

Communities and Place Committee

Thursday, 07 September 2017 at 10:30

County Hall, County Hall, West Bridgford, Nottingham, NG2 7QP

AGENDA

- | | | |
|----|--|---------|
| 1 | Minutes of the last meeting held on 20 July 2017 | 3 - 6 |
| 2 | Apologies for Absence | |
| 3 | Declarations of Interests by Members and Officers:- (see note below)
(a) Disclosable Pecuniary Interests
(b) Private Interests (pecuniary and non-pecuniary) | |
| 4 | Stapleford Bus Stop Clearways | 7 - 16 |
| 5 | Responses to Petitions Presented to the Chairman of the County Council | 17 - 24 |
| 6 | Community Safety Budget Update - Request for Funding | 25 - 30 |
| 7 | Update Report on the Use of the Regulation of Investigatory Powers Act | 31 - 34 |
| 8 | Report on Commercial Performance of the Trading Standards and Community Safety Service | 35 - 40 |
| 9 | Update on Key Trading Standards Matters | 41 - 48 |
| 10 | Grant Aid Sports Fund Talented Athletes 2017-2018 | 49 - 56 |
| 11 | Minerals and Waste Development Scheme Update 2017 | 57 - 76 |

12	Strategic Planning Observations	77 - 84
13	Work Programme	85 - 90

Notes

- (1) Councillors are advised to contact their Research Officer for details of any Group Meetings which are planned for this meeting.
- (2) Members of the public wishing to inspect "Background Papers" referred to in the reports on the agenda or Schedule 12A of the Local Government Act should contact:-

Customer Services Centre 0300 500 80 80

- (3) Persons making a declaration of interest should have regard to the Code of Conduct and the Council's Procedure Rules. Those declaring must indicate the nature of their interest and the reasons for the declaration.

Councillors or Officers requiring clarification on whether to make a declaration of interest are invited to contact Martin Gately (Tel. 0115 977 2826) or a colleague in Democratic Services prior to the meeting.

- (4) Councillors are reminded that Committee and Sub-Committee papers, with the exception of those which contain Exempt or Confidential Information, may be recycled.
- (5) This agenda and its associated reports are available to view online via an online calendar - <http://www.nottinghamshire.gov.uk/dms/Meetings.aspx>

Meeting	Communities and Place Committee
Date	20 July 2017 (commencing at 10:30 am)

Membership

Persons absent are marked with an 'A'

COUNCILLORS

John Cottee (Chairman)
Kevin Rostance (Vice-Chairman)
Gordon Wheeler (Vice-Chairman)

Pauline Allan
Boyd Elliot
Glynn Gilfoyle
Kevin Greaves
Tom Hollis

John Knight
Mrs Kay Cutts MBE
John Ogle

OFFICERS IN ATTENDANCE

Adrian Smith	-	Place Department
Sally Gill	-	Place Department
Stephen Pointer	-	Place Department
Gary Wood	-	Place Department
Sean Parks	-	Place Department
Neil Hodgson	-	VIA
Doug Coutts	-	VIA
Peter Gaw	-	Inspire
Ian Bond	-	Inspire
Derek Higton	-	Children, Families and Cultural Services
Vicky Cropley	-	ASCH&PP
Martin Gately	-	Resources Department

APOLOGIES FOR ABSENCE

None.

CHANGES OF MEMBERSHIP

Councillor Mrs Cutts MBE and Councillor Elliot replaced Councillors Laughton and Harper for this meeting only.

DECLARATIONS OF INTEREST

None.

NOTTINGHAMSHIRE AND NOTTINGHAM REPLACEMENT WASTE LOCAL PLAN – ANNUAL MONITORING REPORT 2015-16

RESOLVED 2017/016

That:

- 1) The content of the Replacement Waste Local Plan – Annual Monitoring Report be noted.
- 2) Members consider whether there are any other actions they require in relation to the issues contained within the report – reports on the preparation of the Waste Local Plan will be brought to the committee in due course.

COMMUNITY LEARNING SERVICES – OVERVIEW OF RESERVE ACTIVITIES TO DATE AND PROPOSAL TO ‘DRAW-DOWN’ FINAL RESERVES FUND

RESOLVED 2017/017

That:

- 1) The overview of the Council’s community learning activities that existing reserves have funded to date be noted.
- 2) The utilisation of the remaining reserves in the 2017/18 academic year be approved, and a follow up report be received in 12 months’ time.

RAINWORTH COMMUNITY PARTNERSHIP LIBRARY DEVELOPMENT

RESOLVED 2017/018

That the co-location of Rainworth Library into the Rainworth Village Hall building in Rainworth and development of Rainworth Library as a community partnership library be approved.

