M. Parr(a)
	S. Poole	H.T.N. Wheeler

Officers in attendance: D. Blasdale, P. Gibbs and K. Nealon

140 APOLOGIES FOR ABSENCE.

Apologies for absence were received from Councillor Parr.

141 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 12 MARCH 2013.

RESOLVED:

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

142 DECLARATION OF INTERESTS.

None.

143 ANY OTHER ITEMS WHICH THE CHAIRMAN CONSIDERS URGENT.

None.

144 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 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.

145 APPLICATION FOR A JOINT HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE - ZT

ZT did not attend the meeting.

RESOLVED:

To defer consideration of the application for a Hackney Carriage/Private Hire Driver's Licence from ZT to a future meeting of the Committee.

146 APPLICATION FOR A JOINT HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE - MA

The Committee considered a report from Corporate Director, David Wakelin, regarding an application for a Joint Hackney Carriage/Private Hire Driver's License from MA.

MA attended the meeting and addressed the Committee/ did not attend the meeting.

In making its decision, the Committee has applied the Council's approved Policy and Guidelines. On the basis of what it has heard, the Committee is satisfied on balance that no exceptional circumstances exist which would warrant departure from this policy.

RESOLVED:

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

147 APPLICATION FOR A JOINT HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE - MA

The Committee considered a report from Corporate Director, David Wakelin, regarding an application for a Joint Hackney Carriage/Private Hire Driver's Licence from MA.

MA attended the meeting and addressed the Committee.

In making its decision, the Committee has applied the Council's approved Policy and Guidelines. On the basis of what it has heard, the Committee is satisfied on balance that no exceptional circumstances

exist which would warrant departure from this policy.

RESOLVED:

To approve MA's application for a Hackney Carriage/Private Hire Driver's Licence

148 APPLICATION FOR A JOINT HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE - AO

The Committee considered a report from Corporate Director, David Wakelin, regarding an application for a Joint Hackney Carriage/Private Hire Driver's Licence from AO.

AO attended the meeting and addressed the Committee.

In making its decision, the Committee has applied the Council's approved Policy and Guidelines. On the basis of what it has heard, the Committee is satisfied on balance that no exceptional circumstances exist which would warrant departure from this policy.

RESOLVED:

To approve AO's application for a Hackney Carriage/Private Hire Driver's Licence, but to issue a warning as to the consequences of any further convictions and failure to disclose the same.

149 APPLICATION FOR A JOINT HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE - DD

The Committee considered a report from Corporate Director, David Wakelin, regarding an application for a Joint Hackney Carriage/Private Hire Driver's Licence from DD.

DD attended the meeting and addressed the Committee.

In making its decision, the Committee has applied the Council's approved Policy and Guidelines. On the basis of what it has heard, the Committee is satisfied on balance that no exceptional circumstances exist which would warrant departure from this policy.

RESOLVED:

To refuse the application from DD for a Hackney Carriage/Private Hire Driver's Licence on the basis that he is not considered to be a fit and proper person to hold a licence because of his previous convictions.

DD was advised of his right of appeal against the decision of the Committee.

150 APPLICATION FOR A JOINT HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE - SK

The Committee considered a report from Corporate Director, David Wakelin, regarding an application for a Joint Hackney Carriage/Private Hire Driver's Licence from SK.

SK attended the meeting and addressed the Committee.

In making its decision, the Committee has applied the Council's approved Policy and Guidelines. On the basis of what it has heard, the Committee is satisfied on balance that no exceptional circumstances exist which would warrant departure from this policy.

RESOLVED:

To approve SK's application for a Hackney Carriage/Private Hire Driver's Licence, but to issue a warning as to the consequences of any further convictions and failure to disclose the same.

151 APPLICATION FOR A JOINT HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE - SI

The Committee considered a report from Corporate Director, David Wakelin, regarding an application for a Joint Hackney Carriage/Private Hire Driver's Licence from SI.

SI attended the meeting and addressed the Committee.

In making its decision, the Committee has applied the Council's approved Policy and Guidelines. On the basis of what it has heard, the Committee is satisfied on balance that no exceptional circumstances exist which would warrant departure from this policy.

RESOLVED:

To approve SI's application for a Hackney Carriage/Private Hire Driver's Licence, but to issue a warning as to the consequences of any further convictions and failure to disclose the same.

152 APPLICATION FOR A JOINT HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE - MA

The Committee considered a report from Corporate Director, David Wakelin, regarding an application for a Joint Hackney Carriage/Private Hire Driver's Licence from MA.

MA attended the meeting accompanied by a friend and addressed the Committee.

In making its decision, the Committee has applied the Council's approved Policy and Guidelines. On the basis of what it has heard, the Committee is satisfied on balance that no exceptional circumstances exist which would warrant departure from this policy.

RESOLVED:

To refuse the application from MA for a Hackney Carriage/Private Hire Driver's Licence on the basis that he is not considered to be a fit and proper person to hold a licence because of his previous convictions.

153 COMPLAINT RELATING TO HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE - GM

The Committee considered a report from Corporate Director, David Wakelin regarding the complaint.

GM attended the meeting accompanied by a friend and addressed the Committee.

RESOLVED:

That no action be taken.

154 REVOCATION OF JOINT HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE - MG

RESOLVED:

To note the report

155 REVOCATION OF JOINT HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE - ZI

RESOLVED:

To note the report

MINUTES OVERVIEW SCRUTINY COMMITTEE

Tuesday 23 April 2013
Councillor M. Hope (Chair)

Councillors: R F Collis C J Powell(a)
 P A Hughes M Weisz
 J Clarke M Payne

Officers in attendance: J. Ansell

Guests: Councillor S. Poole, Chair: 'On Street Parking' Scrutiny working group

23 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Powell.

24 TO APPROVE AS A CORRECT RECORD THE MINUTES OF THE MEETING HELD ON 29 JANUARY 2013

RESOLVED:

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

25 DECLARATIONS OF INTEREST

None.

26 SCRUTINY WORK PROGRAMME REVIEW

Members received updates on current scrutiny reviews and considered responses from Portfolio Holders to the recommendations of the 'Joint Procurement' and 'On Street Parking' reviews.

RESOLVED:

1. To note the responses of the Portfolio Holders to the recommendations of the 'Joint Procurement' and 'On Street Parking' reviews.
2. In respect of the 'On Street Parking' review, to request that a more detailed article be placed in Contacts aimed at encouraging better on street parking practice. Additionally, when the six month follow - up is carried out, to review the success of local school initiatives in Calverton and Ravenshead to discourage on street parking in safety

zones outside schools.

3. In respect of the 'Joint Procurement' review, to request that Officers establish the viability of monitoring those services which are procured locally and those which are not. The data may to be considered as part of the follow up of the Economic Development review.

4. To wind up the 2012/13 work programme by the end of May 2013.

27 ANY OTHER ITEMS WHICH THE CHAIRMAN CONSIDERS URGENT

None

POLICY REVIEW SCRUTINY COMMITTEE

Tuesday 30 April 2013

Councillor C Powell (Chair)

Councillors: P A Allan (a) S Poole
E Bailey S J Prew-Smith (a)
K Blair (a) G Tunncliffe
R F Collis H Wheeler
M Glover (a)
G Gregory (a)

Observers: M Hope

Officers in attendance: J. Ansell

29 APOLOGIES FOR ABSENCE

Apologies were received from Councillors P Allan, Blair, Glover, Gregory and Prew – Smith.

30 TO APPROVE AS A CORRECT RECORD THE MINUTES OF THE MEETING HELD ON 11 FEBRUARY 2013.

RESOLVED:

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

31 DECLARATIONS OF INTERESTS (INCLUDING WHIPPING DECLARATIONS)

None

32 OVERVIEW SCRUTINY WORK PROGRAMME

Members received an update on the progress of current Performance and Policy Scrutiny working groups as detailed in the Scrutiny Work Programme.

RESOLVED

- i. To ask the Elections and Members' Services Team Leader to request an update from the Chief Executive on the work of the Leaders/Vision Board, in order to complete follow up of the review of the Gedling LSP carried out in 2011/12.
- ii. To request that Scrutiny of the Council's Waste Strategy be carried over

into next year's work programme

- iii. To propose that the Portfolio Holder, Communications and Public Protection and Stephen Bray, Corporate Director be invited to attend the next Policy Scrutiny Committee meeting to take questions from Members on the Councils' Communications policy, to include how we consult with stakeholders.

Key areas of concern:

Aligned Core Strategy consultation – could there be a better way of doing it?

What is the communications policy and what tools do we use for communication?

What is the policy on consulting with communities?

33 ANY OTHER ITEMS WHICH THE CHAIR CONSIDERS URGENT

None

PLANNING COMMITTEE

Wednesday, 8th May, 2013

Councillor P.G. Barnes(Chair)

Councillors:	P.A. Allan	R.D. Allan
	C.P. Barnfather	D.N. Beeston MBE(a)
	A.S. Bexon	F.J.D. Boot
	R.F. Collis	A.M. Ellwood(a)
	C.J. Hewlett	S. Hewson
	J. Hollingsworth	M. Hope
	M. Lawrence	B.S.R. Miller
	M. Paling	C.J. Powell
	S.J. Prew-Smith	J. Truscott
	G.G. Tunncliffe	

Officers in Attendance: P. Baguley, H. Barrington, N. Morley, L. Parnell.

154 APOLOGIES FOR ABSENCE.

Apologies for absence were received from Councillors Beeston, Ellwood and Hewson, who would be late.

155 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 10 APRIL 2013.

RESOLVED:

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

156 DECLARATION OF INTERESTS.

None.

157 INTRODUCTORY REPORT TO PLANNING APPLICATIONS 2012/0616 AND 2012/0799

The Council Solicitor and Monitoring Officer provided legal advice to Members following the receipt of a letter from an applicant's barrister.

Service Manager, Planning and Economic Development, presented the report, which had been previously circulated, outlining the issues contained within the report.

Dawn Edwards, representing the Catfoot Lane Crematorium Opposition Group and local resident, Mr Thorpe, spoke against the report. Objectors raised concerns about the reliability of data used to assess need and that they did not feel that sufficient need had been evidenced to warrant the "very special circumstances" required to approve inappropriate Green Belt development.

Applicants, Mr Nigel Lymn Rose and Mr Richard Evans spoke in favour of the report. Mr Evans argued that his application provided compelling evidence of a need for a crematorium and also additional burial space within the Borough, both in quantitative and qualitative terms. Mr Nigel Lymn-Rose also discussed the statistical need for additional crematorium capacity and informed Members of complaints received to this end from Borough residents.

Members discussed the statistics presented with regards to current capacity and debated the qualitative and quantitative issues raised, in relation to the "very special circumstances" required to permit this type of development in the Green Belt.

RESOLVED:

To note the content of the report and take it into consideration when determining the two applications that it refers to.

Councillor Hewson arrived at 7.05pm.

158

**APPLICATION NO. 2012/0616
LAND NORTH OF THE LIGHTHOUSE, CATFOOT LANE, LAMBLEY**

The Service Manager, Planning and Economic Development, presented application 2012/0616 and 2012/0799 and drew Member's attention to the comparison tables contained within the Introductory Report and outlined key comparisons between the two applications.

Dawn Edwards, on behalf of the Catfoot Lane Crematorium Opposition Group, and resident Mr Thorpe spoke against both applications. With regard to Application 2012/0616, Ms. Edwards discussed issues of design, landscaping, the increased traffic that would be caused by the development and the sustainability of the location, which is not easily accessible by public transport. In respect of Application 2012/0799, Ms. Edwards raised concerns related to the location of the building on the site, the visual impact on the Dumbles and traffic issues related to such a development. Mr Thorpe, a local resident, reiterated that he did not feel that need had not been proven sufficient to warrant such development on green belt and made reference to the impact of the

numbers of services held at any potential crematorium on traffic in the local area.

Applicants, Mr Richard Evans and Mr Nigel Lymn Rose, spoke in favour of their respective applications and Mr Bishop, spoke on behalf of a local resident in favour of Application 2012/0616.

Mr Evans pointed out the proven track record of his company, the time spent by the company to ensure the appropriateness of the site and addressed issues raised regarding anticipated services and traffic.

Mr Lymn-Rose discussed the reduction in light pollution on the proposed crematorium site, emphasised that there is currently a building on the Application 2012/0799 site and the weight that should be attributed to the innovative design of the building as per the National Planning Policy Framework.

