



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

# Agenda

## Council

Date: **Wednesday 11 September 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

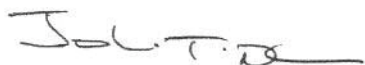
Councillor Jenny Hollingsworth

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 11 September 2013 at 6.45 pm to transact the business as set out below.



John Robinson  
Chief Executive

## AGENDA

Page

- 1 Opening Prayers.
- 2 Apologies for Absence.
- 3 Mayor's Announcements.
- 4 To approve, as a correct record, the minutes of the meeting held on 10 July 2013. 1 - 6
- 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 Proposed amendments to the Constitution: Scrutiny arrangements 7 - 20  
Report of Stephen Bray, Corporate Director and Council Solicitor and Monitoring Officer.
- 9 Timing of Council Meetings 21 - 24  
Report of Stephen Bray, Corporate Director.
- 10 Recommendation from Cabinet, 8 August 2013, Minute 20 - Quarterly Budget Monitoring, Performance Digest and Virement Report 75
- 11 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).

a	Minutes of meeting Thursday 4 July 2013 of Appeals and Retirements Committee	25 - 26
b	Minutes of meeting Tuesday 16 July 2013 of Environment and Licensing Committee	27 - 32
c	Minutes of meeting Wednesday 17 July 2013 of Planning Committee	33 - 42
d	Minutes of meeting Monday 5 August 2013 of Overview and Scrutiny Committee	43 - 46
e	Minutes of meeting Tuesday 6 August 2013 of Environment and Licensing Committee	47 - 52
f	Minutes of meeting Wednesday 7 August 2013 of Planning Committee	53 - 74
g	Minutes of meeting Thursday 8 August 2013 of Cabinet	75 - 80
h	Minutes of meeting Thursday 15 August 2013 of Appeals and Retirements Committee	81 - 82
i	Minutes of meeting Tuesday 27 August 2013 of Joint Consultative and Safety Committee	83 - 86
j	Minutes of meeting Wednesday 28 August 2013 of Planning Committee	87 - 94
k	Decisions made under delegated authority	95 - 96

12 To consider comments, of which due notice has been given, under Standing Order 11.03(a).

## MINUTES COUNCIL

Wednesday 10 July 2013

Councillor Bob Collis (Mayor)

Present:

Councillor Jenny Hollingsworth	Councillor Cheryl Hewlett
Councillor Steve Ainley	Councillor Sarah Hewson
Councillor Pauline Allan	Councillor Mike Hope
Councillor Roy Allan	Councillor Paul Hughes
Councillor Patricia Andrews	Councillor Meredith Lawrence
Councillor Emily Bailey	Councillor Phil McCauley
Councillor Peter Barnes	Councillor Barbara Miller
Councillor Sandra Barnes	Councillor Richard Nicholson
Councillor Chris Barnfather	Councillor Marje Paling
Councillor Denis Beeston MBE	Councillor Michael Payne
Councillor Alan Bexon	Councillor Carol Pepper
Councillor John Boot	Councillor Stephen Poole
Councillor Nicki Brooks	Councillor Suzanne Prew-Smith
Councillor Ged Clarke	Councillor Darrell Pulk
Councillor John Clarke	Councillor Nick Quilty
Councillor Jim Creamer	Councillor Roland Spencer
Councillor David Ellis	Councillor Sarah Tomlinson
Councillor Andrew Ellwood	Councillor John Truscott
Councillor Paul Feeney	Councillor Gordon Tunnicliffe
Councillor Kathryn Fox	Councillor Muriel Weisz
Councillor Tony Gillam	Councillor Henry Wheeler
Councillor Gary Gregory	

Absent: Councillor Bruce Andrews, Councillor Krista Blair,  
Councillor Roxanne Ellis, Councillor Mark Glover,  
Councillor John Parr and Councillor Colin Powell

### 13 OPENING PRAYERS.

The Mayor's Chaplain Rev. Ken Schill, Vicar of St Mary's Church Arnold, delivered the opening prayer.

### 14 APOLOGIES FOR ABSENCE.

Apologies for absence were received from Councillors Blair, R. Ellis, Glover, Powell, Parr and B. Andrews.

### 15 MAYOR'S ANNOUNCEMENTS.

The Mayor gave an overview of recent engagements he had attended and paid tribute to the vital contribution made by local voluntary and community organisations in Gedling.

He also highlighted the City's recent hosting of Armed Forces Day, which he had attended. The Mayor reinforced the intention of the Council to provide additional support to Military organisations and communities, heralded by the signing of the Armed Forces Community Covenant by the previous Mayor, Councillor Sandra Barnes.

The Mayor closed by informing members of awareness raising he has undertaken in the media and a number of events planned in aid of his chosen charity, Homelessness. These included a sponsored slim, a charity dinner in the Autumn and a Cheese and Wine tasting evening.

The Mayor urged Members to support these events where able.

**16 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 17 APRIL 2013 AND 22 MAY 2013**

**RESOLVED:**

That the minutes of the above meetings, having been circulated, be approved as a correct record and signed by the Mayor subject to the following amendment;

1. To remove Councillor Key from those attending the meeting held on 22 May 2013 and replace with Councillor D. Ellis.

**17 DECLARATION OF INTERESTS.**

None declared.

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

None received.

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

None received.

**20 ARNOLD LEISURE CENTRE REFURBISHMENT**

Consideration was given to a report of the Corporate Director, which had been circulated prior to the meeting, seeking approval for additional capital borrowing to complete the re-design and refurbishment of Arnold Leisure Centre and Bonington Theatre.

Councillor Pulk seconded by Councillor WJ Clarke proposed the motion.

In proposing the motion, Councillor Pulk made Members aware of an error at paragraph 3.1 of the report, where the original budget for improvement works should have been listed as £957,000.

**RESOLVED:**

That additional capital borrowing in total not to exceed £320,000 (incl. Fees) to complete the improvements works to Arnold Leisure Centre be approved.

**21 PROPOSED AMENDMENTS TO THE CONSTITUTION: SCRUTINY ARRANGEMENTS.**

Consideration was given to a report of the Corporate Director and the Council Solicitor and Monitoring Officer, which had been circulated prior to the meeting, seeking Council's approval for amendments to the Constitution to reflect the proposed changes to the Scrutiny Committee structure.

Councillor Hope seconded by Councillor Paling proposed the motion.

**RESOLVED that:**

1. The amendments to the Constitution as set out in Appendix 1 to the report are approved.
2. The Council Solicitor and Monitoring Officer is authorised to make the amendments to the Constitution set out in Appendix 1 to the report.
3. The amendments to the Constitution set out in Appendix 2 of the report stand adjourned to the next ordinary meeting of the Council.

**22 TIMING OF COUNCIL MEETINGS.**

Consideration was given to a report of the Corporate Director and the Council Solicitor and Monitoring Officer, which had been circulated prior to the meeting, asking the Council to consider a change to the start time of Council meetings following a request from the Labour Group.

Councillor W.J. Clarke seconded by Councillor D. Ellis proposed the motion.

**RESOLVED:**

That the matter stand adjourned without discussion to the next ordinary meeting of the Council.

**23 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.**

In respect of minute 7, resolutions 5 (i),(ii),(iii) and (iv) it was moved by Councillor W.J. Clarke and seconded by Councillor Payne that the recommendations contained in the minute be approved.

The Mayor put the proposition to the meeting and declared the same carried and it was:-

**RESOLVED:**

To approve:

1. The revenue carry forward of £90,000 for the Superfast Broadband Scheme being a non-committed scheme in excess of £10,000;
2. The capital carry forward of £103,300 for the Disabled Facilities Grants Scheme being a non-committed scheme in excess of £50,000;
3. The overall method of financing of the 2012/13 capital expenditure as set out in Appendix 7 of the report;
4. The capital determinations in Section 3.4 of the report to Cabinet.

**24 RECOMMENDATION FROM CABINET, 6 JUNE 2013, MINUTE 8- ANNUAL TREASURY ACTIVITY REPORT 2012/13.**

In respect of minute 8, it was moved by Councillor W.J. Clarke and seconded by Councillor Payne that the recommendation contained in the minute be approved.

The Mayor put the proposition to the meeting and declared the same carried and it was:-

**RESOLVED:**

To approve the Annual Treasury Activity Report for 2012/13 together with the appendices.

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

In accordance with Standing Order 11.01, a number of comments were made and responded to by the appropriate Cabinet Member or Committee Chair.

Councillor Ainley left the meeting at 8.25pm



26

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

None

The meeting finished at 8.55 pm

Signed by Chair:  
Date:

This page is intentionally left blank



## **Report to Council**

**Subject:** Proposed amendments to the Constitution: Scrutiny arrangements

**Date:** 11 September 2013

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

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

To seek approval for amendments to the Contract Standing Orders and Standing Orders for Dealings with Land in the Constitution to reflect the proposed changes to the Scrutiny Committee structure.

### **2. Background**

Members will recall that the attached report was presented to the Council meeting on 10 July 2013 recommending changes to the Constitution. The amendments to the Constitution set out in Appendix 1 were approved, however in view of the operation of Standing Order 29, consideration of the amendments set out in Appendix 2 were adjourned to the next ordinary meeting of the Council

### **3. Proposal**

It is proposed that the Council approves the amendments to the Constitution set out in Appendix 2 to the attached report.

### **4. Resource Implications**

None.

### **5. Recommendation**

**It is recommended that:**

- 5.1 The amendments to the Constitution set out in Appendix 2 to the attached report are approved.

5.2 The Council Solicitor and Monitoring Officer is authorised to make the amendments to the Constitution set out in Appendix 2.

## **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:** 12 September 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**

Members will recall that the attached report was presented to the Council meeting on 10 July 2013 inviting Council to consider reviewing the start time of meetings. In view of the operation of Standing Order 29, consideration of the report was adjourned without further discussion.