RADCLIFFE/COTGRAVE GREEN ROUTE LINK

RESOLVED 2017/019

That the implementation of a revised and phased scheme for the Cotgrave Greenway following a successful funding bid be approved.

REVIEW OF THE COUNTY COUNCIL’S STATEMENT OF COMMUNITY INVOLVEMENT

RESOLVED 2017/020

That the commencement of the review of the Statement of Community Involvement be approved, with the revised document to be brought to Communities and Place Committee for consideration before being brought to Policy Committee for adoption.

NOTTINGHAMSHIRE MINERALS LOCAL PLAN

RESOLVED 2017/021

That:

- 1) The proposed scope of a revised Minerals Plan as described within the report be approved.
- 2) The revised Minerals Plan apply to a period from 2016 to 2036.
- 3) The approach to public consultation on the Plan as described within the report be approved.
- 4) The preparation of a revised Minerals and Waste Local Development Scheme to be brought back for Committee endorsement.
- 5) A Member working group be set up.

COMMUNITY SAFETY BUDGET UPDATE: REQUEST FOR FUNDING

RESOLVED 2017/022

That:

- a) The allocation of the £132,334 of funding from the Community Safety Initiatives Budget for 2017/18 be approved.
- b) The £25,000 paid to Nottinghamshire County Council by the OPCC in recognition of its Accountable Body role be added to the amount available through the Community Safety Budget for 2017/18.

HIGHWAYS INFRASTRUCTURE PROGRAMME UPDATE

RESOLVED 2017/023

That:

- a) The proposed integrated transport block programme for implementation as contained in the report and detailed in Appendix 1 be approved.
- b) The proposed highway capital maintenance programme for implementation as contained in this report and detailed in Appendix 2 be approved.

B6041 RAYMOTH LANE, WORKSOP – TRAFFIC CALMING

RESOLVED 2017/024

That the proposed traffic calming measures on Raymoth Lane, Worksop should be installed as set out in this report.

THE NOTTINGHAMSHIRE COUNTY COUNCIL (B600 NOTTINGHAM ROAD AND LEA LANE, SELSTON) (PROHIBITION OF WAITING) TRAFFIC REGULATION ORDER 2017 (5235)

RESOLVED 2017/025

That the Nottinghamshire County Council (B600 Nottingham Road and Lea Lane, Selston) (Prohibition of Waiting) Traffic Regulation Order 2017 (5235) is made as advertised and the objectors advised accordingly.

RESPONSES TO PETITIONS PRESENTED TO THE CHAIRMAN OF THE COUNTY COUNCIL

RESOLVED 2017/026

That the proposed actions be approved, the lead petitioners be informed accordingly and a report be presented to a County Council meeting for the actions to be noted.

WORK PROGRAMME

RESOLVED 2017/027

That the report be noted.

The meeting concluded at 12.14 pm.

Chairman

REPORT OF CORPORATE DIRECTOR, PLACE

PROPOSED BUS STOP CLEARWAYS, STAPLEFORD (BR0494, BR0092, BR0474, BR0125)

CONSIDERATION OF OBJECTIONS

Purpose of the Report

1. The purpose of this report is to consider the objections received in respect of the above proposed bus stop clearways and whether they should be implemented.

Information and Advice

2. Nottinghamshire County Council has over 5,700 bus stops throughout the County and continually invests in the network's infrastructure as part of the County Council's ongoing commitment to improve public transport.
3. The County Council works closely with all public transport operators across the County to identify bus stops that suffer from indiscriminate parking. To address this problem bus stop clearways can be installed that prohibit cars from parking or waiting in the bus stop during specific times and these are clearly identified with new road markings and signage. The main benefits of bus stop clearways are to:
 - Help the bus align with the kerb to enable level access for disabled passengers and pushchair users;
 - Ease congestion as a correctly aligned bus will not block the road for other road users;
 - Ensure that bus drivers discharge their duty to drop passengers off on the kerb and not on the road;
 - Ensure that the investment in raised kerbs, (as previously required under the Disability Discrimination Act 1995 and now required by the Equalities Act 2010), is not negated by indiscriminate parking at bus stops;
 - Ensure that bus services operate on time and are not delayed.
4. In total, six bus stop clearways in the Stapleford area were consulted between 22nd May and 5th July 2017 and objections were received in respect of:
 - New Eaton Road, Stapleford (bus stop references: BR0139, BR0125)
 - Melbourne Road, Stapleford (bus stop references: BR0494, BR0092, BR0474)
5. New Eaton Road is a residential road, located near to Stapleford town centre, which comprises of both terraced and semi-detached properties; the latter predominately having off-street parking. The proposed clearways relate to a pair of bus stops at the northern end of New

Eaton Road (BR0139 and BR0125) which are located approximately 50m and 25m respectively from the junction with Brookhill Street. Nottinghamshire County Council has received complaints from the bus operator regarding the regular obstruction of these stops by parked vehicles; this is supported by photographic evidence. The attached drawing H/04078/2466/04 represents the proposals.

