

Report to Council

Subject: Petitions Scheme

Date: 23 July 2025

Author: Deputy Chief Executive

Purpose

To present a petition and advise on the procedure that Council needs to follow under the Council's Petitions Scheme and to provide information specifically on the petition in respect of changes to the Horse and Groom Public House in Linby.

Recommendation

THAT:

Council is recommended to debate the petition.

1 Background

- 1.1 The Council has received a petition which contains 272 signatures from residents within the borough of Gedling and is attached at Appendix 1 to this report. The petition relates to refurbishment and operational changes to the Horse and Groom Public House in Linby. Specifically, the petition asks the following:

We respectfully request that Gedling Borough Council give full consideration to the petition and ensure that any planning or licensing applications related to the Horse and Groom are subject to rigorous scrutiny, with particular attention to conservation, amenity and community impact.

Should no planning application be in place or submitted prior to the clearly planned refurbishment the local community understand are due to commence in mid-august 2025, we urge the Council to deploy all

measures available to protect the Horse and Groom Pub to prevent any further alterations by the owner until both the council, any other interested stakeholders and local residents are sighted and consulted on the proposed changes and correct permissions are sought. These actions are time critical.

- 1.2 The Council has a petitions scheme within the Constitution. The scheme states that a petition of this nature containing over 140 signatures shall trigger a "Petition for debate" as a local issue affecting no more than two wards within the Council's area. The petitions scheme requires the issue to be debated by a meeting of Council.
- 1.3 The petitions organiser has up to five minutes to address the meeting in order to present the petition. The request to the Council which is the subject of the petition shall be deemed to be the motion before Council and to have been moved and seconded when the petition is accepted by the Mayor.
- 1.4 After the lead petitioner has been given the opportunity to address Council, members will be given the opportunity to debate the issues raised by the petition. At the conclusion of the debate the Council has to decide how to respond to the petition and the following courses of action may apply:
 - Council can, if appropriate, instruct that the action the petition requests is carried out in whole or in part;
 - Council can determine not to take the action requested in the petition for reasons put forward in the debate in whole or in part;
 - Council can ask for further investigation into the matters the petition raises, for example by a relevant committee, portfolio holder or officer;
 - Where a decision of the Executive is required, Council should decide on whether or not to make a recommendation to inform the decision;
- 1.5 Where Council is minded to make a recommendation to another body because it is outside of the scope of Gedling Borough Council's work, then Council will consider making representations on the petitioner's behalf to that body. For example, where the petition relates to policing or crime matters it may be necessary to make representations to the Police service. The petition scheme points out that the council works with a large number of local partners and where possible would work with those partners to respond to the petition.

2 Further information

- 2.1 The Horse and Groom Public House is a Non-Designated Heritage Asset within the Linby Conservation Area. It is not a listed building but does have some merit as a heritage asset. In terms of alterations internally to the public house the Council does not have any powers to restrict internal alterations that are compliant with building regulations. Structural alterations would be controlled through the regulations if necessary, but depending on the alterations, may not require consent.
- 2.2 In terms of changes to the external parts of the public house, changes such as painting the external building are likely to be permitted development under the Town and Country Planning (General Permitted Development) (England) Order 2015, SCHEDULE 2 Part 2 Class C.
- 2.3 There are no pending licensing applications in relation to this public house, refurbishment is unlikely to require any changes to the licence.
- 2.4 There are no pending planning applications to alter or extend the public house. There is however currently an application pending in relation to advertising regulations for new signage at the public house. This application is currently awaiting determination. The National Planning Policy Framework (NPPF) and the Town and Country Planning (Control of Advertisement) (England) Regulations 2007 ("the regs") require the Local Planning Authority (LPA) to have regard to public safety and amenity when determining applications.

Public safety

- 2.5 Part 3 section 13 of the regs requires consultation with the Highways Authority (HA) where an application relates to an advertisement with moving features, moving parts or flashing lights, and is visible from a highway. The LPA is required to give the HA at least 14days' notice that the relevant application is to be considered and shall take into account, in dealing with the application, any representations made in response to that consultation.
- 2.6 Some of the proposed advertisements are illuminated and visible from a highway and the HA was therefore given 21 days to comment. Comments have been received, and the case officer has sought amendments to address any concerns.

Amenity

- 2.7 To assess the impact upon amenity, extensive non-statutory consultation has been undertaken as the building is a Non-Designated

Heritage Asset within the Linby Conservation Area. Whilst not required to do so, the proposals have been advertised in the local press and consultation has been undertaken with Linby Parish Council and adjoining neighbours where comments were invited within 21 days, commencing on 2 July 2025.

- 2.8 The regs allow the LPA to take into account the provisions of the development plan, so far as they are material; and any other relevant factors. In this instance, the additional consultation undertaken will ensure that a thorough amenity assessment is undertaken, prior to determining the application.
- 2.9 It should be noted that planning officers have delegated authority on behalf of the Council to determine advertising consent where no adverse representations have been received and the application is in accordance with development plans. At the point of publication, consultation on the signage is ongoing, if there are adverse representations the matter will be considered by the Planning Delegation Panel to determine who will determine the application.
- 2.10 In relation to non -structural changes to the premises internally, the Council does not have direct control of this. Any proposed structural alterations would be supervised by a Building Control Body (BCB) which could include the Council or a private approved inspector. Any future planning application made to the Council for non-permitted external alterations would be considered in accordance with the Council's local plan policies and the Linby Conservation Area Character Appraisal. Currently, the only element the Council has a direct role in is the determination of the pending application in respect of signage.

3 Proposal

- 3.1 It is proposed that Council should debate the contents of the petition as required by the petitions scheme contained within the constitution.

4 Alternative Options

- 4.1 The Council could determine not to debate the petition; however, it has been accepted as a petition for debate under the Council's scheme.

5 Financial Implications

- 5.1 There are no direct resource implications arising from this report.

6 Legal Implications

- 6.1 The petition has been accepted under the Council's Petition Policy and scheme, in accordance with this scheme and the Council's Procedure Rules, the petition should be debated and the options available to the Council are as set out in paragraph 1.4 above.
- 6.2 The legal implications in respect of the pending advertising consent application are as set out within the report. It is likely that any other changes to the pub will not require any decision or direct involvement from the Council in terms of planning and development.

7 Equalities Implications

- 7.1 There are no direct equality implications related to the Council considering this petition. The petitioner is invited to attend the meeting, and the Council meeting is open to the public and streamed to ensure maximum access.

8 Carbon Reduction/Environmental Sustainability Implications

- 8.1 The petition has been presented by residents of Linby. Any carbon implications of refurbishment to the public house would be a matter for the public house. There are no direct implications arising from the consideration of this petition by the Council.

9 Appendices

- 9.1 Appendix 1 - Letter accompanying the petition and the petition cover sheet.

10 Background papers

- 10.1 None

Statutory Officer approval

Approved by:

Date:

On behalf of the Chief Financial Officer

Drafted by the Monitoring Officer