### **3. 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.

## **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.

This page is intentionally left blank

## **MINUTES APPEALS AND RETIREMENTS COMMITTEE**

**Thursday 4 July 2013**

Councillor Barbara Miller (Chair)

Councillor Gary Gregory  
Councillor Jim Creamer  
Councillor Carol Pepper

Councillor Roland Spencer  
Councillor John Truscott

Apologies for absence: Councillor David Ellis

Officers in Attendance: D Archer, F Whyley, I Oxborough and D Wakelin

### **9 APOLOGIES FOR ABSENCE.**

Apologies for absence were received from Councillor Ellis.

### **10 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 30 MAY 2013**

#### **RESOLVED:**

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

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

None.

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

None.

### **13 EXCLUSION OF 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.

**14 APPEAL AGAINST DISMISSAL- CC**

CC attended the Committee but was not represented. David Wakelin, Corporate Director, attended with Irene Oxborough, Senior Personnel Officer, and presented the Council's reasons for the decision to dismiss. CC put forward his own appeal case.

**RESOLVED:**

To uphold the decision made by David Wakelin to dismiss CC from the Council's service with effect from 10<sup>th</sup> May 2013 and to dismiss the appeal made by CC against dismissal.

Signed by Chair:  
Date:

## **MINUTES ENVIRONMENT AND LICENSING COMMITTEE**

**Tuesday 16 July 2013**

Councillor Marje Paling (Chair)

Councillor Meredith Lawrence	Councillor Roxanne Ellis
Councillor Bruce Andrews	Councillor Mike Hope
Councillor Sandra Barnes	Councillor Barbara Miller
Councillor Nicki Brooks	Councillor Stephen Poole
Councillor Ged Clarke	Councillor Henry Wheeler

Apologies for absence: Councillor Jenny Hollingsworth and Councillor John Parr

**15 APOLOGIES FOR ABSENCE.**

Apologies for absence were received from Councillors Parr and Hollingsworth.

**16 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 11 JUNE 2013**

**RESOLVED:**

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

**17 DECLARATION OF INTERESTS.**

None.

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

None.

**19 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.

**20 APPEAL AGAINST REVOCATION OF A HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE - AB**

**RESOLVED:**

That the report be noted.

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

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

ZT did not attend the Committee.

**RESOLVED:**

That ZT's application for a Hackney Carriage/Private Hire Drivers Licence be deemed withdrawn due to his non-attendance at two Committee meetings.

**22 CHANGE OF CIRCUMSTANCES OF JOINT HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE - SU-H**

The Committee considered a report from Corporate Director, David Wakelin, regarding a change of circumstances of a joint Hackney Carriage/Private Hire Driver's Licence from SU-H.

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 suspend the Hackney Carriage/Private Hire Drivers Licence held by SU-H for 28 days from 16th July 2013 until 12<sup>th</sup> August due to his plying for hire conviction.

**23 APPLICATION FOR A HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE - BA**

The Committee considered a report from Corporate Director, David Wakelin, regarding an application for a Joint Hackney Carriage/Private



Hire Driver's Licence from BA.

BA attended the meeting and addressed the Committee.

BA submitted references, in support of his application which were read out by the Chair.

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 BA's application for a Hackney Carriage/Private Hire Driver's Licence.

**24 APPLICATION FOR A JOINT HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE - HU-R**

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

HU-R 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 HU-R's application for a Hackney Carriage/Private Hire Driver's License with a warning as to the necessary consequences of any further convictions or appearances before Committee.

**25 APPLICATION FOR A JOINT HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE - AH**

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

AH 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 AH's application for a Hackney Carriage/Private Hire Driver's License with a warning as to the necessary consequences of any further convictions or appearances before Committee.

**26 APPLICATION FOR A JOINT HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE - NM**

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

NM 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 NM's application for a Hackney Carriage/Private Hire Driver's License on the grounds that he is not a fit and proper person.

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

**27 APPLICATION FOR A JOINT HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE - SSD**

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

SSD 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 SSD's application for a Hackney Carriage/Private Hire Driver's License on the grounds that he is not a fit and proper person.

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

28

**APPLICATION FOR A JOINT HACKNEY CARRIAGE/PRIVATE  
HIRE DRIVERS LICENCE - RN**

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

RN 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 that warrant departure from this policy.

**RESOLVED:**

To approve RN's application for a Hackney Carriage/Private Hire Driver's License with a warning as to the necessary consequences of any further convictions or appearances before Committee.

The meeting finished at Time Not Specified

Signed by Chair:  
Date:

This page is intentionally left blank

## **MINUTES PLANNING COMMITTEE**

**Wednesday 17 July 2013**

Councillor Barbara Miller	Councillor Sarah Hewson
Councillor Pauline Allan	Councillor Jenny Hollingsworth
Councillor Peter Barnes	Councillor Meredith Lawrence
Councillor Alan Bexon	Councillor Marje Paling
Councillor John Boot	Councillor Colin Powell
Councillor Bob Collis	Councillor Suzanne Prew-Smith
Councillor Andrew Ellwood	Councillor Gordon Tunnicliffe
Councillor Cheryl Hewlett	

Apologies for absence: Councillor Chris Barnfather and Councillor Mike Hope

Officers in Attendance: P Baguley, A Dubberley, L Sugden and M Russell

### **13 APOLOGIES FOR ABSENCE.**

Apologies for absence were received from Councillors Barnfather and Hope.

### **14 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 29 MAY 2013.**

#### **RESOLVED:**

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

### **15 DECLARATION OF INTERESTS**

Councillor Truscott, on behalf of all members of the committee, declared non-pecuniary interests in Application number 2013/0620 as Members of Gedling Borough Council.

Councillors Barnes, Bexon, Powell and Prew-Smith declared non-pecuniary interests in Application number 2013/0523.

Councillor Boot declared a prejudicial interest in Application number 2013/0523.

Councillor Collis declared a pecuniary interest in application number 2013/0551.

**APPLICATION NO. 2013/0272 - STOCKINGS FARM, ARCH HILL, REDHILL.**

Substitution of House types to Plots 321-345 inclusive (reserved matters application 2010/0437)

The Service Manager, Planning and Economic Development advised that no comments on the revised plans had been received from the highway authority.

**RESOLVED to SUPPORT the principle of granting planning permission but DELEGATE the decision to the Corporate Director subject to no objection from the highway authority to the revised layout, and (if granted) 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 approved shall be built in accordance with the approved House Types DH304GE-2, DH313CD-2, DH313CDW-2, DH330G-2, DH400G-2, DH402G-2, DH404G-2, DH413G-2, DH416G-2, DH417G-2, DH418G-2; DH419G-2, DH428G-2, DH501G-2 and DH516G-2; Garage Types DG1, DG2-S, DG3-S, DG4-S and DG14-S, deposited on 12th March 2013; and the revised Planning Layout ER/1042-03 Rev A, received on 22nd April 2013.
3. All details approved by pre-commencement condition, or conditions requiring pre-occupation details, under application nos: 2005/0925 & 2010/0437, other than details being dealt with by condition under this application, shall remain applicable and of effect.
4. No part of the development hereby approved shall be first occupied until a planning obligation pursuant to Section 106 of the Town and Country Planning Act 1990 has been entered into by all persons with a relevant interest in the site and lodged with the Borough Council to re-apply, as appropriate, the terms of the original planning obligation attached to outline planning permission no: 2005/0925 and the Borough Council as local planning authority has notified in writing the persons submitting the same that they are to the Borough Council's approval.
5. Before development is commenced there shall be submitted to and approved in writing by the Borough Council details of the finished floor levels of the plots hereby permitted in relation to existing levels. The development shall then be completed in accordance with the approved details.

6. Before any part of the development hereby approved is first occupied there shall be submitted to and approved in writing by the Borough Council details of the means of enclosure, including retaining walls, to the individual plot boundaries. The development shall then be completed in accordance with the approved details.
7. Before any part of the development hereby approved is first occupied there shall be submitted to and approved in writing by the Borough Council details of the proposed means of surfacing of the access roads, private drives, pathways and other unbuilt on portions of the site. The development shall then be completed in accordance with the approved details.
8. Before any part of the development hereby approved is first occupied 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.
9. 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.
10. The garages shown to be provided on the approved plan shall remain in use for garage purposes ancillary to the dwelling houses which they serve. They shall be kept available for the accommodation of private vehicles at all times and shall not be used for any other purpose unless otherwise agreed in writing by the Borough Council as local planning authority.
11. No additional windows shall be inserted in the east facing, first floor, side elevations of the dwellings hereby permitted on plots 330, 331 and 327 at any time.

### **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 secure the provision of contributions towards public open space, affordable housing, health care facilities, education facilities and integrated transport measures in accordance with

Policies T1, H2, C2, R3 and H18 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008) and the Supplementary Planning Documents in relation to Open Space Provision and Affordable Housing.

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 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. 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).
9. 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).
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. To protect residential amenity 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 substitution of house types would achieve an effective and efficient use of land that would have regard to the appearance of the area and would have no significant adverse impact on highway safety or residential amenity. The proposed development meets with the fundamental aims of the National Planning Policy Framework and Policies ENV1, C2, H2, H4, H8, H16, H18, R3 and T1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008). It also accords with the aims of Policies 8 and 10 of the Gedling Borough Aligned Core Strategy Submitted Documents, February 2013.

### **17 APPLICATION NO. 2013/0620 - ARNOLD LEISURE CENTRE, 161 FRONT STREET.**

Proposed new single storey flat roof extension to leisure centre to



provide additional foyer/reception/admin space. including removal of two existing trees. Extension includes new permanent pergola entrance feature/structure. Installation of new external air handling ventilation unit at ground floor level enclosed by permanent 2.4m high fencing and double access gates/additional hardstanding. Improvements to existing retained soft/hard landscaping to leisure centre site / perimeter.