6. Melbourne Road is a residential road in Stapleford comprising of a range of properties; low-rise complexes of flats and maisonettes with off-street parking in the form of separate garage blocks or communal car parking areas and also semi-detached houses with private off-street parking - the road is the main route through a large housing estate. The subject of the consultation were three bus stops, located in three south-bound lay-bys on Melbourne Road (BR0494 Brisbane Drive, BR0092 Washington Drive and BR0474 Ramsey Close). The scheduled bus services operate in a south-bound direction only, following a circular route around the estate. The proposals follow requests received in from the Stapleford Traffic and Transport Group, via former County Councillor Stan Heptinstall, to address persistent obstructive parking in the lay-bys, which were preventing buses accessing the bus stops. The attached drawing H/04078/2466/05 represents the proposals.

Responses received

7. A total of eight responses were received to the consultation, two of which were in support of the proposals (including Councillor MacRea, District Councillor for North-West Stapleford) and six are considered to be outstanding objections to some or all the proposals. This comprises of responses in respect of the following locations:
 - New Eaton Road, Stapleford - three outstanding objections
 - Melbourne Road, Stapleford - three outstanding objections

8. Objection – why is a clearway / bus service required?

A common theme to all the objections received was that respondents questioned the need for a clearway or the bus service.

9. Response – why is a clearway / bus service required?

The purpose of the bus stop clearways is to provide an area clear of parked vehicles to enable buses to pull up and allow passengers to board and alight from the footway. All five of these stops on New Eaton Road and Melbourne Road have been identified by Nottinghamshire County Council's Passenger Transport Services team as stops that suffers from persistent obstructive parking. In some cases, not all stops along a route may experience problems with parked vehicles and so not all stops will be treated with clearways.

The bus stops on New Eaton Road are served by the 510-scheduled bus service whose route includes the NET tram park and ride site at Toton and Beeston local centres (times at this stop are 07:23, 09:39, 10:08, 10:39 and then hourly with the last service at 18:23).

Melbourne Road stops are served by two scheduled services; the Trent Barton 18 serving Nottingham (with services starting around 7:00 and operating every 40 minutes between 10:40 and 14:40 with the last service just before 19:00) and the local Nottsbus 'Stapleford Shopper' 511 (operates hourly approximately between 10:00 and 15:00).

All these services operate throughout the day, offering sustainable transport choices to residents, not all of whom have access to a private car. Data from the 2011 census shows

that in both Broxtowe over a fifth of households (21.6%) do not have access to car or van, this is higher than the Nottinghamshire average of 20.8%. For public transport to be an attractive option services must be accessible and function effectively and reliably.

10. Objection – loss of on-street parking availability / access to driveways

A common theme to all the objections was that the respondents viewed the bus stops as available kerb-space to park private vehicles and so objected to the loss of on-street parking. Two objectors additionally stated that access to their off-street parking would be obstructed by the clearway. One objector stated that the parking would migrate to inappropriate locations causing safety issues for pedestrians and other motorists.

11. Response – loss of on-street parking availability

The bus stop clearway will enable services to pull in, directly against the kerb, fulfilling the operators' legal duty to discharge passengers directly onto the pavement and making it easier for passengers with limited mobility, carers with pushchairs or small children and wheelchair users to access the bus.

Several of the objectors have access to off-street parking provision and all objectors have access to unrestricted on-street parking which is available elsewhere on both Melbourne Road and New Eaton Road, offering alternative on-street parking locations for additional vehicles and visitors without obstructing the bus stop. There is no legal right for a householder to park on the highway near their home.

The householders' right of access to their driveway / garage is not adversely affected by the introduction of these bus stop clearways. A dropped vehicle access kerb provides a right of access over the footway and this right is unaffected by the presence of a bus stop or clearway. It is acknowledged that while a bus pulls up to drop off or pick up passengers, motorists may need to briefly wait to exit or enter private driveways or garages. This reflects the current position, as buses already pull up on the highway to serve these stops; the introduction of the clearway has no effect on this.

Unrestricted on-street parking / loading on the highway is still available directly adjacent to the clearways and elsewhere on these roads and the wider network. As parking is retained elsewhere on the network it is expected that parking patterns will relocate around the new restrictions rather than remove from the area completely. It is recognised that demand for highway parking exists, however it is the responsibility of the vehicle owner to ensure their vehicle is not parked in such a way as to cause an obstruction. This may require drivers with no private off-street parking provision to park further away from their property to ensure their vehicle is parked appropriately.