Mr Bishop, speaking, on behalf of a Mrs Redgrave, in favour of Application 2012/0616 discussed issues of landscaping, need and stated that site searches could not be indefinite.

Application 2012/0616 and Application 2012/0799 were debated by Members. Members discussed issues of site suitability, openness of the green belt, landscaping, design and accessibility/highways.

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

For the motion:

P.G. Barnes, B.S.R. Miller, P.A. Allan, R.D. Allan, R.F. Collis, C. J. Hewlett, J. Hollingsworth, M. Paling, J. Truscott.

Against the motion:

C. P. Barnfather, A.S. Bexon, F.J.D Boot, M. Hope, M. Lawrence, S.J. Prew-Smith, C.J. Powell, G. G. Tunnicliffe.

Abstentions:

S. Hewson.

RESOLVED to GRANT PLANNING PERMISSION subject to the following conditions:

Conditions

1. The development must be begun not later than three years beginning with the date of this permission.

2. The development hereby approved shall be built in accordance with the approved Elevations (04 Rev 4), Floor Plan (05), Floral Tribute Plans and Elevations (06) and Sections (M052.D.LS02) drawings, deposited on 23rd May 2012; Proposed Footway drawings (SCP/11100/D01 APPENDIX 4 Rev B), received on 31st July 2012 and General Arrangement drawing (M052.D.PA01 Rev f), received on 1st November 2012.

3. Before development is commenced there shall be submitted to and approved in writing by the Borough Council details of the materials to be used in the external elevations of the proposed building. Thereafter the development shall be carried out in accordance with approved materials unless otherwise prior agreed in writing by the Borough Council.

4. Before development is commenced there shall be submitted to and approved in writing by the Borough Council details of the means of enclosure of the site. Thereafter the development shall be carried out in accordance with approved means of enclosure unless otherwise prior agreed in writing by the Borough Council.

5. Before development is commenced there shall be submitted to and approved in writing by the Borough Council details of any proposed alterations to the existing ground levels of the site, other than those shown on Sections drawing (M052.D.LS02). Thereafter the development shall be carried out in accordance with approved details unless otherwise prior agreed in writing by the Borough Council.

6. Before development is commenced there shall be submitted to and approved writing by the Borough Council details of the means of surfacing of the access road, driveways, car parking areas, turning and servicing areas and other unbuilt on portions of the site. The access road, driveways, car parking areas, turning and servicing areas and other unbuilt on portions of the site shall be provided and completed in accordance with the approved details before the development is first brought into use and the parking, turning and servicing areas shall not be used for any other purpose other than the parking, turning, loading and unloading of vehicles.

7. Before development is commenced there shall be submitted to and approved in writing by the Borough Council details of any gates at the access point, which shall open inwards only and be set back 5.00 metres from the highway boundary. The gates shall be provided in accordance with the approved details before the development is first brought into use and shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.

8. Before development is brought into operation there shall be submitted to and approved in writing by the Borough Council details of the type, dimensions and layout of memorial stones to be used within the cemetery, together with details of any footways within the cemetery, grassland and meadow areas. The cemetery shall be provided and operate in accordance with the approved details for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.

9. Before development is commenced there shall be submitted to and approved in writing by the Borough Council, details of a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed and shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council. The scheme to be submitted shall demonstrate the utilisation of holding sustainable drainage techniques; the limitation of surface water run-off to equivalent greenfield rates; the ability to accommodate surface water run-off on-site up to the critical 1 in 100 year event plus an appropriate allowance for climate change, based upon the submission of drainage calculations; and responsibility for the future maintenance of drainage features.

10. Before development is commenced there shall be submitted to and approved in writing by the Borough Council details of all external plant, including extract units, air conditioning systems, flues, fans & vents. The external plant shall be provided in accordance with the approved details before the development is first brought into use and shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.

11. Before development is commenced there shall be submitted to and approved in writing by the Borough Council details of all external lighting, including levels of illumination, to be provided on the proposed building or elsewhere within the site. The external lighting shall be provided in accordance with the approved details before the development is first brought into use and shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.

12. Before development is commenced there shall be submitted to and approved in writing by the Borough Council details of cycle stands for staff and visitors. The cycle stands shall be provided in accordance with the approved details before the development is first brought into use and shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.

13. Before development is commenced there shall be submitted to and approved in writing by the Borough Council a landscape plan of the site showing the position, type, planting size and seed mix of all trees, shrubs, grassland and meadow areas proposed to be planted and sown, including details of proportions, establishment methods and the maintenance regime and, where appropriate, details of any existing trees and hedges to be felled, removed or retained.

14. Before development is commenced there shall be submitted to and approved in writing by the Borough Council details of a landscape management plan, detailing how habitats created as part of the landscaping scheme will be managed and maintained, in order to maximise their value.

15. Before development is commenced there shall be submitted to and approved in writing by the Borough Council details of a scheme for the protection of the existing hedgerows and hedgerow trees which form the boundaries of the site. The scheme shall be implemented in accordance with the approved details and shall be retained until all construction works have been completed.

16. No part of the development hereby permitted shall be brought into use until the visibility splays shown on drawing no: SCP/11100/D01 APPENDIX 4 Rev B are provided. The area within the visibility splays referred to in this condition shall thereafter be kept free of all

obstructions, structures or erections exceeding 0.90 metres in height.

17. No operation of the use hereby permitted shall commence on any part of the application site unless or until the vehicular access and footway on the south side of Catfoot Lane has been provided between the site access point and the B684 Mapperley Plains, together with the provision of a pedestrian island on the B684, as shown for indicative purposes only on drawing no: SCP/11100/D01 APPENDIX 4 Rev B to the satisfaction of the Borough Council.

18. No part of the development hereby permitted shall become operational until a Travel Plan has been submitted to and approved in writing by the Borough Council. The Travel Plan shall set out proposals (including targets, a timetable and enforcement mechanism) to reduce the traffic and environmental impacts of the development and shall include arrangements for monitoring of progress of the proposals. The Travel Plan shall be implemented in accordance with the timetable set out in that plan and shall subsist for the lifetime of the development, unless otherwise agreed in writing by the Borough Council.

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

20. Should the development hereby permitted not commence within one year of the date of this permission, an updated badger survey shall be undertaken by an appropriately qualified ecologist and the outcome reported to the Borough Council before development commences. If any badgers are found to be present, details of any proposed mitigation measures shall be submitted to and approved in writing by the Borough Council before development commences. The mitigation measures shall be implemented in accordance with the approved details before development commences.

Reasons

1. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt.
3. To ensure the details of the development are satisfactory, in accordance with the aims of Policy ENV1 of the Gedling Borough replacement Local Plan (Certain Policies Saved 2008).
4. To ensure the details of the development are satisfactory, in accordance with the aims of Policy ENV1 of the Gedling Borough replacement Local Plan (Certain Policies Saved 2008).
5. To ensure the details of the development are satisfactory, in accordance with the aims of Policy ENV1 of the Gedling Borough replacement Local Plan (Certain Policies Saved 2008).
6. To ensure the details of the development are satisfactory and to ensure a satisfactory development, in accordance with the aims of Policy ENV1 of the Gedling Borough replacement Local Plan (Certain Policies Saved 2008).
7. In the interests of highway safety in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).
8. To ensure the details of the development are satisfactory, in accordance with the aims of Policy ENV1 of the Gedling Borough replacement Local Plan (Certain Policies Saved 2008).
9. To prevent the increased risk of flooding; to improve and protect water quality; to improve habitat and amenity; and to ensure the future maintenance of the sustainable drainage structures in accordance with the National Planning Policy Framework, Policies ENV1 and ENV40 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008) and Policy 1 of the Gedling Borough Aligned Core Strategy Submitted Documents.
10. To ensure a satisfactory development in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).
11. In the interests of visual amenity and to ensure a satisfactory development, in accordance with the aims of Policy ENV1 of the

Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).

12. To ensure the details of the development are satisfactory and to ensure a satisfactory development, in accordance with the aims of Policy ENV1 of the Gedling Borough replacement Local Plan (Certain Policies Saved 2008).

13. In the interests of visual amenity, in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).

14. To enhance biodiversity in accordance with the National Planning Policy Framework and Policy 17 of the Gedling Borough Aligned Core Strategy Submitted Documents.

15. To minimise any potential impacts on biodiversity and the landscape in accordance with the National Planning Policy Framework and Policy 17 of the Gedling Borough Aligned Core Strategy Submitted Documents.

16. In the interests of highway safety in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).

17. In the interests of highway safety in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).

18. To ensure the traffic and environmental impacts of the development are mitigated and to ensure a satisfactory development, in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).

19. To minimise any potential impacts on biodiversity in accordance with the National Planning Policy Framework and Policy 17 of the Gedling Borough Aligned Core Strategy Submitted Documents.

20. To minimise any potential impacts on biodiversity in accordance with the National Planning Policy Framework and Policy 17 of the Gedling Borough Aligned Core Strategy Submitted Documents.

Reasons for Decision

There is a justifiable need for a new crematorium within Gedling Borough which constitutes the very special circumstances necessary to

outweigh the harm to the Green Belt and the slight adverse impact on the local landscape. The proposed crematorium and cemetery would not unduly harm the openness of the Green Belt or have an unduly detrimental impact on Landscape Character or Visual Amenity. The proposed development would not give rise to any undue impacts on highway safety and would meet the main principles of sustainable development. The proposed development would not give rise to any undue impacts with regard to pollution, the water environment, the amenity of nearby residential properties and businesses; ecology; the design of the proposed development; and its impact on the public footpath. As such, the proposed development would comply with Policies ENV1, ENV2, ENV11, ENV26, ENV37, ENV40, ENV43, ENV48 and T10 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008), emerging Policies 1, 3, 10, 16 and 17 of the Gedling Borough Aligned Core Strategy Submission Documents, and accords with the aims of Sections 7, 9, 10 and 11 of the National Planning Policy Framework.

Notes to Applicant

Your attention is drawn to the attached comments from Public Protection, the Environment Agency, Nottinghamshire Wildlife Trust and the Nottinghamshire County Council with regard to Highways, Landscape, Conservation and Rights of Way.

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

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

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APPLICATION 2012/0799 ORCHARD FARM, 216 CATFOOT LANE, LAMBLEY

On the requisition of two Members the motion was put to a named vote and the motion was carried.

For the motion:

P.G. Barnes, B.S.R. Miller, P.A. Allan, R.D. Allan, C.P. Barnfather, A.S.Bexon, F.J.D. Boot, R.F. Collis, C.J. Hewlett, J. Hollingsworth, M. Hope, M. Lawrence, M. Paling, S.J. Prew-Smith, C.J. Powell, J. Truscott, G.G. Tunnicliffe.

Against the motion:

None.

Abstentions:

S. Hewson.

RESOLVED to REFUSE PLANNING PERMISSION:

1. In the opinion of the Borough Council, the proposed development would not fall within the categories of appropriate development within the Green Belt as set out in Policy ENV26 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008) and paragraphs 87, 88, 89 and 90 of the National Planning Policy Framework. Paragraph 87 of the National Planning Policy Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 88 of the National Planning Policy Framework advises that very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. The Borough Council does not consider that the very special circumstances by reason of need put forward by the applicant to justify the proposal would, in this instance, outweigh the harm to the Green Belt at the application site due to the impact on openness and the harm caused to the purpose of safeguarding the countryside from encroachment.

2. In the opinion of the Borough Council, the proposed development would not maintain the openness of the Green Belt at the application site by reason of its scale, appearance and associated hard surfaced areas, and would conflict with the purpose of assisting in safeguarding the countryside from encroachment, as stated in paragraph 80 of the National Planning Policy Framework.

3. In the opinion of the Borough Council and the Nottinghamshire County Council, the proposed development would have a moderate adverse visual impact and a moderate adverse effect on Policy Zone MNO45 (The Dumbles Rolling Farmland) of the Mid-Nottinghamshire Farmlands Landscape Character Area and the Mature Landscape Area by introducing buildings and a fundamentally diverse landscape into an

area of high landscape sensitivity, derived from its simplicity and openness. As such, it would be contrary to the Greater Nottingham Landscape Character Assessment 2009, Policies ENV2 and ENV37 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008), Policies 10 and 16 of the Aligned Core Strategy Submission Documents and paragraph 109 of the National Planning Policy Framework.