The Service Manager, Planning and Economic Development, advised Members of one further letter of objection - the contents of which had already been addressed in 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 approved shall be carried out in accordance with the approved plans (Drawing no.PL 04 and PL 06) deposited on the 10th June 2013.
3. The air handling/ventilation unit hereby approved shall be installed in accordance with drawing no.s PL 04, PL 06 and M/SK-01 and the Flaktwoods system details and specifications deposited on the 10th June 2013 and 27th June 2013. A air handling/ventilation system that accords with the submitted details and specifications shall thereafter be retained in working order at all times for the lifetime of the development.

**Reasons**

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

**18 APPLICATION NO. 2013/0618 - 7 AYLESHAM AVENUE, ARNOLD.**

Single storey front and two storey side extension

**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 completed in

accordance with the submitted plans received on the 10th June 2013, drawing no's 213:18:1 and 213:18:2.

**Reasons**

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

**19 APPLICATION NO. 2013/0523 - 3 LOXLEY MEADOW, BURTON JOYCE**

*Councillor Boot left the room for consideration of this item*

Proposal for the retention of a gate as installed.

The Service Manager, Planning and Economic Development advised that one letter of objection had been received since the agenda was printed commenting on the height of the gate and safety concerns – all of which had been addressed by the report. He also reported that the highway authority had raised no objections to the application.

**RESOLVED to SUPPORT the principle of granting planning permission but DELEGATE the decision to the Corporate Director subject to no objections being received before 22 July that raise material planning considerations and, if granted, to the following condition:**

This permission relates to the development as shown on the submitted photographs received by the Borough Council on the 8th May 2013.

**Reason**

For the avoidance of doubt.

**Reasons for Decision**

The development has no significant impact on the amenities of neighbouring residential properties and has no material impact on the character or appearance of the site or the wider street scene. The proposal therefore accords with Policy ENV1 (Development Criteria) of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).

*Councillor Boot returned to the meeting.*

**20 APPLICATION NO. 2013/0551 - 27 BENNETT ROAD, MAPPERLEY.**

*Councillor Collis left the meeting for consideration of this item*

Demolish existing conservatory and replace with UPVC on existing brick base.

**RESOLVED to GRANT RETROSPECTIVE 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 shall be carried out in accordance with the approved plans received by the Borough Council on the 16th May 2013.

**Reasons**

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

**Reasons for Decision**

The proposed development results in no significant impact on the amenities of neighbouring residential properties and has no material impact on the character or appearance of the site or the wider street scene. The proposal therefore accords with Policy H10 (Extensions) of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).

*Councillor Collis returned to the meeting.*

**21 APPLICATION NO. 2013/0611 (FOOTPATH DIVERSION) - LAND SURROUNDING 315 SPRING LANE.**

**RESOLVED:**

To 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.

**22 PLANNING ENFORCEMENT REFERENCE: 0006/2013 - GRIFFINS HEAD PUBLIC HOUSE (PH), MOOR ROAD, PAPPLEWICK.**

**RESOLVED:**

To authorise the Corporate Director, in consultation with the Council Solicitor and Monitoring Officer, to take any appropriate enforcement action including the service of relevant notices.

**23 CERTIFICATE OF LAWFULNESS - GLEBE FARM, 71 LAMBLEY LANE, GEDLING**

**RESOLVED:**

To note the information

**24 APPEAL RECEIVED - GLEBE FARM, 71 LAMBLEY LANE, GEDLING**

**RESOLVED:**

To note the information

**25 APPEAL RECEIVED - LAND ADJACENT TO 51 KIRKBY ROAD, RAVENSHEAD.**

**RESOLVED:**

To note the information

**26 PLANNING DELEGATION PANEL ACTION SHEETS.**

**RESOLVED:**

To note the information.

**27 FUTURE APPLICATIONS**

**RESOLVED:**

To note the information

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

The Chair reported that in the matter of the Judicial Review by Mr Holder of the Council's decision to grant planning permission for the wind turbine at Woodborough, the High Court had found in favour of the Council, but that notification had been received that Mr Holder has made an application to the Court of Appeal for permission to appeal this decision. Members will be kept informed.

The meeting finished at 6.45 pm

Signed by Chair:  
Date:

This page is intentionally left blank

## **MINUTES OVERVIEW AND SCRUTINY COMMITTEE**

**Monday 5 August 2013**

Councillor Mike Hope (Chair)

Present: Councillor Gary Gregory Councillor Colin Powell  
Councillor Steve Ainley Councillor Suzanne Prew-Smith  
Councillor Sandra Barnes Councillor John Truscott  
Councillor Paul Hughes Councillor Henry Wheeler  
Councillor Stephen Poole

Absent: Councillor Patricia Andrews, Councillor Emily Bailey  
and Councillor Krista Blair

Officers in Attendance: J Ansell, S Bray, H Lee and Reiners

### **8 APOLOGIES FOR ABSENCE.**

Apologies for absence were received from Councillors Andrews, Bailey and Blair.

### **9 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 10 JUNE 2013.**

#### **RESOLVED:**

That the minutes of the above meeting, having been circulated, be approved as a correct record and signed by the Chair, subject to the following amendments:

Minute 4: 'Head of Strategy and Performance' to be replaced with 'Corporate Director'.

Minute 5: Stephen Bray, Corporate Director, to be included in the named invitees.

### **10 DECLARATION OF INTERESTS.**

None.

### **11 SCRUTINY WORK PROGRAMME 2012/13**

The Chair informed Members of the end position of the 2012/13 Scrutiny work programme and invited Working Group chairs to present the final reports and recommendations of the following completed reviews:

- Hackney Carriages
- Inclusion and Equality
- The Council's engagement with the Voluntary Sector
- Covert Surveillance

**RESOLVED:**

- i) To approve the reports and recommendations of the above working groups and refer them on to Cabinet for consideration.
- ii) To note that the one outstanding working group, Localism, Planning and Housing, will hold its' final meeting in September and report to the October Overview and Scrutiny Committee.

**12 SCRUTINY WORK PROGRAM 2013/14**

The Chair directed Members' attention to the Portfolio Holder information at appendix 1 of the report, and asked that they consider which specific areas within portfolios they would like to hold Portfolio Holders to account on, with a view to establishing a rolling programme of attendance by the relevant Portfolio Holder and Corporate Director.

The Chair then requested that Members consider and agree subjects for the three in depth reviews, and the order in which they would be conducted.

**RESOLVED:**

To examine the following areas of performance within individual Portfolios:

**Committee date: 7th October 2013 – attendance confirmed in diaries**

Services for review: Procurement strategy and co-location with partners  
 Portfolio Holder: Councillor John Clarke: Leader of the Council  
 Corporate Director: Mark Kimberley

**Committee date: 9th December 2013 – attendance confirmed in diaries**

Services for review: Waste strategy, energy management, sustainability  
 Portfolio Holder: Councillor Peter Barnes: Environment  
 Corporate Directors: Dave Wakelin and Stephen Bray

**Remainder of the programme (order and dates to be confirmed)**



Service for review: Public Health  
Councillor Hollingsworth: Health and Housing  
Corporate Director: Dave Wakelin

Services for review: the planning process and the town centres strategy  
Councillor Pulk: Leisure and Development  
Corporate Director: Paula Darlington

Service for review: Neighbourhood working  
Councillor Fox: Community Development  
Corporate Director: Paula Darlington

To nominate the following in-depth reviews in order of priority; and to ask officers to liaise with business managers and group leaders to request nominations from political groups.

The impact of Homelessness and Hardship in the Borough - Councillor Lawrence nominated

Reducing Unemployment in the Borough

Transport links to and from the Borough

13

### **SCRUTINY ARRANGEMENTS: AMENDMENTS TO THE CONSTITUTION CONSIDERED BY COUNCIL ON 10 JULY 2013**

Members considered a report which detailed proposals for dealing with items referred to Scrutiny as a requirement of the Council's constitution, which included:

- **Referrals of policies that form part of the Budget and Policy Framework.**

It was proposed that the Chairman be notified at the point the Policy or Strategy is included in the Forward Plan and, when the document is ready for consultation, circulated to all members of the Overview and Scrutiny Committee or tabled at an Overview Scrutiny Committee meeting, if a meeting is immediately pending. If a meeting is not pending, it was agreed that a meeting could be called to specifically discuss the proposals.

Comments would be collated by the Elections and Members' Services Team and, after discussion with the Chairman of the Overview and Scrutiny Committee, submitted to the relevant officer before the end of the consultation period. The officer would then either append the Scrutiny responses to the Cabinet report, or include a paragraph within the report which details the Scrutiny responses. Cabinet will take into account any responses received from the Overview and Scrutiny Committee before making a decision.

Members were informed that there are also requirements in the new Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 which require notice to be given to the Chair of Overview and Scrutiny Committee if the executive proposes to take a key decision without it being published (on the Forward Plan) for at least 28 days.

- **Referrals under Contract Standing Orders, including:**

- proposals to enter into a contract between £10, 000 and £50, 000 where the requirement to obtain 3 quotes cannot be met.
- proposals for the disposal of land or property other than the sale of council houses to sitting tenants pursuant to the right to buy.

It was agreed that a standing agenda item be added to the Overview and Scrutiny Committee Agenda to inform the Committee of such notifications received by the Chair.

**RESOLVED:**

To note the procedures for dealing with items referred to Overview and Scrutiny Committee as a requirement of the Council's constitution.

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

None.