12. Objection – times of operation of the clearway (New Eaton Road BR0139 & BR0125)

Two objectors also questioned the duration of the proposed clearway restriction and considered that the duration should be reduced to mitigate its effect on the availability of on-street parking.

13. Response – times of operation of the clearway (New Eaton Road BR0139 & BR0125)

The proposed times of operation for the clearways has been linked to the operational days and times of the services which serve these stops. Nottinghamshire County Council makes a significant investment each year in supporting local bus services, these services have been carefully assessed and prioritised for support because they meet community, social or

economic needs. This investment can only be maximised if these services, some of which use these stops, can access the bus stop infrastructure which has been installed on the highway. Allowing any parking at the bus stops during service times could obstruct the movement of the buses and restrict their operation. If the times of operation of the clearway were reduced it is considered likely that the service would continue to be obstructed by parked vehicles for part of each daily service.

14. Objection – location of the proposed stop (New Eaton Road BR0139)

Three objectors also questioned the location of the stop BR0139 and state that it should be moved to another location; such as outside terraced properties further along New Eaton Road or within 15m of the Brookhill Street junction. Alternatively, they suggested that the bus stop should be decommissioned, as they considered that the route could be served by other stops in the area.

15. Response – location of the proposed stop (New Eaton Road BR0139)

The nearest alternative bus stops to this location are at least 325m away (The Vista). Nottinghamshire County Council policy requires bus stops to be positioned at regular intervals (up to 150m apart in urban areas) to ensure that the network is as accessible as possible. Stop BR0139 is appropriately placed at an equitable distance between the other stops on the network.

The bus stop location is historic and its current location is still considered appropriate; it is on a straight section of road and fronts properties with off street parking rather than the numerous properties along the northern end of New Eaton Road that do not have off street parking. The stop is located appropriately within the spread of stops serving this route and Passenger Transport Services team have identified no benefit to passengers in relocating the bus stop. In addition, Nottinghamshire County Council bus stop policy clearly states that bus stops will not be relocated unless there are concerns about highway safety. There are no highway safety concerns in this location.

It is considered that the current stop is located at the most appropriate point for the safe operation of the service and most equitable distribution of stops.

Other Options Considered

16. Other options considered relate to the length of time and number of days that the bus stop clearways are in force. The operational times proposed reflect the operational times of the service.

Comments from Local Members

17. No comments on the proposals were received from County Councillors John Doddy and John Longdon.

Reasons for Recommendations

18. The measures contained in the proposed clearway restriction are considered appropriate taking into account a balanced view of the needs of all sectors of the community, including non-drivers. The proposals will assist the safe and effective operation of local bus services.

Statutory and Policy Implications

19. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Crime and Disorder Implications

20. Nottinghamshire Police made no comments on the proposals.

Financial Implications

21. The scheme is being funded through the 2017/18 Local Transport Plan Bus Improvements capital budget and the cost is estimated at £3,000.

Public Sector Equality Duty implications

22. The Council has a duty to provide a fair service to all users of the town. However, the Equality Act 2010 requires public bodies 'to advance equality of opportunity between people who share a protected characteristic and those who do not'. Disability is a protected characteristic. Therefore, the Council has a duty to make reasonable adjustments so that disabled people can continue to use the facilities of the town.

23. An Equality Impact Assessment has been undertaken to assess the potential impact of the proposal, the results of the consultation and any appropriate mitigation. This equality impact assessment is included as a background paper to this committee report.

RECOMMENDATION/S

It is **recommended** that:

The bus stop clearways proposed at stop references BR0139 and BR0125 on New Eaton Road and BR0494, BR0092 and BR0474 on Melbourne Road are implemented and the objectors informed accordingly.

Adrian Smith
Corporate Director, Place

Report Author
Mike Barnett – Team Manager (Major Projects and Improvements)

For any enquiries about this report please contact:
Helen North – Improvements Manager 0115 9772087

Constitutional Comments (LMcC 27/7/2017)

24. The recommendations in the report fall within the Terms of Reference of the Communities and Place Committee.

Financial Comments (GB – 26/07/2017)

25. The financial implications are set out in paragraph 20.

Background Papers and Published Documents

All relevant documents for the proposed scheme are contained within the scheme file which can be found in the Major Projects and Improvements section at Trent Bridge House, Fox Road, West Bridgford, Nottingham.