Notes to Applicant

Planning Statement - The Borough Council has determined this application in accordance with paragraphs 185 and 186 of the National Planning Policy Framework.

160

APPLICATION NO. 2013/0106 I WEAR OPTICIANS, 21A PLAINS ROAD, MAPPERLEY

Proposed change of use from optician (A1 Use class) to nail bar (Sui Generis).

RESOLVED to GRANT PLANNING PERMISSION subject to the following conditions:-

Conditions

1. The use hereby approved shall be carried out in accordance with the details deposited with the application on the 7th February 2013.

2. This permission relates to use of the premises by Mrs Phuong Laon Tran as a nail bar (Sui Generis). Should the nail bar cease to operate or be operated by another party, the use of the building would revert back to a Retail (A1) use and for no other purpose under the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in equivalent provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

Reasons

1. For the avoidance of doubt.
2. For the avoidance of doubt.

Reasons for Decision

In the opinion of the Borough Council there are material considerations

which outweigh the criteria under Policy S2(b) of the Gedling Borough Replacement Local Plan (Certain Policies Saved) 2008. The proposed use will result in no undue impact on the amenities of neighbouring properties, the character or appearance of the area or highway safety. The proposal therefore accords with the National Planning Policy Framework (2012) and policy S8 of the Gedling Borough Council Replacement Local Plan (Certain Policies Saved) 2008 in that it supports the retail function of the District Shopping Centre.

Notes to Applicant

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

161

20013/0162

THE PRECINCT, 13-25 PLAINS ROAD, MAPPERLEY

A 50 sq m prefabricated kiosk for A3 planning use class and associated external works.

Dr Henman, local resident, spoke against the application, raising concerns about the loss of a community space, safety and the effect on the viability of other shops within the precinct area.

RESOLVED to GRANT PLANNING PERMISSION subject to the following conditions:

Conditions

1. The development must be begun not later than three years beginning with the date of this permission.
2. The development shall be completed in accordance with drawing nos. 12014/004 Rev C, 12014/007 Rev B, 12014/008 Rev A, 12014/009 and the materials set out on the plans, accompanying application forms and design and access statement.
3. The development hereby permitted shall not commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved in writing by the Borough Council. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.

4. The kiosk shall not be brought into use until the works to the precinct and car park set out on the proposed site schedule on drawing no.12014/004 Rev C have been completed.

5. Before development is commenced precise details of the glass to be used in the elevations of the kiosk and details of any internal or external security shutters shall be submitted to and approved in writing by the Borough Council. Once approved the glass and security shutters shall only be installed in accordance with the approved details and shall be retained as such at all times.

6. Other than any security shutters approved under condition 5 of this consent, no internal or external shutters shall be installed on or within the kiosk without the express consent of the Borough Council.

7. Before development is commenced precise details of the proposed new bins, proposed waste and recycling store and the proposed kiosk store annotated 9, 16 and 17 respectively on drawing no.12014/004 Rev C shall be submitted to and approved in writing by the Borough Council. Once approved the bins, waste and recycling store and the kiosk store shall be retained in accordance with the approved details at all times.

8. Before development is commenced, precise details of security lighting to be installed to the front and rear elevations of the kiosk shall be submitted to and approved in writing by the Borough Council. Once approved the security lighting shall be installed on the kiosk prior to the kiosk first being brought into use and shall be retained and kept operational at all times thereafter.

Reasons

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

2. For the avoidance of doubt.

3. To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.

4. In order to ensure a satisfactory development, in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).

5. In order to protect the visual amenity of the area and in the interests of crime prevention in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).

6. In order to protect the visual amenity of the area and in the interests of crime prevention in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).

7. To ensure the details of the development are satisfactory, in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).

8. In the interests of crime prevention in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).

Reasons for Decision

In the opinion of the Borough Council the proposed kiosk would result in significant additional investment in the District Centre which is strongly supported by the aims of the National Planning Policy Framework (2012). The proposal would not result in the loss of an existing A1 use and would result in an overall increase in retail floorspace in the shopping centre. There are therefore material considerations which outweigh the criteria under Policy S2(b) of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008). The external improvement works to the precinct and car parking facilities accord with the aims of Policy S4. The proposal also complies with the aims of policies ENV1 and S17 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).

Notes to Applicant

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

Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com.

Your attention is drawn to the attached comments of the County Council's Forestry Manager.

Decision Statement - The Local Planning Authority has worked with the Applicant in accordance with the requirements of the National Planning Policy Framework paragraphs 186 to 187.

162

**APPLICATION NO. 2013/0194
20C DUKE STREET, ARNOLD**

Construct building consisting of ground floor and first floor two bed maisonette.

Councillors Barnes, Tunnicliffe and Prew-Smith disclosed non-pecuniary interests due to knowing the applicant.

RESOLVED to GRANT PLANNING PERMISSION subject to the following conditions:

Conditions

1. The development must be begun not later than three years beginning with the date of this permission.
2. The development hereby approved shall be carried out in accordance with the approved plans deposited on the 12th March 2013 (drg no.s 800 02, 03, 05, 07) and revised layout and elevation plans (drg. no. 800 01A and 04A) deposited on the 22nd April 2013.
3. This permission relates to the Design and Access Statement deposited on the 12th March 2013.
4. Before development is commenced there shall be submitted to and approved in writing by the Borough Council a sample of the materials to be used in the external elevations of the proposed development. The development shall be constructed in accordance with the approved details.
5. Before development is commenced there shall be submitted and approved by the Borough Council a landscape plan of the site showing the position, type and planting size of all trees and shrubs proposed to be planted and including where appropriate details of existing trees to be felled and retained. The approved landscape scheme shall be

carried out in the first planting season following the substantial completion of the development and any planting material which becomes diseased or dies within five years of the completion of the development shall be replaced in the next planting season by the applicants or their successors in title.

6. The means of enclosure hereby approved as set out in the Design and Access Statement deposited on the 12th March 2013 as part of this application shall be retained where applicable and the new 1.8m fencing to be erected to the rear boundary shall be erected prior to the dwelling being first occupied.

7. Before development is commenced there shall be submitted to and approved in writing by the Borough Council precise details of the means of screening to the external staircase. The screening of the external staircase shall be carried out in accordance with the approved details prior to the building being first brought into use and shall be retained as such for the life of the development.

8. No first floor windows shall be inserted in the side elevation of the proposed building adjacent to the boundary with nos 20E and 20F Duke Street at any time.

9. The development hereby permitted shall not commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.

10. No part of the development hereby approved shall be brought into use until the vehicle parking areas are provided in accordance with the approved plans. The approved arrangements shall thereafter be retained as such for the life of the development.

11. No part of the development hereby approved shall be brought into use until all drives and parking areas are surfaced in a hard bound material (not loose gravel) for a minimum of 5 metres rear of the adopted highway boundary in accordance with details to be first submitted to and approved in writing by the Borough Council. The surfaced drives and parking areas shall then be maintained in such hard bound material for the life of the development.

12. No part of the development hereby approved shall be brought into use until the access driveway/parking/turning areas are constructed with provision to prevent the unregulated discharge of surface water from the driveway and parking areas to the public highway in

accordance with details first submitted to and approved in writing by the Local Planning Authority. The provision to prevent unregulated discharge of surface water to the public highway shall be retained for the life of the development.

13. No works permitted under Class A, B, C and E of Part 1 Schedule 2 of the Town & Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or in any provision equivalent to that Class in any Statutory Instrument revoking and re-enacting that Order) shall be undertaken without the prior written permission of the Borough Council as local planning authority.

Reasons

1. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt.
3. For the avoidance of doubt.
4. To ensure a satisfactory development, in accordance with the aims of policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved) 2008.
5. To ensure a satisfactory development, in accordance with the aims of policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved) 2008.
6. To ensure a satisfactory development, in accordance with the aims of policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved) 2008.
7. To ensure a satisfactory development, in accordance with the aims of policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved) 2008.
8. To ensure a satisfactory development, in accordance with the aims of policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved) 2008.
9. To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.
10. In the interests of pedestrian safety.

11. To reduce the possibility of deleterious material being deposited on the public highway (loose stones etc).

12. To ensure surface water is not deposited on the public highway causing dangers to road users.

13. To ensure a satisfactory development, in accordance with the aims of policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved) 2008.

Reasons for Decision

In the opinion of the Borough Council the proposed development will result in no undue impact on the amenities of neighbouring residential properties, the character or appearance of the area or highway safety. The proposal therefore accords with the National Planning Policy Framework (2012) and policies ENV1, H7 and H16 of the Gedling Borough Replacement Local Plan (Certain Saved Policies) 2008.

Notes to Applicant

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

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

The development makes it necessary to alter a vehicular crossing over a footway of the public highway. These works shall be constructed to the satisfaction of the Highway Authority. You are therefore required to contact the County Council Highways Customers Services tel. 0300 500 80 80 to arrange for these works to be carried out.

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0845 762 6848. Further information is also available on The Coal Authority website at www.coal.decc.gov.uk. 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.

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**APPLICATION NO. 2012/1485
LAND SURROUNDING, 315 SPRING LANE, LAMBLEY**

Diversion to Carlton Footpath No 1.

Councillor Hope proposed a motion to not authorise the diversion on the grounds that it would be contrary to public safety and would deter people from the use of sustainable forms of transport. The motion was duly seconded and

RESOLVED:

That Member's do not authorise the Council Solicitor and Monitoring Officer to make an order that Carlton footpath 1 be diverted in accordance with the plan submitted with the application.

In reaching its decision the Borough Council has weighed the disadvantages or loss likely to arise as a result of the diversion of the way to members of the public and to persons whose properties adjoin or are near the existing highway against the advantages of the proposed order in accordance with S7.15 of the Rights of Way Circular (1/09).

The proposed route for the footpath principally relates to the pavement adjacent to the an estate road, requires pedestrians to cross the estate road within the application site and adjoins Ashwater Drive adjacent to the vehicular access serving no.11 Ashwater Drive. The proposed route would therefore not protect and exploit opportunities for the use of sustainable transport modes and would result in conflict between traffic and cyclists or pedestrians contrary to the advice in the National Planning Policy Framework (2012).

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**APPEAL RECEIVED
APPLICATION NO. 2012/1402
375 CAVENDISH ROAD**

RESOLVED:

To note the report.

165

PLANNING DELEGATION PANEL ACTION SHEETS

RESOLVED:

To note the report.

166 FUTURE PLANNING APPLICATIONS

RESOLVED:

To note the report.

167 ANY OTHER ITEMS WHICH THE CHAIRMAN CONSIDERS URGENT.

None.

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ENVIRONMENT AND LICENSING COMMITTEE

Tuesday, 21st May, 2013

Councillor M. Paling (Chair)

Councillors:	B.M. Andrews	S.J. Barnes
	N. Brooks	G.V. Clarke
	R. Ellis	A.J. Gillam
	J. Hollingsworth	M. Hope
	M. Lawrence(a)	B.S.R. Miller
	J.M. Parr	S. Poole
	H.T.N. Wheeler	

Officers in Attendance: L. Sugden, R. Pentlow

156 APOLOGIES FOR ABSENCE.

Apologies for absence were received from Councillor Lawrence.

157 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 16 APRIL 2013.

RESOLVED:

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

Minutes No. 146 – in the second paragraph to delete the words ‘/did not attend the meeting’.

158 DECLARATION OF INTERESTS.

None.

159 NOTICES SERVED

RESOLVED:

To note the report.

Councillor Clarke entered the meeting.

160 ANY OTHER ITEMS WHICH THE CHAIRMAN CONSIDERS URGENT.

None.

161 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.

162 REQUEST FOR EXEMPTION FROM DISPLAYING PLATES

Members considered a report from Corporate Director, David Wakelin, regarding the request from TW to be exempt from displaying vehicle licence plates on his vehicles due to the nature of the private hire work his company undertakes.

RESOLVED:

a) With respect to TW – Avantgarde Personal Travel the requirement to display vehicle licence plates in waived; and

b) The Council issue a notice which will be permanently displayed at all times, in a position to be agreed, inside any licensed vehicles used for chauffeuring purposes, owned or operated by TW – Avantgarde Personal Travel

163 CHANGE OF CIRCUMSTANCES OF HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE NO. 2245

RESOLVED:

To revoke AAA's Hackney Carriage/Private Hire Drivers Licence on the basis that he is not a fit and proper person to hold a licence because of his recent convictions and failure to disclose a pending conviction on his application form.