The meeting finished at 7.00 pm

Signed by Chair:  
Date:

## **MINUTES ENVIRONMENT AND LICENSING COMMITTEE**

**Tuesday 6 August 2013**

Councillor Marje Paling (Chair)

Councillor Meredith Lawrence	Councillor Jenny Hollingsworth
Councillor Bruce Andrews	Councillor Mike Hope
Councillor Sandra Barnes	Councillor Barbara Miller
Councillor Ged Clarke	Councillor John Parr
Councillor Roxanne Ellis	Councillor Stephen Poole
Councillor Tony Gillam	Councillor Henry Wheeler

Apologies for absence: Councillor Nicki Brooks

Officers in Attendance: P Gibbs, L Sugden and K Nealon

### **29 APOLOGIES FOR ABSENCE.**

Apologies for absence were received from Councillor Brooks.

### **30 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 16 JULY 2013**

#### **RESOLVED:**

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

### **31 DECLARATION OF INTERESTS.**

None.

### **32 NOTICES SERVED**

#### **RESOLVED:**

To note the report.

### **33 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.

**34 REQUEST FOR EXEMPTION FROM DISPLAYING FIXED PLATES**

**RESOLVED that:**

- a) With respect to EB, the requirement to display vehicle licence plates is waived; and that
- 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 EB.

**35 COMPLAINT RELATING TO HACKNEY CARRIAGE / PRIVATE HIRE DRIVERS JGS**

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

JGS attended the meeting and addressed the Committee.

**RESOLVED:**

That JGS's license should be revoked with immediate effect as he is not considered to be a fit and proper person to hold a license due to the number and nature of complaints made against him.

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

**36 APPLICATION FOR A JOINT HACKNEY CARRIAGE / PRIVATE HIRE DRIVERS LICENCE - NM**

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

NM 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 NM's application for a Hackney Carriage/Private Hire Driver's License.

**37 APPLICATION FOR JOINT HACKNEY CARRIAGE / PRIVATE HIRE DRIVERS LICENCE - TH**

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

TH 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 TH's application for a Hackney Carriage/Private Hire Driver's License on the grounds that he is not a fit and proper person.

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

**38 APPLICATION FOR A JOINT HACKNEY CARRIAGE / PRIVATE HIRE DRIVERS LICENCE - ZUH**

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

ZUH 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 ZUH's application for a Hackney Carriage/Private Hire Driver's License with a warning as to the necessary consequences of any further convictions or appearances before Committee.

**39 APPLICATION FOR JOINT HACKNEY CARRIAGE / PRIVATE HIRE DRIVERS LICENCE - MSA**

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

MSA 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 MSA's application for a Hackney Carriage/Private Hire Driver's License.

**40 APPLICATION FOR A JOINT HACKNEY CARRIAGE / PRIVATE HIRE DRIVERS LICENCE - BH**

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

BH 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 BH's application for a Hackney Carriage/Private Hire Driver's License with a warning as to the necessary consequences of any further convictions or appearances before Committee.

**41 APPLICATION FOR A JOINT HACKNEY CARRIAGE / PRIVATE HIRE DRIVERS LICENCE - AH**

AH did not attend the meeting, but sent apologies.

**RESOLVED:**

To defer consideration of the application for a Hackney Carriage/Private

Hire Driver's Licence from AH to a future meeting of the Committee. If he does not attend the next appointment then his application will be treated as withdrawn

**42 APPLICATION FOR A JOINT HACKNEY CARRIAGE / PRIVATE HIRE DRIVERS LICENCE - JS**

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

JS 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 JS's application for a Joint Hackney Carriage/Private Hire License on the grounds that he is not a fit and proper person.

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

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

None.

The meeting finished at Time Not Specified

Signed by Chair:  
Date:

This page is intentionally left blank



## MINUTES PLANNING COMMITTEE

Wednesday 7 August 2013

Councillor John Truscott (Chair)

Present: Councillor Barbara Miller Councillor Sarah Hewson  
Councillor Peter Barnes Councillor Jenny Hollingsworth  
Councillor Denis Beeston MBE Councillor Mike Hope  
Councillor Alan Bexon Councillor Meredith Lawrence  
Councillor John Boot Councillor Marje Paling  
Councillor Bob Collis Councillor Colin Powell  
Councillor Andrew Ellwood Councillor Suzanne Prew-Smith  
Councillor Cheryl Hewlett Councillor Gordon Tunnicliffe

Absent: Councillor Pauline Allan, Councillor Roy Allan and  
Councillor Chris Barnfather

Officers in Attendance: J Cole, N Morley, L Parnell and F Whyley

### 29 APOLOGIES FOR ABSENCE.

Apologies for absence were received from Councillors Pauline Allan, Roy Allan and Chris Barnfather.

### 30 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 17 JULY 2013.

#### RESOLVED:

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

- i. That Councillor Lawrence be recorded as present.
- ii. That the word "retrospective" be removed from minute number 20, so that it reads:

"RESOLVED to GRANT PLANNING PERMISSON subject to the following conditions"

- iii. That the following be added to minute number 16:

"At the request of Members, the Chair agreed to meet with the Service Manager, Planning and Economic Development to agree a procedure for reporting the outcome of decisions delegated by the committee to the Committee.

**31 DECLARATION OF INTERESTS**

All Councillors declared a non-pecuniary interest in Application 2013/0560 as Members of Gedling Borough Council.

**32 APPLICATION NO. 2010/0936 - 2 & 2A SANDFORD ROAD, MAPPERLEY, NOTTINGHAMSHIRE.**

To GRANT PLANNING PERMISSION subject to the applicant entering into a Section 106 Agreement with the County Council for a contribution towards Education 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, other than the means of enclosure of the site and the details of new tree planting adjacent to the boundary with Porchester Road shown on the submitted plans, shall be built in accordance with drawing nos.0001 Rev A, 0011 Rev A and 0006 Rev A received on 15th April 2013, drawing nos.0100 Rev A, 2000 Rev A, 0004 Rev C, 0005 Rev B, 0008 Rev B, 0009 Rev C received on 11th June 2013, drawing no. 0010 Rev C received on 20th June 2013 and drawing no.0003 Rev D received on 18th July 2013.
3. Before development is commenced a sample of the materials to be used in the external elevations of the building, including to the exterior wall of the proposed vehicular access ramp, shall be submitted to and approved in writing by the Borough Council.
4. Before development is commenced precise details of the materials to be used in surfacing of external areas outside of the building including anti-skid surfacing to the proposed ramp shall be submitted to and approved in writing by the Borough Council.
5. The development shall be completed in the external elevation materials and the surfacing materials approved under Conditions 3 and 4 of this consent.
6. The development hereby permitted shall not commence until drainage plans for the disposal of surface water (including to the proposed car park and vehicular access ramp) and the disposal of foul sewage from the site and buildings/structures have been submitted to and approved by the Borough Council.
7. The development shall be completed in accordance with the drainage plans approved under condition 6 of this consent.

8. Before development commences a method statement setting out measures to ensure the safe removal of the trees to the boundary with Porchester Road shall be submitted to and approved in writing by the Borough Council.
9. The trees to the boundary with Porchester Road shall be removed in accordance with the method statement approved under condition 8 of this consent.
10. Before development is commenced, notwithstanding the details of enclosure shown on the approved plans, there shall be submitted to and approved by the Borough Council precise details of the means of enclosure to the site including any works to the hedge to the boundary with no.7 Hilton Road.
11. The means of enclosure shall be erected in accordance with the details approved under condition 10 of this consent and retained at all times unless alternative means of enclosure are agreed in writing with the Borough Council.
12. Before development is commenced there shall be submitted to and approved by the Borough Council a landscape plan of the site showing precise details of retaining structures adjacent to neighbouring boundaries, the position, type and planting size of all trees and shrubs proposed to be planted including where appropriate details of existing trees to be felled and retained, and details of how any invasive plants (e.g. Japanese Knotweed) shall be removed from the site.
13. Before development commences precise details of internal and external lighting to the proposed car park and access ramp shall be submitted to and approved in writing by the Borough Council.
14. Any internal or external lighting serving the car park and vehicular access ramp shall be retained and maintained in accordance with the details approved under Condition 13 of this consent.
15. Before development is commenced, details of an access ramp with balustrade to facilitate pedestrian access onto Porchester Road shall be submitted to and approved in writing by the Borough Council.
16. The pedestrian access ramp onto Porchester Road shall be provided in accordance with the details approved under Condition 15 of this consent prior to the occupation of any of the approved dwellings.
17. Before development is commenced precise details of the proposed access gates, which shall be electronic and shall open

into the site, together with details of CCTV to monitor access and egress shall be submitted to and approved in writing by the Borough Council.

18. The details of the vehicular access gates and CCTV system approved under condition 17 of this consent shall be installed prior to the occupation of the first dwelling and shall be operational and maintained in accordance with the approved details thereafter.
19. Before development is commenced a schedule indicating how the proposed soft landscaping is to be maintained shall be submitted to and approved in writing by the Borough Council. The schedule should cover a minimum period of five years. Any planting material that becomes diseased, dies or is damaged shall be replaced with a suitable plant of similar size and species within the next available planting season.
20. The works to trees on the site shall take place outside the bat activity and bird nesting season (March to October inclusive) unless an ecologist has surveyed the trees prior to any such works commencing and details of the ecologists recommendations have been submitted to and approved in writing by the Borough Council.
21. Before development is commenced precise details of bird boxes to be installed as part of the development, as recommended at Paragraph 6.1.3 of the Protected Species Survey (January 2011) submitted as part of this application, shall be submitted to and approved in writing by the Borough Council.
22. The bird boxes approved under condition 21 of this consent shall be installed prior to the occupation of the first dwelling and shall be retained in accordance with the approved details at all times.
23. No part of the development hereby permitted shall be brought into use until a dropped vehicular footway crossing is available for use and constructed in accordance with the Highway Authority specification to the satisfaction of the Borough Council.
24. No part of the development hereby permitted shall be brought into use until the existing dropped kerb access on Sandford Road that has been made redundant as a consequence of this consent has been reinstated with full height kerbs constructed in accordance with the Highway Authority specification to the satisfaction of the Borough Council.
25. No part of the development hereby permitted shall be brought into use until the visibility splays of 2.4 x 43m in both directions as shown on drawing no: (0004 Rev C) are provided.