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

Reports:

Transport and Highways Committee - Proposed Change to the Process of Managing Objections to Bus Stop Clearways, 11th September 2014 (Agenda Item 5)

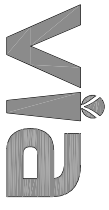
Equality Impact Assessment:

Proposed Bus Stop Clearways, Stapleford (BR0494, BR0092, BR0474, BR0139, BR0125)

Electoral Division(s) and Member(s) Affected

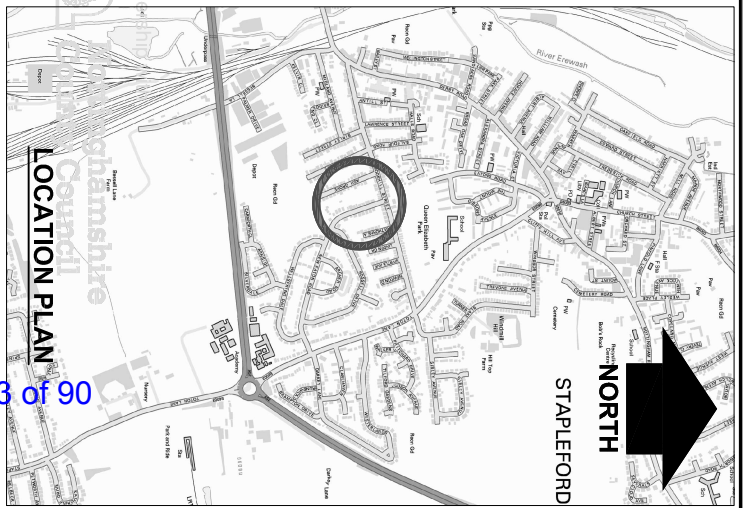
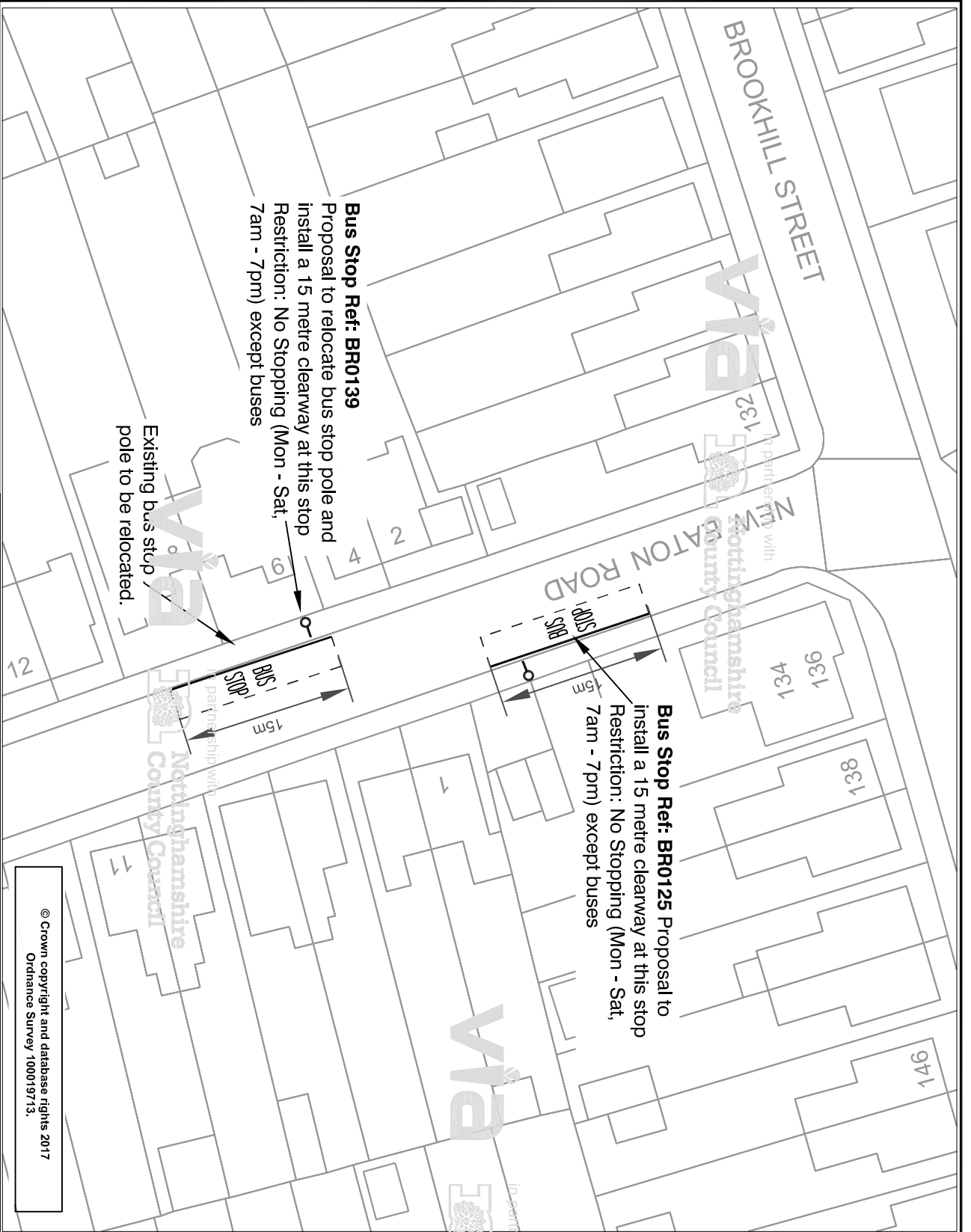
Stapleford and Broxtowe Central ED
Stapleford and Broxtowe Central ED