Having considered the interests of public safety, the Committee resolved that the revocation of the licence would not have immediate effect. AAA was given 21 days to surrender his badge.

AAA was advised of his right of appeal against the decision of the Committee.

164 CHANGE OF CIRCUMSTANCE OF HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE NO. 2528

The Committee considered a report from Corporate Director, David Wakelin, regarding the change of circumstances of Hackney Carriage/Private Hire Drivers Licence held by CMA.

CMA attended the meeting and addressed the Committee.

In making its decision, the Committee has applied the Council's approved Policy and Guidelines. On the basis of what it has heard, the Committee is satisfied on balance that no exceptional circumstances exist which would warrant departure from this policy.

RESOLVED:

To revoke CMA's Hackney Carriage/Private Hire Drivers Licence on the basis that he is not a fit and proper person to hold a licence because of his recent convictions and failure to disclose a pending conviction on his application form.

Having considered the interests of public safety, the Committee resolved that the revocation of the licence would not have immediate effect. CMA was given 21 days to surrender his badge.

CMA was advised of his right of appeal against the decision of the Committee.

165 CHANGE OF CIRCUMSTANCE OF HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE NO. 2258

MA was unable to attend the meeting.

RESOLVED:

To defer consideration of this matter to a future meeting and to notify MA that the matter will be considered in his absence if he does not attend that meeting.

166 CHANGE OF CIRCUMSTANCES OF HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE NO. 2171

The Committee considered a report from Corporate Director, David Wakelin, regarding the change of circumstances of Hackney Carriage/Private Hire Drivers Licence held by GFN.

GFN attended the meeting and addressed the Committee.

In making its decision, the Committee has applied the Council's approved Policy and Guidelines. On the basis of what it has heard, the Committee is satisfied on balance that no exceptional circumstances exist which would warrant departure from this policy.

RESOLVED:

To revoke GFN's Hackney Carriage/Private Hire Drivers Licence on the basis that he is not a fit and proper person to hold a licence because of his recent convictions.

Having considered the interests of public safety, the Committee resolved that the revocation of the licence would not have immediate effect. GFN was given 21 days to surrender his badge.

GFN was advised of his right of appeal against the decision of the Committee.

167

APPLICATION FOR THE RENEWAL OF JOINT HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE NO. 2067

The Committee considered a report from Corporate Director, David Wakelin, regarding the renewal of Hackney Carriage/Private Hire Drivers Licence from TZ.

TZ attended the meeting and addressed the Committee.

In making its decision, the Committee has applied the Council's approved Policy and Guidelines. On the basis of what it has heard, the Committee is satisfied on balance that exceptional circumstances exist which would warrant departure from this policy.

RESOLVED:

To approve TZ's application for the renewal of his Hackney Carriage/Private Hire Drivers Licence, but to issue a warning as to the consequences of any further convictions or failure to disclose the same.

168

CHANGE OF CIRCUMSTANCE AND APPLICATION FOR THE

RENEWAL OF JOINT HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE NO. 2371

The Committee considered a report from Corporate Director, David Wakelin, regarding the change of circumstances and renewal of Hackney Carriage/Private Hire Drivers Licence held and applied for by MAY.

MAY attended the meeting and addressed the Committee.

In making its decision, the Committee has applied the Council's approved Policy and Guidelines. On the basis of what it has heard, the Committee is satisfied on balance that exceptional circumstances exist which would warrant departure from this policy.

RESOLVED:

a) To allow MAY to retain his Hackney Carriage/Private Hire Drivers Licence.

b) To approve MAY's application for the renewal of his Hackney Carriage/Private Hire Drivers Licence, but to issue a warning as to the consequences of any further convictions or failure to disclose convictions or pending convictions in accordance with his licence conditions.

169 APPLICATION FOR A JOINT HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE - FA

FA did not attend the meeting.

RESOLVED:

To defer consideration of FA's application for a joint Hackney Carriage/Private Hire Drivers Licence to a future meeting and to notify FA that his application will be considered withdrawn if he fails to attend that meeting.

170 APPLICATION FOR A JOINT HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE - MRIM

The Committee considered a report from Corporate Director, David Wakelin, regarding an application for a Joint Hackney Carriage/Private Hire Driver's License from MRIM.

MRIM attended the meeting and addressed the Committee.

In making its decision, the Committee has applied the Council's approved Policy and Guidelines. On the basis of what it has heard, the Committee is satisfied on balance that exceptional circumstances exist which would warrant departure from this policy.

RESOLVED:

To approve MRIM's application for a Hackney Carriage/Private Hire Drivers Licence, subject to the necessary checks

DRAFT MINUTES JOINT CONSULTATIVE AND SAFETY COMMITTEE

Tuesday, 28th May, 2013

Councillor John Truscott (Chair)

Councillors:	Steve Ainley(a) Paul Feeney Roland Spencer	Emily Bailey (a) John Parr Sarah Tomlinson
UNISON:	Julie Knowles Alison Markowski	Gill Morley Alan Green (a)

Officers in Attendance: David Archer, Lyndsey Parnell

1 APOLOGIES FOR ABSENCE.

Apologies for absence were received from Councillors Ainley, Bailey and Tomlinson and from Alan Green (Unison).

In the Chair and Vice Chair's absence, Councillor Truscott was appointed as the Chair for the meeting.

2 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 27 FEBRUARY 2013.

RESOLVED:

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

3 DECLARATION OF INTERESTS.

None.

4 SICKNESS ABSENCE, CURRENT ISSUES FOCUSING ON: • POINTS OF PARTICULAR CURRENT INTEREST (VERBAL REPORT) • TRENDS; CURRENT ANALYSIS

The Service Manager, Organisational Development presented a report outlining trends in sickness absence, outlining measures currently used

by the Council to support the workforce, including a planned suite of training to be delivered to managers and supervisors to improve the consistency of sickness management across the Council.

Members requested additional data as to the cost of sickness to the Council and a breakdown of whether sickness is long, medium or short term. The Service Manager agreed to provide this information to Members as requested.

RESOLVED:

To note the information.

5 STAFFING ISSUES, CURRENT ISSUES INCLUDING:

- AWARDS AND RECOGNITION
- FORTHCOMING EVENTS
- EMPLOYEE RELATIONS
- OTHER ISSUES OF CURRENT RELEVANCE/ INTEREST

The Service Manager, Organisational Development informed Members of current staffing issues including, but not limited to, the Council becoming a City and Guilds and ILM accredited centre, a potential co-location opportunity with the Department of Work and Pensions at the Civic Centre, recent staff briefings carried out by the Chief Executive regarding the Council plan and the current national discussion regarding pay awards for local government employees.

RESOLVED:

To note the information.

6 EMPLOYEE SATISFACTION SURVEY

The Service Manager, Organisational Development, informed Members of a staff satisfaction survey that would be carried out over the coming months.

Members asked that results of the survey be fed back to the Committee.

RESOLVED:

To note the information and request that the Service Manager, Organisational Development bring a report to Committee detailing the results of the survey.

7 ANY MINOR CHANGES TO THE ESTABLISHMENT THAT HAVE BEEN AGREED BY THE CHAIR AND TRADE UNIONS FOR IMPLEMENTATION OUTSIDE THE FULL JCSC PROCESS.

The Service Manager, Organisational Development, presented the report, which had previously been circulated, outlining a minor change to the Establishment which had been agreed with the Chair and Trade Unions outside of the formal committee process.

RESOLVED:

To note the information.

8 ANY OTHER ITEMS WHICH THE CHAIRMAN CONSIDERS URGENT.

None.

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DRAFT MINUTES PLANNING COMMITTEE

Wednesday, 29th May, 2013

Councillor J. Truscott (Chair)

Councillors:

P.A. Allan	R.D. Allan
P.G. Barnes	C.P. Barnfather
D.N. Beeston MBE	A.S. Bexon
F.J.D. Boot	R.F. Collis
A.M. Ellwood(a)	C.J. Hewlett
S. Hewson(a)	J. Hollingsworth
M. Hope	M. Lawrence(a)
B.S.R. Miller	M. Paling
C.J. Powell	S.J. Prew-Smith
G.G. Tunncliffe	

Officers in Attendance: P. Bagaley, J. Cole, L. Parnell, F. Whyley

1 APOLOGIES FOR ABSENCE.

Apologies for absence were received from Councillors Ellwood, Hewson and Lawrence.

2 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD 8 MAY 2013.

RESOLVED:

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

Minute number 158- To remove the word "not" so that the sentence reads, "Mr Thorpe, a local resident, reiterated that he did not feel that need had been proven sufficient to warrant such development on green belt and made reference to the impact of the numbers of services held at any potential crematorium on traffic in the local area. "

3 DECLARATION OF INTERESTS.

All members declared a non-pecuniary interest in Application number 2013/0336 as Members of Gedling Borough Council.

4 APPLICATION NO.2013/0420

KING GEORGES FIELD, GEDLING ROAD, ARNOLD

Members were advised that the correct Application number for the application in question is 2013/0336.

The Service Manager, Planning and Economic Development advised Members of 1 amendment and 1 addition to the Officer's recommendations as set out within the report.

RESOLVED to GRANT PLANNING PERMISSION, subject to no further representation being received and the following conditions:

Conditions

1. The development hereby permitted shall be retained for the life of the development in accordance with the details set out on the plans received on the 27th March 2013, together with the plans received on 27th March 2013 drawing no's: PG73 B-07 and PG73 B-06a.
2. The existing trees shown on the Master Plan received on 27th March 2013 drawing no: PG73 B-06a shall be retained for the life of the development. Should the trees indicated as existing on the plan become diseased or die then they shall be replaced with a tree of similar species and planting size in the next planting season by the applicants or their successors in title.

Reasons

1. For the avoidance of doubt.
2. To ensure satisfactory development, in accordance with the aims of policy ENV1 of the Gedling Borough Council Replacement Local Plan (Certain Policies Saved 2008).

Reasons for Decision

In the opinion of the Borough Council the proposed play equipment apparatus are visually acceptable and would have no undue impact on neighbouring residential amenity or the locality in general. The development therefore complies with Policies ENV1 and R1 of the Gedling Borough Council Replacement Local Plan (Certain Policies Saved) 2008.

5

**APPLICATION NO. 2012/1373
SITE OF DAYBROOK LAUNDRY, MANSFIELD ROAD, ARNOLD**

Erection of a new Retail Food Store (Class A1) with associated car parking and landscaping.

The Service Manager, Planning and Economic Development, advised Members of four further conditions in addition to the Officer's recommendation contained within the report.

RESOLVED to GRANT PLANNING PERMISSION subject to the following conditions:

Conditions

1. The development must be begun not later than three years beginning with the date of this permission.
2. The development hereby permitted shall be constructed in accordance with the following approved plans: Proposed Site Plan (W10A03-P003), Proposed Drainage Plan (W10A03-P004), Proposed Landscaping Plan (W10A03-P005), Proposed Floor Plan (W10A03-P200) and Proposed Elevations (W10A03-P201), deposited on 26th November 2012 and Section Through Site (W10A03-P300 Rev A), received on 27th March 2013.
3. Unless otherwise agreed by the Borough Council, development must not commence until the following has been complied with: Site Characterisation An assessment of the nature and extent of any potential contamination has been submitted to and approved in writing by the Borough Council. This assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site. Moreover, it must include; a survey of the extent, scale and nature of contamination and; an assessment of the potential risks to: human health, property, adjoining land, controlled waters, ecological systems, archaeological sites and ancient monuments. Submission of Remediation Scheme Where required, a detailed remediation scheme (to bring the site to a condition suitable for the intended use by removing unacceptable risks to critical receptors) should be submitted to and approved in writing by the Borough Council. 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.
4. 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 under condition 3

above. 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 Borough Council.

5. 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 Borough Council and once the Borough Council 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 condition 3 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 Borough Council.

6. Before development is commenced, including site preparation or any works of demolition, there shall be submitted to and approved in writing by the Borough Council a Construction Method Statement. The approved Construction Method Statement shall be adhered to throughout the construction period and shall provide for the parking of vehicles of site operatives and visitors; loading and unloading of plant and materials; storage of plant and materials used in constructing the development; the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate; wheel washing facilities; measures to control the emission of dust and dirt during construction; a scheme for recycling/disposing of waste resulting from demolition and construction works; and a method of traffic signal control.