26. No part of the development hereby permitted shall be brought into use until the access to the car parking areas are surfaced in a hard bound material (not loose gravel). The surfaced drives and any parking or turning areas shall then be maintained in such hard bound material for the life of the development.
27. No part of the development hereby permitted shall be brought into use until the access is constructed with a gradient not exceeding 1 in 20 for a distance of 5m from the rear of the highway boundary, and never exceeding 1:12 thereafter, as shown on plan ref: 0004 Rev C.
28. No part of the development hereby permitted shall be brought into use until the motorcycle and cycle parking facilities as indicated on drawing no 0003 Date rev D have been provided. The motorcycle and cycle parking facilities shall not thereafter be used for any purpose other than the parking of motorcycles and cycles.
29. The development shall not be occupied until the car parking area has been surfaced and drained and the individual parking spaces clearly marked out as per drawing no.0003 Rev D. The spaces shall be kept available for unallocated parking in association with the development thereafter.
30. Any planting along the frontage of the site shall not be planted as to cause visibility concerns for cars exiting the access to the parking area.
31. Before development commences precise details of salt and grit boxes to be provided as part of the development and the proposed location of these features shall be submitted to and approved in writing by the Borough Council. The salt and grit boxes shall be provided in accordance with the approved details prior to the first occupation of the development hereby approved and shall be retained thereafter in accordance with the approved details for the life time of the development.

### **Reasons**

1. In order to comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt.
3. In order 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. In order to ensure that the site and in particular the ramp (which should have a rough surface) are surfaced in appropriate materials so that 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. 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) and to reduce the risk of flooding.
6. 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.
7. 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.
8. In the interests of public safety and to ensure the structural stability of the adjoining highway is retained.
9. In the interests of public safety and to ensure the structural stability of the adjoining highway is retained.
10. 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).
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. In order 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).
13. In order to protect neighbouring amenity and 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).
14. In order to protect neighbouring amenity and 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 order 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).
16. To ensure a satisfactory development in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).
17. In the interests of crime prevention in order 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).
18. 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. In order 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).
20. 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).
21. In order to compensate for the loss of bird nesting provided by trees and shrubs to be removed as part of the development in accordance with the guidance set out at Paragraph 118 of the National Planning Policy Framework (2012).
22. 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).
23. In the interests of Highway safety.
24. In the interests of pedestrian and highway safety.
25. In the interests of pedestrian and highway safety.
26. To reduce the possibility of deleterious material being deposited on the public highway (loose stones etc.).
27. In the interests of pedestrian and highway safety.
28. To promote a sustainable development.
29. To ensure that adequate off-street parking provision is made to reduce the possibilities of the proposed development leading to on-street parking in the area.

30. In the interests of Highway safety.

31. In the interests of highway safety.

### **Reasons for Decision**

In the opinion of the Borough Council the proposed development makes effective and efficient use of the application site whilst having an acceptable relationship with the character of the area, the amenity of neighbouring residents and the adjoining highway. The development of the site for housing would increase the supply of homes in Gedling Borough and reduce the potential for crime on a site which has experienced problems of anti-social behaviour outweighing the amenity value of the protected trees which need to be removed to facilitate development. The proposal therefore complies with the National Planning Policy Framework (2012) the emerging Aligned Core Strategy and Policies ENV1, ENV2, ENV47, H7, H16 and T10 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).

### **Notes to Applicant**

Your attention is drawn to the attached comments of the Police Architectural Liaison Officer which includes information relating to the access gates to be considered under condition 17 of this consent as well as the recommendation that all ground floor doors and windows are to Secure by Design standards and fitted with laminated glazing.

Your attention is drawn to the attached comments of the Nottinghamshire Wildlife Trust and in particular the reference to the advice as set out in Paragraphs 6.1.1, 6.1.2 and appendix 1 relating to working procedures to protect badgers and bats.

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

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



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.

This decision is subject to a Section 106 Agreement.

You must contact the Borough Council's Building Control Section with regard to any proposed demolition of buildings on the site at least 4 weeks prior to any site clearance commencing.

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

The new tree planting to the front of the building shown on drawing no.0004 Rev C does not form part of this approval and details of this tree planting are not required as part of Condition 12 of this consent.

**33 APPLICATION NO. 2012/1335 - FORMER GEDLING COLLIERY, ARNOLD LANE, NOTTINGHAMSHIRE.**

That the Borough Council supports the GRANT OF PLANNING PERMISSION, subject to the applicant entering into a Section 106 Agreement with the Borough Council for a financial contribution towards off-site biodiversity mitigation and compensation works and subject to the following amended 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 and documents: Juwi Rack (4020 1069-69.2), Technical Details 2 (4020 1069-69.2), Technical Details - Substation 2 (4020 1069-69.2), Technical Details 4 - Station (4020 1069-69.2) and Technical Details - Substation (4020 1069-69.2), deposited on 21st November 2012; Site Location Plan (RG-M-02 Rev E), Overall Module Layout (4020 1069-10.00) and Spring Lane Proposed Junction Layout (0435-GA-01D Rev D), received on 7th June 2013; Technical Details 1 (4020 1069-69.2), received on 23rd July 2013; and the Extended Phase I Habitat Survey, including Desk Study, (SLR Ref: 424-04114-00003), June 2013 Rev 01, received on 28th June 2013.

3. Before development is commenced there shall be submitted to and approved in writing by the Borough Council detailed construction and engineering drawings showing any proposed changes to existing levels and contours across the site in excess of 1 metre. The development shall be constructed in accordance with the approved drawings and the finished levels and contours shall be retained without further alteration for the lifetime of the development.
4. 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 construction of the proposed temporary construction access and HGV turning area. The temporary construction access and HGV turning area shall be provided in accordance with the approved details prior to work commencing on the installation of the solar arrays, sub-stations, cable trenches or fencing and shall be retained until the development hereby approved is first brought into use.
5. 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.
6. Unless otherwise agreed by the Borough Council, development must not commence until the following has been complied with:  
(a) 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. If the site characterisation assessment indicates that contamination is likely to be present a Remediation Scheme shall be submitted to and approved in writing by the Borough Council.

(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 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.

7. 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 6 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.
8. Before development is commenced there shall be submitted to and approved in writing by the Borough Council, details of the number and location of the proposed CCTV cameras. The CCTV cameras 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. No vegetation clearance or ground works shall be undertaken until the site has been walked by an ecologist, and any refugia which could be used by amphibians have been subject to hand searches. If any amphibians 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.
10. No vegetation clearance or ground works shall be undertaken on site during the bird nesting season (which runs from 1st March to 31st August inclusive in any given year), unless otherwise approved following a pre-commencement survey of the site by an appropriately qualified ecologist and the submission of any proposed mitigation measures, as per the third paragraph of section 5.2.2 of the Extended Phase I Habitat Survey, including Desk Study, (SLR Ref: 424-04114-00003), June 2013 Rev 01. The outcome of the survey and 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.

11. No part of the development hereby permitted shall take place until the access arrangement, as shown for indicative purposes only on drawing no: 0435-GA-01D Revision D, has been constructed in accordance with construction details to be first submitted to and approved in writing by the Borough Council.
12. No part of the development hereby permitted, with the exception of the access road and Heavy Goods Vehicle's turning facility, as shown for indicative purposes only on drawing no. 0435-GA-01D Revision D, shall take place until the access road and Heavy Goods Vehicle's turning facility have been surfaced in a hard bound material (not loose gravel) in accordance with details to be first submitted to and approved in writing by the Borough Council. The access road and turning facility shall be retained in accordance with the approved details for the construction phase of the development hereby permitted, unless otherwise prior agreed in writing by the Borough Council.
13. No part of the development hereby permitted shall take place until such time as a lorry routing agreement is in place, as shown for indicative purposes only on WSP consultant's Delivery Routing Plan (Figure 7) and in accordance with an associated signage scheme to be first submitted and approved in writing by the Borough Council. The lorry routing agreement and associated signage scheme shall be operated and retained in accordance with the approved details for the construction phase of the development hereby permitted, unless otherwise prior agreed in writing by the Borough Council.
14. Before the development hereby permitted is first brought into use, three nest boxes (2 for barn owl, 1 for kestrel) shall be erected as per the first paragraph of section 5.2.2 of the Extended Phase I Habitat Survey, including Desk Study, (SLR Ref: 424-04114-00003), June 2013 Rev 01.
15. Before the development hereby permitted is first brought into use, three reptile hibernaculae/basking mounds shall be created, as per section 5.2.3 of the Extended Phase I Habitat Survey, including Desk Study, (SLR Ref: 424-04114-00003), June 2013 Rev 01.
16. The boundary fence, as shown on Technical Details 2 drawing, shall be constructed so as to leave a small gap at the base of the fence to allow access for mammals, as per section 5.2.5 of the Extended Phase I Habitat Survey, including Desk Study, (SLR Ref: 424-04114-00003), June 2013 Rev 01.
17. The existing trees to be retained shall be protected in accordance with the details specified within Chapter 5 and Appendix B of the fpcr Arboricultural Assessment, October 2012, which shall be

implemented prior to the commencement of development and shall remain in situ until the development has been completed.