Councillor John Doddy
Councillor John Longdon



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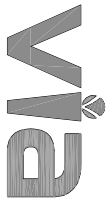


Rev	Description	Drawn	Chkd	Date

Project	Bus Stop Clearway Programme 2017/18			
Status	Project No.	HW10167		

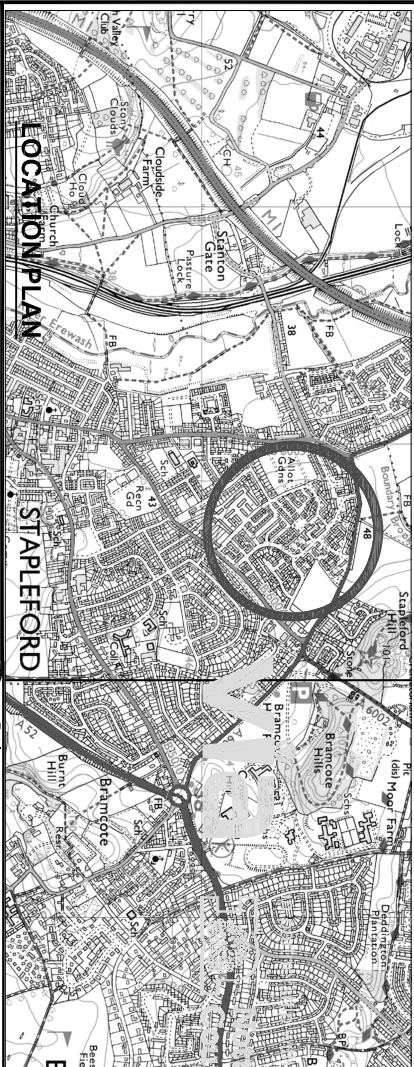
Title	New Eaton Road, Stapleford - REPORT PLAN			
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Drawing No.	H/04078/2466/04			
	Rev		Scale	1:500