7. Before development is commenced there shall be submitted to and approved in writing by the Borough Council details of a scheme, including cross sections, layout and elevations, for a boundary wall between the car parking spaces fronting the spine road and the spine road, which shall be of solid construction and shall be no less than 1 metre in height at the level of the car parking spaces. The scheme shall be implemented in accordance with the approved details before the development is first brought into use and shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.

8. Before development is commenced there shall be submitted to and approved in writing by the Borough Council details of all external lighting, including levels of illumination and a lux plot of the estimated luminance, to be provided on the proposed building or elsewhere within the site. Any security lighting/floodlighting to be installed, shall be designed, located and installed so as not to cause a nuisance to users

of the highway. The external lighting shall be provided in accordance with the approved details before the development is first brought into use and shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.

9. Before development is commenced there shall be submitted to and approved in writing by the Borough Council details of a scheme for the provision and implementation of surface water run-off limitation. The scheme shall not result in an increase in the rate of surface water discharge to the local land drainage system and the drainage works shall be completed in accordance with the approved details and a timetable to be agreed as part of the scheme.

10. Before development is commenced, including site preparation, there shall be submitted to and approved in writing by the Borough Council details of a scheme for the protection of existing trees to be retained. The scheme shall be implemented in accordance with the approved details before development is commenced and shall be retained until all construction works have been completed.

11. Before development is commenced, and if there are proposals to remove any or all of the dense ivy and virginia creeper on the brick wall to the eastern boundary of the site, pre-commencement checks for the presence of roosting bats shall be undertaken and the outcome reported to the Borough Council. If any roosting bats are found to be present, details of any proposed mitigation measures shall be submitted to and approved in writing by the Borough Council. The mitigation measures shall be implemented in accordance with the approved details before development commences.

12. No part of the development hereby permitted shall be brought into use until the spine road into the site, the signalised access road junction and the re-phasing of the existing traffic signals have been provided/implemented in accordance with the "in principle" site plan drawing number W10A03-P003.

13. No part of the development hereby permitted shall be brought into use until the parking, turning and servicing areas are provided in accordance with plan reference number W10A03-P003. The parking, turning and servicing areas shall not be used for any purpose other than the parking, turning, loading and unloading of vehicles.

14. No vegetation clearance or ground works shall take place on site during the bird nesting season (1st March to 31st August inclusive in any given year), unless pre-commencement checks for nesting birds have been undertaken by an appropriately qualified ecologist and the

outcome reported to the Borough Council. If any nesting birds are found to be present, details of any proposed mitigation measures shall be submitted to and approved in writing by the Borough Council before the development commences. The mitigation measures shall be implemented in accordance with the approved details before development commences.

15. The approved landscape scheme shall be carried out in the first planting season following the substantial completion of the development and any planting material which becomes diseased or dies within five years of the completion of the development shall be replaced in the next planting season by the applicants or their successors in title.

16. The development shall not be occupied or be brought into use until the owner or the occupier of the site has appointed and thereafter continue to employ or engage a Travel Plan Coordinator who shall be responsible for the implementation, delivery, monitoring and promotion of the sustainable transport initiatives set out in the Travel Plan to be approved and whose details shall be provided and continue to be provided thereafter to the Borough Council.

17. The Travel Plan Coordinator shall submit reports to and update the TRICS database in accordance with the Standard Assessment Methodology (SAM), or similar to be approved in writing by the Local Planning Authority, in accordance with the Travel Plan monitoring periods to be agreed. The monitoring reports submitted to the Borough Council shall summarise the data collected over the monitoring period that shall have categorised trip types into new trips, pass-by-trips, linked trips, diverted trips, and transferred trips, and propose revised initiatives and measures where travel plan targets are not being met, including implementation dates to be approved in writing by the Borough Council.

18. The Travel Plan Coordinator shall within 3 months of occupation of the development hereby permitted produce or procure a full travel plan that sets out final targets with respect to the number of vehicles using the site and the adoption of measures to reduce single occupancy car travel to be approved in writing by the Borough Council. The Travel Plan shall be implemented in accordance with the approved timetable and be updated consistent with future travel initiatives, including implementation dates, to the satisfaction of the Borough Council.

19. The proposed food store shall: (i) only be occupied for uses within Use Class A1 of the Town and Country Planning (Use Classes) Order 1987, as amended; (ii) be predominantly used for the purposes of sale

of convenience goods and not more than 15% of the [net sales] floor space of the unit [990 square metres] shall at any time be used for the display and sale of comparison goods, unless otherwise approved in writing by the Borough Council; and (iii) not be subdivided into separate units, unless otherwise approved in writing by the Borough Council.

Reasons

1. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt.
3. To ensure a satisfactory development in accordance with the aims of Policy ENV3 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).
4. To ensure a satisfactory development in accordance with the aims of Policy ENV3 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).
5. To ensure a satisfactory development in accordance with the aims of Policy ENV3 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).
6. In the interests of highway safety.
7. To prevent the glare of vehicle headlights across the public highway in the interests of highway safety.
8. To protect drivers from uncontrolled light sources near the public highway and to ensure a satisfactory development, in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).
9. To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal and to ensure a satisfactory development in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).
10. In the interests of visual amenity in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).

11. To minimise any potential impacts on biodiversity in accordance with the National Planning Policy Framework and Policy 17 of the Gedling Borough Aligned Core Strategy Submitted Documents.
12. To ensure a satisfactory means of access to the site in the interests of highway safety.
13. In the interests of highway safety.
14. To minimise any potential impacts on biodiversity in accordance with the National Planning Policy Framework and Policy 17 of the Gedling Borough Aligned Core Strategy Submitted Documents.
15. To ensure a satisfactory development in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).
16. The development shall not be occupied or be brought into use until the owner or the occupier of the site has appointed and thereafter continue to employ or engage a Travel Plan Coordinator who shall be responsible for the implementation, delivery, monitoring and promotion of the sustainable transport initiatives set out in the Travel Plan to be approved and whose details shall be provided and continue to be provided thereafter to the Borough Council.
17. To promote sustainable travel.
18. To promote sustainable travel.
19. To ensure the development does not go beyond the scope of the detail submitted as part of this application, which assesses the potential trading impact associated with a store with that scale of net sales floorspace.

Reasons for Decision

In the opinion of the Borough Council it has been demonstrated that there is no suitable or available site within or on the edge of a town centre and that the proposed development would not be likely to have a significant impact on the vitality or viability of a town centre or on investment in a centre. Additionally, the redevelopment of the site and economic benefits that would result from the proposal has been given significant weight in the decision. The proposed development would have no significant adverse impact on highway safety, local heritage, protected trees, ecology or residential amenity and would address land

contamination issues. The proposed development meets with the fundamental aims of the National Planning Policy Framework & Policies ENV1, ENV3, ENV21, ENV47, S11 and T10 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008). It also accords with the aims of Policies 6, 10, 11 and 17 of the Gedling Borough Aligned Core Strategy Submission Documents.

Notes to Applicant

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

Your attention is drawn to the attached correspondence from Nottinghamshire County Council as Highway Authority, the Environment Agency, the Borough Council's Public Protection Section and the Nottinghamshire Wildlife Trust.

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

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

6

APPLICATION NO. 2013/0267 VICTORIA PARK WAY, NETHERFIELD

Variation of Condition 2 and 17 of 2012/1031 (Demolition of Unit 1 and redevelopment of it and the adjoining former garden centre for three new retail units along with related external works.) to amend the details of the approved plans and allow for the sale of food from proposed Unit 1A.

The Service Manager, Planning and Economic Development outlined an amendment to Condition 2 of the Officer's recommendation as set out within the report.

RESOLVED to GRANT PLANNING PERMISSION subject to the following 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 carried out in accordance with the following approved plans: Site Plans (1081-U1-P02B & P03B); Ground Floor Plan (1081-U1-P05B); Roof Plan (1081-U1-P09B); Elevations (1081-U1-P11C); & Sections (1081-U1-P12B), which were deposited on 7th and 12th March 2013; Mezzanine Floor Plan (1081-U1-P07C), received on 21st May 2013 and the email from Blue Sky Planning on 15th May 2013, stating that the mezzanine in Unit 1A is to be non-trading.
3. The development hereby permitted shall be carried out in accordance with the approved Flood Risk Assessment; FRA addendum (Pinnacle 120717); Micro Drainage calculations for a 2 year, 30 year and 100 year return period; and Drainage Plan (5335 S(52)06 Rev B). The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Borough Council as local planning authority.
4. The development hereby permitted by this permission shall not be initiated by the undertaking of a material operation as defined in Section 56 (4) (a) - (d) of the Town & Country Planning Act 1990 in relation to the development, until a separate planning obligation pursuant to Section 106 of the said Act relating to the land has been made & lodged with the Nottinghamshire County Council in respect of a contribution towards Integrated Transport Measures & the provision of on-crossing pedestrian detectors on phase J, K and N to the Victoria Park Way and Colwick Loop Road junction & the Borough Council as local planning authority has notified the persons submitting the same that it is to the local planning authority's approval.
5. Unless otherwise agreed by the Borough Council, development must not commence until the following has been complied with: Site Characterisation An assessment of the nature and extent of any potential contamination has been submitted to and approved in writing by the Borough Council. This assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site. Moreover, it must include; a survey of the extent, scale and nature of contamination and; an

assessment of the potential risks to: human health, property, adjoining land, controlled waters, ecological systems, archaeological sites and ancient monuments. Submission of Remediation Scheme Where required, a detailed remediation scheme (to bring the site to a condition suitable for the intended use by removing unacceptable risks to critical receptors) should be submitted to and approved in writing by the Borough Council. 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.

6. 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 under condition 5 above. 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 Borough Council.

7. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Borough Council and once the Borough Council 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 condition 5 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 Borough Council.

8. Before development is commenced there shall be submitted to and approved in writing by the Borough Council details of the means of enclosure. The development shall then be completed in accordance with the approved details.

9. Before development is commenced there shall be submitted to and approved by the Borough Council details of the proposed means of surfacing of the access, parking, servicing areas and other unbuilt on portions of the site. The development shall then be completed in accordance with the approved details.

10. Before development is commenced there shall be submitted to and approved by the Borough Council a landscape plan of the site showing the position, type and planting size of all trees and shrubs proposed to be planted.

11. Before development is commenced there shall be submitted to and

approved by the Borough Council details of the on-crossing pedestrian detectors on phase J, K and N to the Victoria Park Way and Colwick Loop Road junction.

12. No part of the development hereby permitted shall be occupied until the access, parking (including the provision of the cycle parking stands) and servicing arrangements have been appropriately hard surfaced in a bound material and have been drained to prevent surface water discharging onto the highway. The surfaced access, parking and servicing arrangements shall then be maintained in such hard bound material for the life of the development.

13. No part of the development hereby permitted shall be occupied until the individual parking spaces have been clearly marked out on site in accordance with the approved plans 1081-U1-P02B or P03B. Parking spaces shall be kept available for parking in association with the development thereafter.

14. No part of the development hereby permitted shall be occupied until provision has been made within the application site for the parking of cycles and powered two wheeled vehicles (PTW) with secure anchor points, ideally covered, in accordance with details to be submitted to and approved in writing by the Borough Council. The provision for cycles and PTW shall be retained in accordance with the approved details for the life of the development.

15. No part of the development hereby permitted shall be occupied until a Travel Plan has been submitted to and approved in writing by the Borough Council. The Travel Plan shall set out proposals (including targets, a timetable and enforcement mechanism) to promote travel by sustainable modes which are acceptable to the Borough Council and shall include arrangements for monitoring progress of the proposals. The Travel Plan shall be implemented in accordance with the timetable set out in that plan, unless otherwise agreed in writing by the Borough Council.

16. The approved landscape scheme shall be carried out in the first planting season following the substantial completion of the development and any planting material which becomes diseased or dies within five years of the completion of the development shall be replaced in the next planting season by the applicants or their successors in title.

17. With the exception of Unit 1A shown on plan 1081-U1-P03B, the goods to be sold within the units hereby approved shall not include food. The goods to be sold within the approved units shall consist

primarily of building, decorating and home improvement materials and equipment, furniture and floor coverings, garden goods and equipment, car parts/spares and maintenance goods and equipment, caravans, camping equipment and boats, cycles, carpets, electrical goods and equipment, toys, curtains, household textiles, soft furnishings, bedding and light fittings and pet food and pet supplies as well as, within Unit 1A only, food.