18. Before the development hereby approved is first brought into use, visibility splays shall be provided at the site entrance in accordance with the details shown on drawing no: 47064093/VSR01 Rev A. The area within the visibility splays shall thereafter be kept free of all obstructions, structures or erections exceeding 0.90 metres in height.
19. Before the development hereby permitted is first brought into use, the proposed sub-station adjacent to the western boundary shall have a rendered finish applied to all elevations and shall be painted dark green. The render and painted finish shall be retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.
20. Within three months of the development hereby permitted first being brought into use, there shall be submitted to and approved in writing by the Borough Council a Habitat Management Plan, detailing works to enhance the retained grassland beneath the solar arrays, including a sensitive mowing regime, the re-seeding of disturbed areas, and the over-seeding of the whole compound site with a wildflower seed mix to raise its botanical diversity (further details of which, including species mixes, should be submitted within the Habitat Management Plan). The Habitat Management Plan shall be complied with and implemented as approved and shall thereafter be maintained or retained for the lifetime of the development, unless otherwise prior agreed in writing by the Borough Council.
21. Within 6 months of the development hereby permitted being first brought into use, the temporary construction access and HGV turning area shall be removed and this part of the site restored in accordance with details which shall be submitted to and approved in writing by the Borough Council prior to the development hereby approved being first brought into use.
22. Post-construction monitoring of birds shall be undertaken, as per the final paragraph of section 5.2.2 of the Extended Phase I Habitat Survey, including Desk Study, (SLR Ref: 424-04114-00003), June 2013 Rev 01. The annual reports shall be submitted to the Borough Council, the Nottinghamshire County Council, the Nottinghamshire Wildlife Trust and the Gedling Conservation Trust.
23. The proposed Solar Farm and associated works hereby permitted shall be dismantled and removed from the site within 6 months at the end of 25 years from it first being brought into use or in the event of it becoming non-operational, whichever is the sooner,

and the site re-instated and returned to its original condition, unless otherwise prior 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 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 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, February 2013.
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 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, February 2013.
10. 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, February 2013.

11. In the interests of highway safety.
12. In the interests of highway safety.
13. In the interests of highway safety.
14. To enhance biodiversity in accordance with the National Planning Policy Framework and Policy 17 of the Gedling Borough Aligned Core Strategy Submitted Documents, February 2013.
15. To enhance biodiversity in accordance with the National Planning Policy Framework and Policy 17 of the Gedling Borough Aligned Core Strategy Submitted Documents, February 2013.
16. In the interests of biodiversity, in accordance with the National Planning Policy Framework and Policy 17 of the Gedling Borough Aligned Core Strategy Submitted Documents, February 2013.
17. To ensure that the trees to be retained as part of the development are protected during the construction of the development.
18. 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).
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).
20. To enhance biodiversity in accordance with the National Planning Policy Framework and Policy 17 of the Gedling Borough Aligned Core Strategy Submitted Documents, February 2013.
21. 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).
22. In the interests of biodiversity, in accordance with the National Planning Policy Framework and Policy 17 of the Gedling Borough Aligned Core Strategy Submitted Documents, February 2013.
23. 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).

### **Reasons for Decision**

The proposed development of this site for the generation of renewable energy is acceptable and whilst it would have a detrimental impact on ecology, appropriate mitigation and compensation works are proposed.

The proposed development would not give rise to any undue impacts on the local landscape, the proposed Gedling Country Park, trees, residential amenity or highway safety. The proposed development would comply with Policies ENV1, ENV5, ENV44, R1 and T10 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008) and, apart from those relating to landscape and tree planting, which are outweighed by other material considerations, accords with the aims of Sections 7, 10 and 11 of the National Planning Policy Framework and emerging Policies 1, 10 and 16 of the Gedling Borough Aligned Core Strategy Submission Documents.

### **Notes to Applicant**

Your attention is drawn to the attached comments from the Borough Councils Public Protection Section, the Nottinghamshire Wildlife Trust, the Environment Agency and Nottinghamshire County Council with regard to Highways and Ecology.

The Borough Council's Parks and Street Care Section advise that access rights will need to be determined before the proposed development commences.

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

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.

**34**

### **APPLICATION NO. 2013/0560 - SITE OF THE DRUID'S TAVERN, HIGH STREET, ARNOLD.**

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 (drg. nos.G11/CP1/HSA03A and G13/CP1/HSA06A) deposited on the 23rd May 2013, revised



plans (drg nos. G13/CP1/HSA09A, G13/CP1/HSA11A) and landscaping plans in relation to planting areas 1, 2,3 and 4 deposited on the 25th June 2013.

3. The proposed lighting and CCTV hereby approved shall be implemented and maintained in accordance with the details indicated on drg. nos. G13/CP1/HSA03A and G13/CP1/HSA06A and specifications deposited on the 23rd May 2013 unless otherwise agreed in writing by the Borough Council.
4. The landscaping scheme hereby approved shall be carried out in accordance with the details of planting areas 1-4 and drg. no. G13/CP1/HSA11A deposited on the 25th June 2013 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.
5. No part of the development hereby permitted shall be brought into use until the boundary wall hereby approved is erected in accordance with details indicated on the revised plan drg. no. G11/CP1/HSA03A deposited on the 23rd May 2013, thereafter the boundary wall shall be retained in accordance with the approved details for the lifetime of the development.
6. No development shall commence on any part of the application site until such time details of construction and surfacing materials to be used has been submitted to and approved in writing by the Borough Council. Works shall be completed in accordance with the approved details.
7. No part of the development hereby permitted shall be brought into use until access/exit arrangements including modification to the existing one (as shown on plan reference G11/CP1/HSA03A deposited on the 27th November 2012) are available for use and constructed in accordance with the Highway Authority specifications to the satisfaction of the Borough Council. The access/exit arrangements shall be maintained as such for the lifetime of the development.
8. No part of the development hereby permitted shall be brought into use until the access ways within the car parking layout, parking and turning areas as shown on the approved plans are surfaced in a hard bound material (not loose gravel). The access ways, parking and turning areas shall then be maintained in such hard bound material for the life of the development.
9. Prior to the development hereby approved first being brought into use, individual parking spaces shall be clearly marked out on site

in accordance with the approved revised plan reference G11/CP1/HSA03A deposited on the 23rd May 2013. The parking spaces shall be kept available for parking in association with the development thereafter.

10. No development shall commence on any part of the application site until a pedestrian refuge in the close proximity of the site together with associated road markings and length of Grey anti-skid surfacing from the access point back to the Cross Street 'slip road' on High Street have been provided in accordance with details first submitted to and approved in writing by the Borough Council.
11. Pedestrian visibility splays of 2.0 metres x 2.0 metres shall be provided on each side of the vehicle access and exit points. These measurements are taken from edge of and along the highway boundary. The areas of land forward of these splays shall be maintained free of all obstructions at all times.
12. No part of the development hereby approved shall be brought into use until pedestrian footways have been provided within the hatched area adjacent to the entrance and exit points of the car park in accordance with details to be submitted to and approved in writing by the Borough Council. The pedestrian footways shall thereafter be retained for the lifetime of the development in accordance with the approved details.
13. No part of the development hereby permitted shall be brought into use until the access ways, parking and turning areas are constructed with provision to prevent the unregulated discharge of surface water from the access way, parking and turning areas 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.

### **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. In the interests of highway safety.
8. In the interests of highway safety.
9. In the interests of highway safety.
10. In the interests of highway safety.
11. In the interests of highway safety.
12. In the interests of pedestrian safety.
13. To ensure surface water from the site is not deposited on the public highway causing dangers to road users.

### **Reasons for Decision**

In the opinion of the Borough Council, the proposed development is appropriate in this location and would have no undue impacts on neighbouring amenity or the street scene. There are no Highway safety implications. The proposal therefore complies with the National Planning Policy Framework (2012) and Policies ENV1, S4, S6 and T10 of the Gedling Borough Replacement Local Plan (Certain Policies Saved) 2008.

### **Notes to Applicant**

Please note that although the Plan reference G11/CP1/HSA03A indicates that access arrangements are indicative only, The Borough Council in determining this application have taken this to be the proposed access arrangements.

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

You are advised that planning permission does not override any private legal matters which may affect the application site, over which the Borough Council has no jurisdiction (e.g. covenants imposed by former owners, rights of light, etc.).

You must ensure that during the construction period there will be no mud or debris transported onto the adjacent roads. It is an offence under S148 and S151 of the Highways Act 1980 to deposit mud on the public highway and as such you should undertake every effort to prevent it occurring.

In order to carry out alterations to the existing vehicular access and to construct a new access at a different location on High Street the applicant will be undertaking work in the public highway, on land over which you have no control. In order to undertake the works the applicant will need to enter into an agreement under Section 278 of the Act. Please contact Nottinghamshire County Council (Paul Ghattaora on telephone number 0115 9772117) at an early stage. You should also contact Paul Ghattaora at an early stage to discuss the appropriate process with regards to any other works within the public highway such as provision of new pedestrian crossing (pedestrian refuge) on High Street together with associated road markings, implementation of anti-skid surface which is normally carried out by our specialised team.

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.

**35 PLANNING DELEGATION PANEL ACTION SHEETS**

**RESOLVED:**

To note the information.

**36 FUTURE APPLICATIONS**

**RESOLVED:**

To note the information.

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

The Chair informed Members that two Judicial Review applications have been made in respect of recent Crematoria applications. Gedling Borough Council's will defend the decision made by the Committee and Members will be updated in due course.

Signed by Chair:  
Date:

This page is intentionally left blank

## MINUTES CABINET

Thursday 8 August 2013

Councillor Michael Payne (Chair)

Councillor Peter Barnes

Councillor Darrell Pulk

Councillor Jenny Hollingsworth

Apologies for absence: Councillor John Clarke and Councillor Kathryn Fox

Officers in Attendance: J Robinson, L Sugden, S Bray, D Wakelin, A Ball and  
A Dubberley

### 16 APOLOGIES FOR ABSENCE.

Apologies for absence were received from Councillors Clarke and Fox. Apologies were also received from Councillors Barnfather and Hughes (observers).