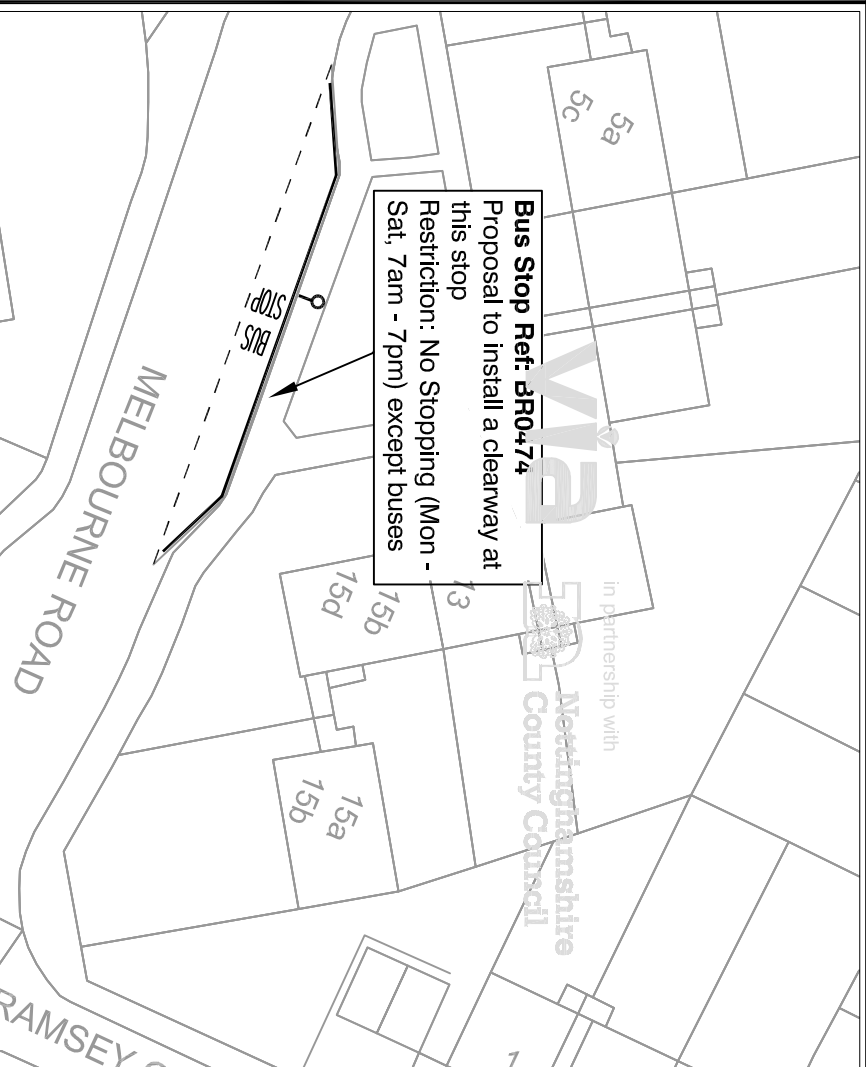


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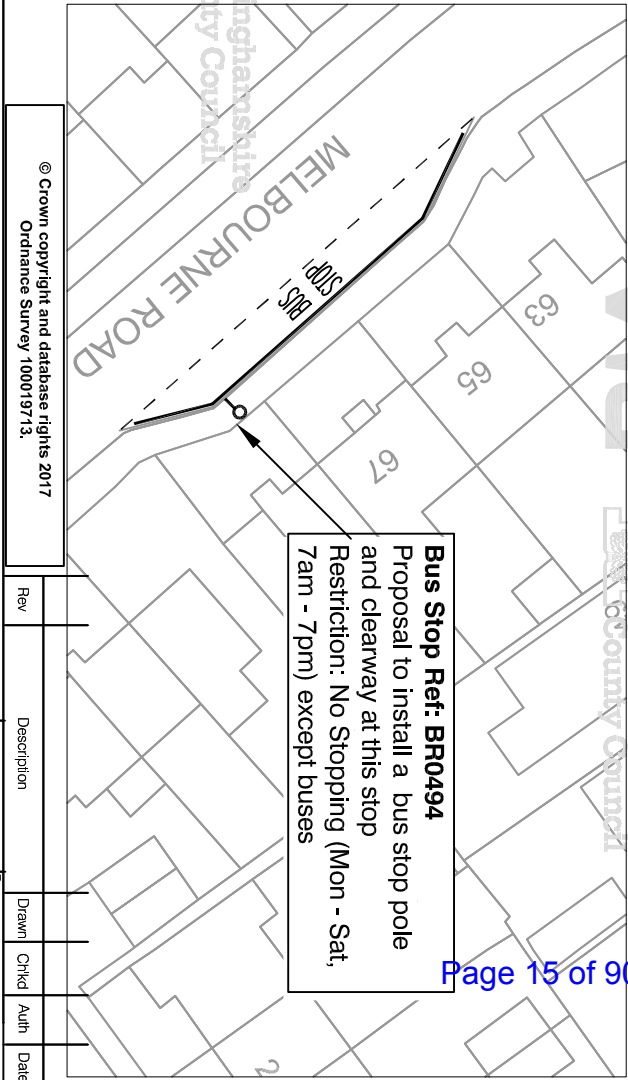
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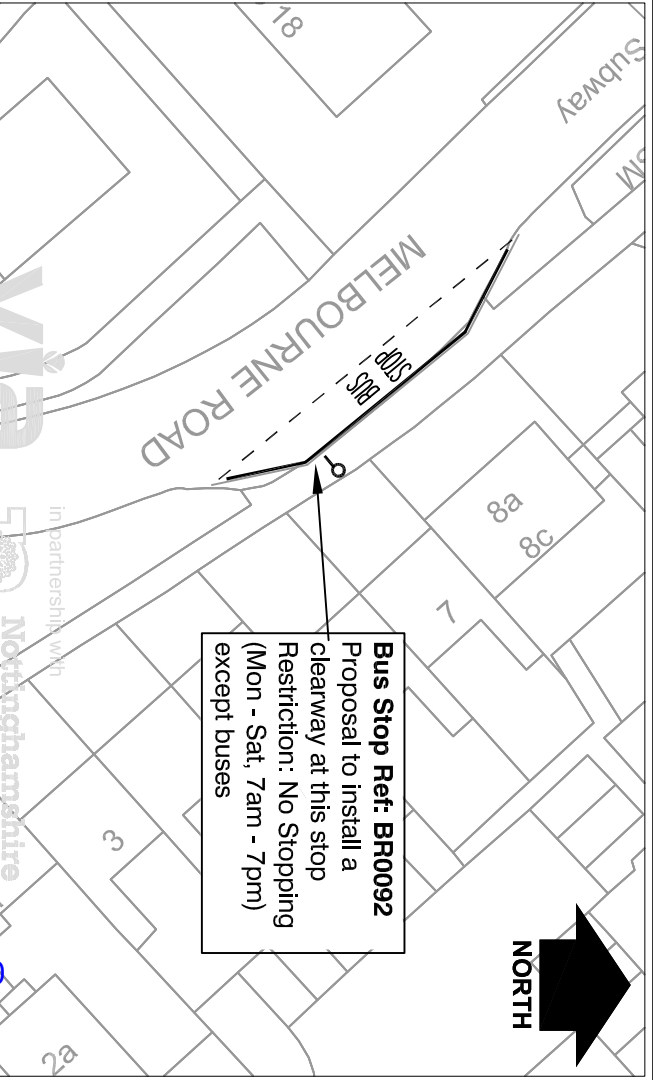
LOCATION PLAN
STAPLEFORD