18. None of the units hereby approved shall be further sub-divided to form separate retail units.

Reasons:

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

2. For the avoidance of doubt and in the interests of proper planning.

3. To prevent flooding and to reduce the risk and impact of flooding in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved) 2008 and the National Planning Policy Framework.

4. To comply with Policy T10 of the Gedling Borough Replacement Local Plan (Certain Policies Saved) 2008.

5. To ensure a satisfactory development in accordance with the aims of Policy ENV3 of the Gedling Borough Replacement Local Plan (Certain Policies Saved) 2008.

6. To ensure a satisfactory development in accordance with the aims of Policy ENV3 of the Gedling Borough Replacement Local Plan (Certain Policies Saved) 2008.

7. To ensure a satisfactory development in accordance with the aims of Policy ENV3 of the Gedling Borough Replacement Local Plan (Certain Policies Saved) 2008.

8. To ensure a satisfactory development in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved) 2008.

9. To ensure a satisfactory development in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved) 2008.

10. In the interests of visual amenity, in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved) 2008.

11. In the interests of Highway safety.

12. In the interests of Highway safety.

13. In the interests of Highway safety.

14. In the interests of sustainable travel.

15. In the interests of sustainable travel.

17. To control the type of goods sold at the proposed units in order to safeguard the viability, vitality and quality of existing district centres in accordance with the aims of Policy S12 of the Gedling Borough Replacement Local Plan (Certain Policies Saved) 2008 and the National Planning Policy Framework.

18. To accord with Policy S12 of the Gedling Borough Replacement Local Plan (Certain Policies Saved) 2008.

Reasons for Decision

In the opinion of the Borough Council there are no sequentially preferable sites which can be considered as suitable or available alternatives to the location proposed and there will be no significant impact on the vitality or viability of existing centres. The proposed development will make a positive contribution to the appearance of the Victoria Retail Park and there are no undue highway or flood risk implications. The proposed development meets with the fundamental aims of the National Planning Policy Framework and Policies ENV1, S11 and T1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008). It also accords with the aims of Policies 6 and 10 of the Gedling Borough Aligned Core Strategy Submitted Documents.

Notes to Applicant

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0845 762 6848. Further information is also available on The Coal Authority website at www.coal.decc.gov.uk. Property specific summary information on past,

current and future coal mining activity can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com.

Your attention is drawn to the attached comments from Nottinghamshire County Council as Highway Authority, the Environment Agency & the Borough Council's Public Protection Section.

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

**7 APPLICATION NO. 2013/0251
147 MAIN STREET, WOODBOROUGH**

Demolition of bungalow and residential re-development of 6 houses, garages, parking, landscaping and access.

RESOLVED to GRANT CONSERVATION AREA CONSENT subject to the following conditions:

Conditions

1. The development must be begun not later than three years beginning with the date of this permission.
2. This consent relates to the demolition of the existing bungalow at the site, shown on location plan Ref. 423/Location - A

Reasons

1. Required to be imposed pursuant to section 18 of the Town and Country Planning (Listed and Conservation Areas) Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt.

Reasons for Decision

In the opinion of the Borough Council, the demolition of the buildings would have a less than significant impact on the character of the Conservation Area and would accord with the National Planning Policy Framework (March 2012).

Notes to Applicant

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

8

**APPLICATION NO. 2013/0252
147 MAIN STREET, WOODBOROUGH**

Demolition of bungalow and residential re-development of 6 houses, garages, parking, landscaping and access.

An amendment to condition 4, to request that the site be fenced off prior to commencement was put to the vote and was carried.

RESOLVED to GRANT PLANNING PERMISSION subject to the applicant entering into Section 106 Agreements with the Borough Council for financial contributions towards open space and with the County Council as Highway Authority which requires the applicant to set up a management company for the future maintenance of the private drive 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 approved shall be completed in accordance with Plans Ref. MH423/ 102 Rev L, MH423/103 Rev H, MH423/104 Rev A, MH423/105 Rev B, MH423/106 Rev D, MH423/107 Rev B, MH423/108 MH423/109 Rev F, MH423/110, the Planning Statement March 2013, Design and Access Statement February 2013 as well as the Arboricultural Survey Report dated August 2011, Protected Species Survey by EMEC Ecology dated September 2011, Highway Statement by Armstrong, Stokes and Clayton Limited March 2013 and the Drainage Statement Armstrong, Stokes and Clayton Limited March 2013.
3. Before development is commenced there shall be submitted to and approved in writing by the Borough Council precise details of all materials to be used in the external construction of the proposed dwellings. Thereafter the development shall be constructed in accordance with the approved details.
4. Before development is commenced there shall be submitted to and approved in writing by the Borough Council details of the means of

enclosure of the site as well as individual plot boundaries and the shared boundaries with 5 Hawthorn Close and 7 Hawthorn Close **and that the site be enclosed thus prior to commencement**. Thereafter the development shall be constructed in accordance with the approved details.

5. No development on site shall occur until appropriate protective fencing as detailed within the applicants Silvanus tree survey report is erected to the satisfaction of the Borough Council. The fencing will be authorised as correct and in position and then left in place until authorised for removal by the Senior Forestry Officer on behalf of the Borough Council.

6. The approved landscape scheme as shown on plan MH423/109 Rev E shall be carried out in the first planting season following the substantial completion of the development and any planting material which becomes diseased or dies within five years of the completion of the development shall be replaced in the next planting season by the applicants or their successors in title.

7. Prior to the commencement of development locations of bat boxes shall be submitted to and approved in writing by the Borough Council. Thereafter the bat boxes shall be erected in accordance with the approved details and retained for the life of the development.

8. The window on the south facing side elevation serving the stairwell on the proposed dwelling within Plot 1 shall be obscure glazed and fixed shut at all times.

9. No part of the development hereby permitted shall be brought into use until a suitable means of access in accordance with drawing no MH423/102REVK has been constructed and is available for use and constructed in accordance with the Highway Authority specification to the satisfaction of the Borough Council.

10. No part of the development hereby permitted shall be brought into use until the access into the site has been surfaced in a hard bound material in accordance with drawing no: MH423/102REVK. The hard surfaced entrance into the site shall then be maintained in such hard bound material for the life of the development.

11. No part of the development hereby permitted shall be brought into use until the access is constructed with provision to prevent the unregulated discharge of surface water from the site access point to the public highway in accordance with details first submitted to and approved in writing by the Borough Council. The provision to prevent

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

12. The development hereby permitted shall not commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved in writing by the Borough Council. The scheme shall be implemented in accordance with the approved details prior to the occupation of the first dwelling.

13. Prior to the commencement of the development details of any solar panels or other form of green technology that could affect the appearance of the development shall be submitted to and approved in writing by the Borough Council. Any green technologies that could affect the appearance of the development that are to be provided as part of the development shall be installed in accordance with the approved details prior to the occupation of the first dwelling.

14. No development shall take place within the application site until details of an archaeological scheme of treatment which includes a strip, map and sample exercise has been submitted to and approved in writing by the Borough Council. Thereafter, the scheme shall be implemented in full accordance with the approved details.

Reasons

1. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt.
3. To ensure a satisfactory development, in accordance with the aims of Policy ENV1 of the Gedling Borough Council Replacement Local Plan (Certain Saved Polices 2008).
4. To ensure a satisfactory development, in accordance with the aims of Policy ENV1 of the Gedling Borough Council Replacement Local Plan (Certain Saved Polices 2008).
5. To ensure the health of the trees identified to be retained at the site which contribute to the visual amenity of the site and wider Conservation Area.
6. To ensure a satisfactory development, in accordance with the aims of Policy ENV1 of the Gedling Borough Council Replacement Local Plan (Certain Saved Polices 2008).

7. In order to protect the local wildlife and promote biodiversity enhancements for bats.
8. In order to protect the privacy of the neighbouring dwellings, in accordance with the aims of Policy ENV1 of the Gedling Borough Council Replacement Local Plan (Certain Saved Policies 2008).
9. In the interests of Highway safety.
10. To reduce the possibility of deleterious material being deposited on the public highway (loose stones etc).
11. To ensure surface water from the site is not deposited on the public highway causing dangers to road users.
12. To ensure that the proposed development is provided with a satisfactory means of drainage so as to accord with Policy ENV42 of the Gedling Borough Replacement Local Plan (Certain Policies Saved) July 2008.
13. To ensure a satisfactory development, in accordance with the aims of policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).
14. To ensure a satisfactory development and to protect any potential historical assets of the site, in accordance with the aims of Policies ENV1 and ENV15 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).

Reasons for Decision

The proposed development would not result in any material impact on the openness of the Green Belt and would have a neutral impact on the character and appearance of the site and wider Conservation Area. The proposal would also not have any material impact on neighbouring residential amenity or upon Highway safety at the site. The proposed development therefore accords with the overarching aims of Policies ENV1, ENV13, ENV15 ENV26 ENV30 and H16 of the Gedling Borough Replacement Local Plan (Certain Saved Policies 2008) Paragraphs 56,60, 61 79-92 of the NPPF and Policies 3, 8 and 10 of the emerging Publication Version Aligned Core Strategy for Gedling Borough.

Notes to Applicant

The development makes it necessary to construct an access on land outside of the applicant's control, which is subject to the provision of

the Highways Act 1980. The applicant is 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.

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

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

9 THE TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (AMENDMENT) (ENGLAND) ORDER 2013.

RESOLVED:

To note the content of the report.

10 PLANNING DELEGATION PANEL ACTION SHEETS

RESOLVED:

To note the information.

11 FUTURE PLANNING APPLICATIONS

RESOLVED:

To note the information.

12 ANY OTHER ITEMS WHICH THE CHAIRMAN CONSIDERS URGENT.

None.

APPEALS AND RETIREMENTS COMMITTEE

Thursday, 30th May, 2013

Councillor B.S.R. Miller (Chair)

Councillors: S.M. Creamer J.Truscott
 R.F Spencer D. S. Ellis
 V.C.Pepper

Officers in Attendance: D. Archer, P. Darlington, I. Oxborough, F. Whyley

1 APOLOGIES FOR ABSENCE.

Apologies for absence were received from Councillor Gregory.

2 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 5 MARCH 2013.

RESOLVED:

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

3 DECLARATION OF INTERESTS.

None.

4 ANY OTHER ITEMS WHICH THE CHAIRMAN CONSIDERS URGENT.

None.

5 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 1 of Part 1 of Schedule 12A of the Local Government Act 1972.

6 REQUEST FOR EARLY RELEASE OF PENSION BENEFITS

RESOLVED:

To approve the release of pension benefits based on KS's letter requesting this on compassionate grounds.

7 APPEAL AGAINST DISMISSAL- JD

JD did not attend the Committee but was content for the Committee to consider his appeal in his absence. Paula Darlington attended with David Archer, Service Manager – Organisational Development for Gedling Borough Council and presented the Council's reasons for the decision to dismiss.

RESOLVED:

To uphold the decision made by Paula Darlington Corporate Director to dismiss JD with immediate effect and dismiss the appeal made by JD against dismissal.

Councillor Spencer left the meeting.

The meeting was adjourned for lunch at 12.15pm and reconvened at 1.00pm.

8 APPEAL AGAINST DISMISSAL- MC

MC attended the Committee with AF a Trade Union Representative who presented the Appeal on behalf of MC. Paula Darlington, Corporate Director attended with David Archer, Service Manager – Organisational Development for Gedling Borough Council and presented the Council's reasons for the decision to dismiss.

RESOLVED:

To uphold the decision made by Paula Darlington to dismiss MC with immediate effect and dismiss the appeal made by MC against dismissal.

**DRAFT MINUTES
CABINET MEETING
Thursday, 6th June, 2013**

Present: P.G. Barnes

Councillors: W.J. Clarke
K. Fox
J. Hollingsworth
M.R. Payne
D.E. Pulk
C. P. Barnfather (Observer) (a)
P.A. Hughes (Observer)

Officers in Attendance: J. Robinson, H. Barrington, S. Bray, P. Darlington, M. Kimberley,
D. Wakelin, P. Baguley, J. Mann, L. Parnell

Also in Attendance: B. Ireland (Nottingham Evening Post)
D. Drury (Central College Nottingham)
P. Higginson (Job Centre Plus)
Councillors B. Andrews, D. Ellis, Nicholson and Parr

1 APOLOGIES FOR ABSENCE.

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

2 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 4 APRIL 2013.