### 17 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 6 JUNE 2013

#### RESOLVED:

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

### 18 DECLARATION OF INTERESTS.

None.

### 19 QUARTERLY BUDGET MONITORING, PERFORMANCE DIGEST AND VIREMENT REPORT

Alison Ball, Service Manager for Finance, presented a report, which had been circulated prior to the meeting, detailing the Council's financial position at the end of the 1<sup>st</sup> quarter of the financial year. Corporate Director Stephen Bray highlighted key achievements in terms of performance.

#### RESOLVED:

- 1) To approve the changes to Performance Indicator and Action targets as detailed in paragraph 2.1.7 of the report, as an amendment to the

agreed Council Plan;

- 2) To approve the General Fund Revenue Budget virements included within Appendix 1 to the report;
- 3) To approve the additions to the Capital Programme as virements funded from external grant funding:
  - Additional Disabled Facilities Grant  
£4,700
  - Additional Arnold Leisure Centre Refurbishment Lottery Grant  
£42,000
  - Additional Fuel Poverty/Green Deal Grant  
£10,800
- 4) Refer to Council for approval the following amendments to the capital programme:
  - A supplementary estimate of £74,100 for Civic Centre Alterations
  - The removal of the Office Accommodation Joint Working Scheme (£450,000)
  - The removal of the Affordable Housing Scheme (£139,000) which was completed ahead of schedule in 2012/13;
- 5) To include details of budget and performance monitoring in a quarterly performance digest, to be published on the Council's website and Intranet in line with the recommendations of Performance Review Scrutiny Committee.

**20 PRUDENTIAL CODE INDICATOR MONITORING 2013/14 AND QUARTERLY TREASURY ACTIVITY REPORT FOR QUARTER ENDED 30 JUNE 2013**

Alison Ball, Service Manager For Finance, presented a report, which had been previously circulated, summarising the performance of treasury activity in quarter one of the financial year.

**RESOLVED:**

To note the report.

**21 REQUEST FROM GEDLING HOMES TO AMEND ITS ARTICLES OF ASSOCIATION TO DISPENSE WITH THE FORMALITY OF AN AGM**

Lyn Sugden, Assistant Solicitor, presented a report, which had been previously circulated, seeking Cabinet's views on a request from Gedling Homes to dispense with their Annual General Meeting.

**RESOLVED to:**

- 1) Approve the amendments to the Gedling Homes Articles of Association as set out in the draft Special Written Resolution which has the effect of dispensing with an



AGM: and

- 2) Authorise the Council Solicitor and Monitoring Officer to sign the Written Resolution on behalf of the Council.

**22 CHANGES TO OUTSIDE BODY REPRESENTATION**

Corporate Director Stephen Bray presented a report which sought amendments to the council's representatives on outside bodies.

**RESOLVED:**

To nominate Councillor Pepper, in place of Councillor Parr, as a representative on the Arnold Local Area Forum.

**23 OVERVIEW AND SCRUTINY COMMITTEE REPORT**

Councillor Hope introduced a report on Scrutiny Committee activity, which had been previously circulated.

He highlighted a number of conclusions and recommendations made by various scrutiny reviews. Members and officers were

**RESOLVED:**

To note the final conclusions and recommendations appended to the report and to respond back to the Chair of Overview and Scrutiny Committee within 28 working days.

**24 REGULATION OF INVESTIGATORY POWERS ACT 2000 (RIPA) ANNUAL AUDIT**

Lyn Sugden, Assistant Solicitor, presented a report, which had been circulated prior to the meeting, informing Members of the annual audit of RIPA authorisations

**RESOLVED:**

To note the report.

**25 ANNUAL REVIEW LETTER - LOCAL GOVERNMENT OMBUDSMAN**

Lyn Sugden, Assistant Solicitor, presented a report which had been circulated prior to the meeting, giving details of the Annual report received from the Local Government Ombudsman.

**RESOLVED:**

To note the report.

## 26 FORWARD PLAN

Cabinet considered the Council's draft forward plan which had been previously circulated.

The Chief Executive advised that due to the anticipated late notification of the Council's next financial settlement it was necessary to delay the January meeting of Cabinet.

### **RESOVLED:**

To note the report.

To note that the January meeting the Cabinet would take place on Thursday 15 January 2014.

## 27 PROGRESS REPORTS FROM PORTFOLIO HOLDERS.

### **Councillor Barnes (Environment)**

- During recent flooding a number of walls fell down in the Arnold area. Staff from Direct Services were thanked for their efforts in the clean-up.
- The Council's first electric van was now in operation.
- A recent Planning Committee meeting has approved plans for a solar farm in the Borough which will help towards the area's green energy targets.

### **Councillor Pulk (Leisure and Development)**

- Various cultural events had taken place in the Borough such as the Express yourself arts project.
- The Council had responded to the latest version of the Rushcliffe Local Plan.
- The employment skills group was pleased to report the creation of 20 apprenticeship places across the Borough.

### **Councillor Hollingsworth (Health and Wellbeing)**

- The Housing needs team continued to be a busy department – staff in the team had changed recently.
- Health and wellbeing work was still progressing well.
- Safeguarding polices had been recently renewed which saw a positive increase in referrals from both staff and councillors. Staff were thanked for their work.

- Age UK's Loneliness campaign continued and a project to work with "men in sheds" was hopefully going to follow.
- Dementia friend training was being offered and was felt to be worthwhile.
- The Revenues and Benefits department continued to perform well.

**Councillor Payne (Public Protection and Communication)**

- The latest Landlord Forum had been held recently and was a success.
- Crime across the Borough continues to fall.
- There had been recent incidents of travellers illegally occupying land in the Borough.

Councillor Wheeler gave an update on the work had had been doing in his role as Policy Adviser for young people.

**28 MEMBER'S QUESTIONS TO PORTFOLIO HOLDERS.**

None.

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

None.

The meeting finished at 2.00 pm

Signed by Chair:

Date:

This page is intentionally left blank

## **MINUTES APPEALS AND RETIREMENTS COMMITTEE**

**Thursday 15 August 2013**

Councillor Barbara Miller (Chair)

Councillor Jim Creamer  
Councillor David Ellis

Councillor Carol Pepper  
Councillor John Truscott

Apologies for absence: Councillor Gary Gregory and Councillor Roland Spencer

Officers in Attendance: D Archer and H Barrington

### **15 APOLOGIES FOR ABSENCE.**

Apologies were received from Councillors Gregory and Spencer.

### **16 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 4 JULY 2013.**

#### **RESOLVED:**

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

### **17 DECLARATION OF INTERESTS**

None.

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

None.

### **19 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.

**APPEAL AGAINST DISMISSAL- GE**

GE did not attend the Committee meeting and could not be contacted on his mobile phone. The Council had received no explanation as to why he did not attend.

**RESOLVED:**

- 1) To defer consideration of the appeal to a future meeting of the Committee on account of the fact that GE did not attend and it was not clear whether he wished to attend to present an appeal; and
- 2) That the Service Manager, Organisation Development, write to GE to make it clear that if he does not attend the meeting without good cause the appeal will be heard in his absence.

The meeting finished at 10.20 am

Signed by Chair:

Date:



## **MISUSE POLICY.**

The Service Manager, Organisational Development, introduced the report, which had been circulated prior to the meeting, outlining the Council's proposed Substance Misuse Policy. The Service Manager highlighted the Policy's emphasis on the support and management of staff members with known substance misuse issues, but also the important of a substance misuse policy to ensure the safety of employees and members of the public.

At the request of Unison representatives, the Service Manager, Organisational Development agreed that he would further investigate any requirements for written agreement to be sought from employees prior to testing.

### **RESOLVED:**

To recommend the policy draft to the Appointments and Conditions of Service Committee to authorise the formal adoption of a final policy on behalf of the Council.

## **14 PROPOSAL FOR MINOR REVISIONS TO THE CONSTITUTION OF THE JOINT CONSULTATIVE AND SAFETY COMMITTEE (JCSC)**

On behalf of Unison, Gill Morley outlined the changes to the constitution of the Committee contained within the report, which had been circulated prior to the meeting, and stressed that the small amendments would bring the constitution up to date and in line with the current purpose of the Committee.

### **RESOLVED:**

To approve the amendments to the constitution of Committee, as contained in policy draft provided to Committee.

Councillor Ainley left the meeting and Councillor Bailey took the Chair.

## **15 SICKNESS ABSENCE**

The Service Manager, Organisational Development, presented the report, which had been circulated prior to the meeting, highlighting the low levels of sickness absence through June and the reduction of long term sickness, showing the Council's recent achievements in managing sickness absence.

### **RESOLVED:**

To note the information.

## **16 STAFFING ISSUES**



The Chief Executive provided a verbal report to Committee on current staffing issues, particularly the findings of a recent staff survey (a report detailing which will be brought to Committee in due course) and the Council's recent shortlisting for 4 awards from the Association of Public Sector Excellence. The Chief Executive also made Members aware of a meeting that he had attended with Unison representatives regarding the implications of the recent Government Spending Review on the Council.

**RESOLVED:**

To note the information.

**17 MINOR CHANGES TO ESTABLISHMENT AGREED BY CHAIR AND TRADE UNIONS OUTSIDE FORMAL FULL JCSC PROCESS.**

The Service Manager, Organisational Development presented an item for information regarding changes to the staffing structure of Bonington Theatre as agreed in consultation with the Chair and union representatives.

**RESOLVED:**

To note the information.

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

None.

Signed by Chair:

Date:

This page is intentionally left blank

## **MINUTES PLANNING COMMITTEE**

**Wednesday 28 August 2013**

Councillor John Truscott (Chair)

Present: Councillor Barbara Miller Councillor Cheryl Hewlett  
Councillor Pauline Allan Councillor Sarah Hewson  
Councillor Roy Allan Councillor Jenny Hollingsworth  
Councillor Peter Barnes Councillor Mike Hope  
Councillor Chris Barnfather Councillor Meredith Lawrence  
Councillor Denis Beeston MBE Councillor Marje Paling  
Councillor Alan Bexon Councillor Colin Powell  
Councillor Bob Collis Councillor Suzanne Prew-Smith  
Councillor Andrew Ellwood Councillor Gordon Tunnicliffe

Absent: Councillor John Boot

Officers in Attendance: J Cole, F Whyley, B Pearson and A Dubberley

### **38 APOLOGIES FOR ABSENCE.**

Apologies for absence were received from Councillor Boot.

### **39 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 9 AUGUST 2013**

A replacement set of minutes was circulated at the meeting. It was explained that the minute headings and attendance details of councillors had changed and that none of the substantive content had been altered.

#### **RESOLVED:**

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

### **40 DECLARATION OF INTERESTS**

None received.

### **41 APPLICATION NUMBER 2012/1503 - 115 MAIN STREET CALVERTON NOTTINGHAMSHIRE**

**RESOLVED**

**To GRANT APPROVAL of RESERVED MATTERS, as specified below:**

**Approve the Reserved Matters under planning application no: 2012/1503 relating to the Appearance, Landscaping and Scale of the proposed development, subject to the following conditions:**

**Conditions**

1. The development hereby approved shall be built in accordance with layout drawings 102, SK21 Rev M, 101 Rev H, 121 Rev L, 100 Rev F, 124 Rev A; the foul water details only on drainage layout 01287-140; section drawing SK23 Rev C; landscape drawings L01 Rev A, L02 Rev A, L03 Rev A, L04 Rev A, L05 Rev A; housetype drawings 200 Rev D, 201 Rev D, 202 Rev D, 203 Rev C, 205 Rev C, 206 Rev C, 207 Rev C, 208 Rev C, 209, 211 Rev C, 212, 213, 214, 215 Rev C, 216 Rev C, 219, 220, 221, 222 Rev A, 223 Rev A, 225 rev A, 226 Rev A, 227Rev A, 228, 229, 230 Rev A; barn proposal drawings 007, 008, 009, 014, 015, 016 the building programme timetable and the bat mitigation strategy (Revision A) received on 13th August 2013, the materials schedule (Rev B), phasing diagram drawing no.126, the character areas drawing no.127 and wheel washing schedule drawing no.dpc3.
2. All car ports shall have footprints as shown on the approved layout drawings set out under Condition 1 of this consent and shall have maximum eaves and ridge heights and be constructed in the materials shown on drawing no.230 Rev A.
3. As confirmed in the email dated 13th August 2013 the proposed bin stores serving private drives shall be block paved with no form of enclosure. The block paving shall be as per the block paving for private drives indicated on the approved materials schedule (Rev B) and shall be completed prior to any dwellings on the respective private drives first being occupied.
4. Before development commences precise details of the proposed walls and railings proposed to boundaries at plots D01/D02, D06 and plots A1 - A7 inclusive as indicated on drawing no.121 Rev L and the walls and railings to the proposed dwellings on the lower section of the application site (north of Calverton Parish Footpath no.14) as indicated on drawing no.101 Rev G shall be submitted to and approved in writing by the Borough Council. Once approved the proposed walls and railings shall be completed in accordance with the approved details before the dwelling to which they relate is first occupied.
5. The temporary turning facility as shown for indicative purposes only on phase-1 drawing no. 01287-1-100 shall be constructed in

accordance with details to be first submitted to and approved in writing by the Borough Council. The temporary turning facility shall be provided in accordance with the approved details, prior to the commencement of construction work on buildings within phase 1 (the area between Main Street and Dark Lane as shown on drawing no. 01287-1-100)..

6. Once the vehicular turning facilities as shown on layout plans approved under condition 1 have been made available for use, the temporary turning facility approved under condition 5 of this consent shall be removed in accordance with details to be first submitted to and approved in writing by the Borough Council and the land on which the temporary turning facilities were provided shall be developed in accordance with the approved layout plans (under condition 1) and the approved surfacing details.

### **Reasons**

1. For the avoidance of doubt.
2. For the avoidance of doubt.
3. To ensure a satisfactory development in accordance with the aims of Policy ENV1 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008).
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 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. In the interests of Highway safety.
7. In the interests of Highway safety.

### **Reasons for Decision**

The principle of developing this site for residential purposes, the demolition of existing barns with their partial rebuild for B1(a) office use and the provision of access from Main Street has been established through the grant of outline planning permission under application no: 2005/0910. The proposed development meets with the fundamental aims of the National Planning Policy Framework & Policies ENV1, ENV2, ENV13, ENV14, ENV15, H8 & H16 of the Gedling Borough Replacement Local Plan (Certain Policies Saved 2008). It also accords

with the aims of Policies 1, 8, 10, 11 and 17 of the Gedling Borough Aligned Core Strategy Submission Documents (February 2013).

### **Notes to Applicant**

As a result of the proposed development being constructed in phases you are advised to enter into separate Section 38 agreements for each of the construction phases. For further advice on this matter I would suggest you contact Nottinghamshire County Council at an early stage.

The technical detailed highway plans submitted with this application need to be considered for technical approval as part of the Section 38 agreement procedure under the Highway Act 1980 for the adoption of the proposed new roads. The Highway Authority have advised that they have previously written to your highway consultant (BSP Consulting) regarding this matter but no response has been received to date. It should be noted that no works shall commence on site until such time Section 278 and Section 38 agreements are in place and the respective highway related conditions attached to the outline consent (2005/0910) and this reserved matters consent have been discharged.

Your attention is drawn to the attached comments of Natural England.

Your attention is drawn to the attached comments of Nottinghamshire County Council's Archaeologist dated 14th August 2013. These comments should be read in conjunction with Condition 21 of Outline Planning Consent no.2005/0910.

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

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 details approved by this application are sufficient to discharge condition nos. 3, 4, 5, 22, 24 and partially discharge condition nos. 1, 6, 9, 16 and 23 of planning application no.2005/0910. The remaining conditions under planning application no.2005/0910 remain applicable and of effect other than where previously approved drawings have been superseded under this reserved matters application.

**APPLICATION NUMBER 2013/0666 - 46 VERNON CRESCENT  
RAVENSHEAD, NOTTINGHAMSHIRE**

**RESOLVED**

**To GRANT PLANNING PERMISSION subject to no further representation being received that raise material planning considerations and 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 revised plans deposited on the 2nd August 2013 and revised glazing detail of the dormer to the garage deposited on the 12th August 2013.
3. The materials to be used in the external elevations of the proposed development shall be of a similar appearance to those used in the construction of the exterior of the dwelling house.
4. The proposed extension shall be rendered to match the existing dwelling within 56 days of the extension first being brought into use.
5. The dormer to the garage roof slope shall be obscure glazed and non opening at all times and shall remain as such for the lifetime of the development.
6. The dormer to the side roof slope serving the ensuite bathroom shall be obscure glazed and top hung opening at all times.
7. Excavation works to extend into the garden area should be carried out by hand and any roots found be severed cleanly and appropriate geotextile root barriers be deployed.

**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 H10 of the Gedling Borough Replacement Local Plan (Certain Policies Saved) 2008.

4. To ensure a satisfactory development, in accordance with the aims of policy H10 of the Gedling Borough Replacement Local Plan (Certain Policies Saved) 2008.
5. To ensure a satisfactory development, in accordance with the aims of policy H10 of the Gedling Borough Replacement Local Plan (Certain Policies Saved) 2008.
6. To ensure a satisfactory development, in accordance with the aims of policy H10 of the Gedling Borough Replacement Local Plan (Certain Policies Saved) 2008.
7. To safeguard trees.

### **Reasons for Decision**

In the opinion of the Borough Council, the proposed development would have no undue impact on neighbouring residential amenity or the locality in general. The proposal is of a size and design in keeping with the existing dwelling and its wider setting. The development therefore complies with the National Planning Policy Framework (2012) and Policy H10 of the Gedling Borough Replacement Local Plan (Certain Policies Saved) 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 proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0845 762 6848. Further information is also available on The Coal Authority website at [www.coal.decc.gov.uk](http://www.coal.decc.gov.uk). Property specific summary information on past, current and future coal mining activity can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at [www.groundstability.com](http://www.groundstability.com).

You are advised that planning permission does not override any private legal matters which may affect the application site, over which the



Borough Council has no jurisdiction (e.g. covenants imposed by former owners, rights of light, etc.).

**43 PLANNING DELEGATION PANEL ACTION SHEETS**

**RESOLVED:**

To note the information.

**44 FUTURE PLANNING APPLICATIONS**

**RESOLVED:**

To note the information.

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

None.

The meeting finished at 6.40 pm

Signed by Chair:  
Date:

This page is intentionally left blank



## DECISIONS MADE UNDER DELEGATED AUTHORITY

<u>Reference</u>	<u>Resolved Narrative</u>	<u>Date</u>	<u>Portfolio</u>
ED868	To establish a full time Theatre Manager and part time Theatre Technical Operative for the Bonington Theatre.	4/7/2013	Leisure and Development
ED869	To request approval to enter into a lease and agreement in relation to the former Gedling Colliery site.	5/7/2013	Finance and Performance
ED867	The launch of a new empty property match maker scheme 2013 which will provide a platform for empty properties to be identified by investors for purposes of bringing back to use	12/7/2013	Communication and Public Protection
ED874	The extension to the current bailiff contracts as well as an alteration to contractual fees.	31/7/2013	Finance and Performance
ED875	Minor amendments to Records Retention and Disposal Policy to include reference to requests for information	7/8/2013	Finance and Performance

This page is intentionally left blank