RESOLVED:

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

Councillor Clarke left the meeting and Councillor Payne took the Chair.

3 DECLARATION OF INTERESTS.

None.

4 EMPLOYMENT AND SKILLS PRESENTATION

Corporate Director, Paula Darlington, introduced Economic Development Officer, James Mann, and partners from Central College Nottingham and Job Centre Plus, who gave a presentation on the Gedling Employment and Skills Partnership action plan.

Members thanked officers and representatives for their work with the Partnership and asked that their thanks be extended to those who could not be present at the meeting.

5 LOCAL DEVELOPMENT SCHEME

The Service Manager, Planning and Economic Development presented a report, which had been circulated previously, seeking Cabinet approval to bring the attached revised Local Development Scheme into effect from 7th June 2013.

RESOLVED:

To approve the revised Local Development Scheme and agree that it shall come into effect on 7th June 2013.

6 SHARED ACCOMMODATION (DEPARTMENT FOR WORK AND PENSIONS)

Corporate Director, Mark Kimberley, presented a report, which had been circulated previously, setting out proposals to share accommodation at the Civic Centre, Arnold with the Department of Work and Pensions.

RESOLVED to:

1. Authorise Officers to progress arrangements to allow the DWP (Arnold Job Centre Plus) to share accommodation at the Civic Centre;
2. Note the potential for a net reduction in net expenditure arising from these proposals;
3. Note that, subject to satisfactory progress, changes to both Capital and Revenue Budgets will be subject to further decisions of the Council; and
4. Note that the approval of the lease will be subject to a separate report to the Portfolio Holder in due course.

7 COUNCIL PLAN AND BUDGET OUTTURN AND BUDGET CARRY FORWARDS 2012/13

Corporate Director, Mark Kimberley, presented a report, which had been circulated previously, informing Members of the Council Plan and Budget Outturn and Budget Carry Forwards for 2012/13.

RESOLVED:

1. To note the Council Plan Performance and Budget Outturn figures for 2012/13;
2. To note the revenue carry forwards approved by the Chief Financial Officer of £24,300 included in Appendix 2, being amounts not in excess of £10,000;
3. To note the capital carry forwards approved by the Chief Financial Officer of £735,500 included in Appendix 2, being amounts not in excess of £50,000 and committed schemes above £50,000;
4. To agree the proposed changes to Improvement Actions as set out in Section 4;
5. To refer to Council for approval:
 - i) The revenue carry forward of £90,000 for the Superfast Broadband Scheme being a non-committed scheme in excess of £10,000;
 - ii) The capital carry forward of £103,300 for the Disabled Facilities Grants Scheme being a non-committed scheme in excess of £50,000;
 - iii) The overall method of financing of the 2012/13 capital expenditure as set out in Appendix 7 of the report;
 - iv) The capital determinations in Section 3.4.

8 ANNUAL TREASURY ACTIVITY REPORT 2012/13

Corporate Director, Mark Kimberley, presented a report, which had been circulated previously, informing Members of the outturn in respect of the 2012/13 Prudential Code Indicators, and advising Members of the outturn on treasury activity, both as required by the Treasury Management Strategy.

RESOLVED:

To note the Annual Treasury Activity Report for 2012/13 together with the appendices, and refer it to Council for approval.

9 PEER CHALLENGE 2013

Corporate Director, Stephen Bray, presented a report, which had been circulated previously, updating Members on the progress towards a Peer Challenge review of the Council later this year and seeking views of Members on the scope of the review.

RESOLVED:

To note the latest position in progressing towards a Peer Challenge for Gedling Borough Council.

**10 LOCAL GOVERNMENT BOUNDARY COMMISSION FOR ENGLAND
REVIEW OF ELECTORAL ARRANGEMENTS – FINAL
RECOMMENDATIONS**

Corporate Director, Stephen Bray, presented a report, which had been circulated previously, informing Members of the final recommendations made by the Local Government Boundary Commission for England (LGBCE) on future electoral arrangements for the Gedling Borough Council.

RESOLVED:

To note the LGBCE's final recommendations on the new electoral arrangements for Gedling Borough Council.

11 INDIVIDUAL ELECTORAL REGISTRATION

Corporate Director, Stephen Bray, presented a report, which had been circulated previously, outlining the upcoming changes to Electoral Registration that will be introduced by 2015.

RESOLVED:

To note the report.

12 FORWARD PLAN

RESOLVED:

To note the Forward Plan.

13 PROGRESS REPORTS FROM PORTFOLIO HOLDERS

Councillor Hollingsworth (Health and Wellbeing)

- A Private Landlord's Forum was recently held and well received.
- The Housing Needs service had recently seen a fall in applications for accommodation. There had also been further improvements in case management times for benefits applications.
- There had been a number of discretionary housing benefit payments made as a result of national welfare reforms.
- Age UK's Campaign To End Loneliness continues as does support from the Council.
- Gedling Homes would shortly be installing cavity wall insulation to a number of their properties in the Borough.

Councillor Fox (Community Development)

- Arnold Carnival will take place on 15 and 15 June.
- National Armed Forces week will take place at the end of June with an event at the Civic Centre on the 24th.
- Netherfield Rail Heritage group had been receiving support from other local groups.
- Newstead Parish Plan was recently published at a successful launch event.

Councillor Pulk (Leisure and Development)

- Arnold Leisure centre will completely close on 18 August until the end of September to allow work on a new reception area. Between November and February the pool will be closed to allow maintenance and new changing facilities to be built.
- Express Yourself art project for children with learning difficulties will launch very soon.
- A small grant has been awarded to allow an art exhibition to take place in Arnold Bowls Pavilion. Art work (available for sale) from local artists also continues to be displayed in the Reception Room at the Civic Centre.
- The contract for bar provision at the Richard Herrod Centre has been extended recently. Officers are looking at how they might increase income from the centre.

Councillor Barnes (Environment)

- Work on the Country Park is progressing nicely.
- The Council's first electric car has recently arrived.
- A small parcel of land has recently been acquired to extend the car park on Arnold High Street.
- A young apprentice has recently started work at Direct Services.

Councillor Payne (Public Protection and Communication)

- There has been a 16% reduction in reported crime across Gedling. This is positive news although some types of crime have not reduced.
- There have been a number of incidents of graffiti across Gedling in the wake of the recent terror attack in London. Staff from the Parks and Street Care Team were thanked for dealing with the incidents quickly.
- An inauguration event for special constables was recently held at the Civic Centre.
- The troubled families initiative is now working in the Council area.
- The Communications Department has recently published a new look contact magazine and redesigned intranet. Both have been well received.

14 MEMBERS' QUESTIONS TO PORTFOLIO HOLDERS

None.

15 ANY OTHER ITEMS WHICH THE CHAIRMAN CONSIDERS URGENT.

None.

DRAFT MINUTES OVERVIEW SCRUTINY COMMITTEE

Monday 10 June 2013
Councillor M. Hope (Chair)

Councillors:	G. Gregory (Vice Chair)	P.A. Hughes
	S. Ainley	S.J. Prew-Smith (a)
	P. Andrews	S. Poole
	E. Bailey	C.J. Powell (a)
	S. J. Barnes	J Truscott
	K. Blair	H.T.N. Wheeler

Officers in attendance: S. Bray, J. Ansell, H. Lee.

Guests: Councillor Michael Payne, Sam Whitworth, Service Manager Communications.

Observers: Councillors D. Ellis, M. Paling.

1 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Powell and Councillor Prew –Smith.

2 TO APPROVE AS A CORRECT RECORD THE MINUTES OF THE MEETING HELD ON 23 APRIL 2013

RESOLVED:

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

3 DECLARATIONS OF INTEREST

None.

4 COVALENT PERFORMANCE MONITORING REPORT QUARTER 4 2012/2013

The Head of Strategy and Performance provided Members with the Quarter 4 Performance information. The Actions and Indicator reports analysed by portfolio were reviewed, and an Outcomes report was presented. 83% of areas are on target or completed (86 out of 103 actions). 67% of performance indicators (35 out of 52) and 11% are amber, just missing the target.

RESOLVED

- 1) Invite the responsible Portfolio Holder, Corporate Director and Service Manager to discuss the fall in the number of survey respondents satisfied with household waste collection and the waste strategy.
- 2) Information regarding initiatives to reduce dog fouling to be communicated to Future Newstead.
- 3) The Outcomes Report to be amended to be to Newstead Locality Co-ordinator on page 10.

5 COMMUNICATIONS POLICY - STRENGTHS AND CHALLENGES

Councillor Michael Payne Portfolio Holder for Communications and Public Protection and Sam Whitworth, Service Manager, Communication were invited to the meeting to discuss the Council's Communications policy including how we consult with stakeholders. Members specifically requested information regarding the Aligned Core Strategy consultation, the communications and consultation policy and the tools we use for communications.

Councillor Payne gave an overview of the improvements made to the communications strategy adopted by the Authority and the challenges that exist. He considered that the Communications team is a very small resource but effective, forward and outwards looking. They have adopted a Communications Service Plan, have implemented brand guidelines and a media protocol.

Key projects have included the 'Gedling Conversation' to get politicians into the community find out what residents want

The Aligned Core Strategy Consultation had to be handled very carefully and to do in any other way could have resulted in a consultation that could have been open to legal challenge.

There are areas for improvement for example the need to improve Planning Communications i.e. the use of statutory public notices.

The way the Council communicates is changing with the advent of new technologies and it is important to ensure that the public has a choice in how they receive communications. A lot of work has been done around the use social media and this has been well received.

Relations between the authority and the media are very good.

Members were concerned about the amount of paper they receive and there was a discussion about how the number of paper copies could be reduced and the use of recycled paper.

RESOLVED:

- 1) To thank Councillor Payne for his presentation

- 2) That a benchmarking exercise would be undertaken on an annual basis over a one week period to gauge how people communicate with the authority and if the new channels available are making a difference.
- 3) That the possibility of using recycled paper be explored

6 SCRUTINY WORK PROGRAMME REVIEW

Members received an update on the proposed new scrutiny arrangements. They were asked to consider which specific areas within individual Portfolios they would like presented at subsequent committees, and for suggestions for issues of concern that could be included in the scrutiny work programme for in depth review. To ensure that future topics for review provide challenge, respond to customer concern, changes in legislation or finance information for discussion would be made available at the August meeting. Members were invited to submit topics for consideration to the Members Services Team Leader.

RESOLVED:

1. The Portfolio Holder for Environment and the Corporate Director with responsibility for Waste Services be invited to the December 9 meeting
2. The Portfolio Holder for Community Development and the responsible Corporate Director attend the 10 March meeting to discuss Localities, Community Centres and Community Engagement.
3. Homelessness and hardship in the Borough be adopted as the first issue for in-depth review.
4. Officers in the Elections and Members Services Team to be asked to research and identify other potential subjects for in depth review on the basis of their potential future impact on the Borough.
5. Future topics for in depth review would be discussed at the next meeting.
6. Outstanding scrutiny reports and the Scrutiny Annual Report would be presented to the next committee

7 ANY OTHER ITEMS WHICH THE CHAIRMAN CONSIDERS URGENT

None

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DRAFT MINUTES ENVIRONMENT AND LICENSING COMMITTEE

Tuesday, 11 June 2013

Councillor M Paling (Chair)

Councillors:	B. M Andrews	M Lawrence (a)
	S J Barnes	B S R Miller
	N Brooks	J M Parr
	G V Clarke	S Poole
	R Ellis	H T N Wheeler
	A J Gillam	
	J Hollingsworth	
	M Hope	

Officers in attendance: Diane Blasdale, Paul Gibbs and Andy Callingham

1 APOLOGIES FOR ABSENCE.

Apologies for absence were received from Councillor Lawrence.

2 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 21 May 2013.

RESOLVED:

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

3 DECLARATION OF INTERESTS.

None.

4 AMENDMENTS TO TAXI LICENSING FEES

The Committee considered a report presented by the Council's Service Manager, Public Protection.

RESOLVED:

To approve the increase for the Hackney Carriage/Private Hire Driver, Hackney Carriage and Private Hire Vehicle and Private Hire Operator fees as set out in Appendix 1 to the report.

5 ANY OTHER ITEMS WHICH THE CHAIR CONSIDERS URGENT

None

6 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 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.

7 APPLICATION FOR A JOINT HACKNEY CARRIAGE/PRIVATE HIRE DRIVER'S LICENCE - ZUR

The Committee considered a report from Corporate Director, David Wakelin, regarding an application for a Joint Hackney Carriage/Private Hire Driver's Licence from ZUR.

ZUR attended the meeting accompanied by a friend and addressed the Committee.

In making its decision, the Committee has applied the Council's approved Policy and Guidelines. On the basis of what it has heard, the Committee is satisfied on balance that no exceptional circumstances exist which would warrant departure from this policy.

RESOLVED:

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

8 APPLICATION FOR A JOINT HACKNEY CARRIAGE/PRIVATE HIRE DRIVER'S LICENCE - IY

The Committee considered a report from Corporate Director, David Wakelin, regarding an application for a Joint Hackney Carriage/Private Hire Driver's Licence from IY.

IY attended the meeting accompanied by a friend and addressed the Committee.

In making its decision, the Committee has applied the Council's approved Policy and Guidelines. On the basis of what it has heard, the Committee is satisfied on balance that no exceptional circumstances exist which would warrant departure from this policy.

RESOLVED:

To refuse IY's application for a Hackney Carriage/Private Hire Driver's Licence on the basis that he is not considered to be a fit and proper

person to hold a licence because of his previous convictions and failure to disclose the same.

IY was advised of his right of appeal against the decision of the Committee.

Councillor Clarke and Councillor Hope left the meeting.

9 APPLICATION FOR A JOINT HACKNEY CARRIAGE/PRIVATE HIRE DRIVER'S LICENCE - MUM

The Committee considered a report from Corporate Director, David Wakelin, regarding an application for a Joint Hackney Carriage/Private Hire Driver's Licence from MUM.

MUM attended the meeting accompanied by his Licensing Consultant and addressed the Committee.

In making its decision, the Committee has applied the Council's approved Policy and Guidelines. On the basis of what it has heard, the Committee is satisfied on balance that exceptional circumstances exist which would warrant departure from this policy.

RESOLVED:

To refuse MUM's application for a Hackney Carriage/Private Hire Driver's Licence on the basis that he is not considered to be a fit and proper person to hold a licence having regard to information disclosed by the Chief Police Officer..

MUM was advised of his right of appeal against the decision of the Committee.

10 APPLICATION FOR A JOINT HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE - ZM

The Committee considered a report from Corporate Director, David Wakelin, regarding an application for a Joint Hackney Carriage/Private Hire Driver's Licence from ZM.

ZM attended the meeting and addressed the Committee.

In making its decision, the Committee has applied the Council's approved Policy and Guidelines. On the basis of what it has heard, the Committee is satisfied on balance that no exceptional circumstances exist which would warrant departure from this policy.

RESOLVED:

To refuse the application from ZM for a Hackney Carriage/Private Hire Driver's Licence on the basis that he is not considered to be a fit and proper person to hold a licence because of his previous convictions

ZM was advised of his right of appeal against the decision of the Committee.

11 APPLICATION FOR A JOINT HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE - MU

The Committee considered a report from Corporate Director, David Wakelin, regarding an application for a Joint Hackney Carriage/Private Hire Driver's Licence from MU.

MU attended the meeting and addressed the Committee.

In making its decision, the Committee has applied the Council's approved Policy and Guidelines. On the basis of what it has heard, the Committee is satisfied on balance that no exceptional circumstances exist which would warrant departure from this policy.

RESOLVED:

To refuse the application from MU for a Hackney Carriage/Private Hire Driver's Licence on the basis that he is not considered to be a fit and proper person to hold a licence because of his previous conviction.

MU was advised of his right of appeal against the decision of the Committee.

12 CHANGE OF CIRCUMSTANCE OF HACKNEY CARRIAGE/PRIVATE HIRE DRIVER'S LICENCE- MA

The Committee considered a report from Corporate Director, David Wakelin regarding the change of circumstances of Hackney Carriage/Private Hire Driver's Licence held by MA.

MA attended the meeting and addressed the Committee.

In making its decision, the Committee has applied the Council's approved Policy and Guidelines. On the basis of what it has heard, the Committee is satisfied on balance that no exceptional circumstances exist which would warrant departure from this policy.

RESOLVED:

To revoke MA's Hackney Carriage/Private Hire Driver's Licence on the basis that he is not a fit and proper person to hold a licence because of his recent convictions.

Having considered the interests of public safety, the Committee resolved that the revocation of the Licence would not have immediate effect. MA was given 21 days to surrender his badge.

MA was advised of his right of appeal against the decision of the Committee.

13 APPLICATION FOR A JOINT HACKNEY CARRIAGE/PRIVATE HIRE DRIVER LICENCE - TEA

TEA was unable to wait for his application to be heard due to a prior engagement.

RESOLVED:

To defer consideration of the application for a Hackney Carriage/Private Hire Driver's Licence from TEA to a future meeting of the Committee.

14 APPLICATION FOR A JOINT HACKNEY CARRIAGE/PRIVATE HIRE DRIVER'S LICENCE –SP

Apologies had been received from SP that he would not be able to attend the meeting.

RESOLVED:

To defer consideration of the application for a Hackney Carriage/Private Driver's Licence from SP to a future meeting of the committee.

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DRAFT MINUTES STANDARDS COMMITTEE

Thursday, 13th June, 2013

Councillor P.G. Barnes

Councillors:

F.J.D. Boot
M.R. Payne(a)
G.G. Tunncliffe
Mr G. T. Parkinson
Mr J.R. Baggaley

P.A. Hughes(a)
S.J. Prew-Smith
Mr D. Evans
Mr G Wallis

Officers in Attendance: H. Barrington.

1 APOLOGIES FOR ABSENCE.

Apologies for absence were received from Councillors Hughes and Payne.

2 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 31 JANUARY 2013.

RESOLVED:

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

3 DECLARATION OF INTERESTS.

None.

4 CODE OF CONDUCT COMPLAINTS 2012/13

The Council Solicitor and Monitoring Officer presented a report, which had been circulated previously, informing members of the Standards Committee of complaints received under the new standards regime between July 2012 and 31 March 2013.

RESOLVED:

That the Committee note that no complaints have been received between July 2012 and 31 March 2013.

5 APPOINTMENT OF RESERVE INDEPENDENT PERSON

The Council Solicitor and Monitoring Officer presented a report, which had been circulated previously, seeking views from the Committee on whether the recruitment of the reserve Independent Person should be pursued now or whether the position should be left vacant for the time being.

RESOLVED:

The the recruitment of the reserve Independent Person should be pursued now and the possibility of using an Independent Person appointed by a neighbouring authority be pursued.

6 OPENNESS AND TRANSPARENCY ON PERSONAL INTERESTS: A GUIDE FOR COUNCILLORS - UPDATED MARCH 2013

The Council Solicitor and Monitoring Officer presented a report, which had been circulated previously, informing members of the Standards Committee that the Department of Communities and Local Government (DCLG) has issued an updated Guide for Councillors on Openness and Transparency on Personal Interests

RESOLVED:

To note the contents of the updated guide and request that the Council Solicitor and Monitoring Officer circulate it to all Borough Councillors and Paish Clerks (for circulation to Parish Councillors).

7 PROBITY IN PLANNING FOR COUNCILLORS AND OFFICERS

The Council Solicitor and Monitoring Officer presented a report, which had been circulated previously, informing members of the Standards Committee that the Local Government Association (LGA) has issued an updated Guide on Probity in Planning for Councillors and Officers.

RESOLVED:

To note and endorse the contents of the guidance and request that it is referred to Planning Committee for the Committee to endorse and determine what action to take in light of the guidance.

8 ANY OTHER ITEMS WHICH THE CHAIRMAN CONSIDERS URGENT.

None.

DRAFT MINUTES AUDIT COMMITTEE

Tuesday, 18th June, 2013

Councillor P. McCauley(Chair)

Councillors: C. P. Barnfather(a) P. Feeney
 A.J. Gillam M.S. Glover
 M. Lawrence R.J. Nicholson

Officers in Attendance: V. Rimmington, L. Sugden.

1 APOLOGIES FOR ABSENCE.

Apologies for absence were received from Councillor Barnfather.

**2 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE
MEETING HELD ON 26 MARCH 2013.**

RESOLVED:

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

3 DECLARATION OF INTERESTS.

None.

4 ANNUAL FRAUD & IRREGULARITIES REPORT

The Service Manager, Audit and Risk Management, presented a report, which has been circulated previously, summarising all investigated cases of fraud and irregularities identified during the 2012-13 financial year and actions taken.

Members asked that the Officers be congratulated on their work.

RESOLVED:

To note the report.

5 THE ANNUAL INTERNAL AUDIT REPORT 2012-13.

The Service Manager, Audit and Risk Management, presented a report, which has been circulated previously, informing Members of the activity of the Internal Audit section during the 2012-13 financial year.

RESOLVED:

To note the report.

6 CORPORATE RISK SCORECARD

The Service Manager, Audit and Risk Management, presented a report, which has been circulated previously, updating Members on the current level of assurance that can be provided against each corporate risk.

RESOLVED:

To note the report.

7 FOLLOW-UP OF AUDIT RECOMMENDATIONS

The Service Manager, Audit and Risk Management, presented a report, which has been circulated previously, outlining departmental progress in the implementation of Internal Audit recommendations and identifying where additional action is required.

RESOLVED:

To note the report.

8 SUMMARY OF AUDIT ACTIVITY.

The Service Manager, Audit and Risk Management, presented a report, which has been circulated previously, summarising the outcome of Internal Audit activity for the period April to June 2013.

RESOLVED:

To note the report.

9 ANY OTHER ITEMS WHICH THE CHAIRMAN CONSIDERS URGENT.

None.

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DECISIONS MADE UNDER DELEGATED AUTHORITY

<u>Reference</u>	<u>Resolved Narrative</u>	<u>Date</u>	<u>Portfolio</u>
ED830	To agree strategic principles to underpin future approach to social media and to amend the frequency of production of "Contacts" magazine.	11/04/2013	Communication and Public Protection
ED842	To give approval to allow Officers to enter into a Contract in respect of the provision of IT Support Services to New Charter Housing Trust Limited.	11/04/2013	Communication and Public Protection
ED846	To agree the Council's Home Energy Conservation Act report.	11/04/2013	Environment
ED848	To extend the contract for local implementation of Department for Energy and Climate Change (DECC) Fuel Poverty Fund and to agree virement of additional DECC funding to extend the scheme.	11/04/2013	Communication and Public Protection
ED850	To approve a grant in respect of third party legal fees in relation to the drafting of the lease for Gedling Country Park.	11/04/2013	Leader of the Council
ED851	To agree to award a grant towards the costs associated with the Gedling Borough Council Book Festival.	18/04/2013	Leader of the Council
ED852	To approve an inflationary increase to Public Protection Service Fees and Charges where charges are set locally.	19/06/2013	Communication and Public Protection
ED853	To agree to grant further funding towards third party legal fees in respect of the Gedling Country Park Lease.	02/05/2013	Leader of the Council
ED855	Changes to the appointments to Cabinet and the distribution of Portfolios.	14/05/2013	Leader of the Council
ED856	Seeking approval to authorise the Council's Legal Assistant to appear before the County Court to represent the Council.	14/05/2013	Leader of the Council
ED859	To agree that the draft protocol is submitted as evidence in support of the Aligned Core Strategy for Gedling Borough.	18/06/2013	Leisure and Development
ED860	To approve a selection of names for streets on the Stockings Farm development.	18/06/2013	Leisure and Development

ED862	To agree an open tender process for the provision of a three year contract (with an option to extend for a further two years) for a fully managed vending machine service at Leisure Centres.	18/06/2013	Leisure and Development
ED863	To agree to the renewal of the lease with the Gedling Indoor Bowls Club for a further three years from 30 July 2013.	18/06/2013	Leisure and Development
ED864	To note the contents of the Food Service Delivery Plan 2013/14 and approve the Plan for the Food, Health and Housing Team to deliver.	21/06/2013	Communication and Public Protection
ED778	To authorise prosecution proceedings.	04/07/2013	Health and Housing
ED780	To prosecute and seek a forfeiture order in the Magistrates Court.	04/07/2013	Health and Housing