Bus Stop Ref: BR0474
 Proposal to install a clearway at
 this stop
 Restriction: No Stopping (Mon -
 Sat, 7am - 7pm) except buses



Bus Stop Ref: BR0494
 Proposal to install a bus stop pole
 and clearway at this stop
 Restriction: No Stopping (Mon - Sat,
 7am - 7pm) except buses



Bus Stop Ref: BR0092
 Proposal to install a
 clearway at this stop
 Restriction: No Stopping
 (Mon - Sat, 7am - 7pm)
 except buses



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Rev	Description	Drawn	Chkd	Date
		SLW	HRN	July 17

Project No. **HW10167**
Bus Stop Clearway Programme 2017/18

Title
Melbourne Road, Stapleford - REPORT PLAN

Drawing No. **H/04078/2466/05**

Rev	Description	Drawn	Chkd	Date
		SLW	HRN	July 17
		Autn	Traced	July 17
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7th September 2017

Agenda Item: 5

REPORT OF CORPORATE DIRECTOR OF PLACE DEPARTMENT

RESPONSES TO PETITIONS PRESENTED TO THE CHAIRMAN OF THE COUNTY COUNCIL

Purpose of the Report

1. The purpose of this report is to recommend to Committee the responses to the issues raised in petitions to the County Council on 13th July 2017.

A. Petition requesting a residents' parking scheme on Erewash Street, Kirkby in Ashfield (Ref 2016/0240)

2. A 17 signature petition was presented to the 13th July 2017 meeting of the County Council by Councillor Rachael Madden on behalf of residents of Erewash Street, Kirkby in Ashfield. The petition requests that a residents' parking scheme is introduced on Erewash Street, Kirkby in Ashfield.
3. Requests for residents' parking schemes are prioritised in locations where residents do not have off-street parking and where a scheme won't negatively affect nearby streets and town centres, or increase rat running or vehicle speeds. Schemes are prioritised based on the level of non-resident parking.
4. Erewash Street, Kirkby in Ashfield is a residential road with no off-street parking situated to the west of the town centre; with existing on-street parking restrictions on the road at its junction with Urban Road but not its entire length.
5. A parking survey will be undertaken to determine whether a residents' parking scheme should be considered a priority at this location for possible inclusion in a future year's integrated transport programme.
6. It is recommended that the lead petitioner be informed accordingly.

B. Petition requesting parking restrictions in the laybys on the A608 near its junctions with the M1 (Ref: 2016/0241)

7. A petition was presented to the 13th July 2017 meeting of the County Council by Councillor Rachel Madden on behalf of food businesses operating at the laybys on the A608 on its

approaches to M1 Junction 27. The petition requests the introduction of limited waiting parking restrictions to prevent vehicles parking in the lay by for long periods of time; which it is claimed is negatively impacting on the businesses.

8. The Council receives a very large number of requests for such parking restrictions and therefore requests are prioritised by the local highways district manager. To ensure that all similar requests are assessed in a standard and consistent way parking restrictions are implemented at locations where some ,or all, of the following issues are evident:
 - there have been three or more accidents in the last three years which have resulted in personal injury
 - emergency services and/or bus services are being severely obstructed by the parking on a regular basis
 - problems entering into or out of junctions by emergency services and/or bus services have been repeatedly and regularly reported
 - the parking restriction is likely to be respected by drivers and will have a significant beneficial effect on the area
 - there would not be a significant transfer of the parking to adjacent areas
 - the required public consultation on the restriction would not result in significant objections.
9. Unfortunately the issues outlined above do not appear to be evident at this location and therefore the request will not currently be prioritised. If, however, any of the conditions stated above alter significantly in the future the request will be reviewed.
10. It is recommended that the lead petitioner be informed accordingly.

C. Petition requesting parking restrictions at Maypole Green, Wellow (Ref: 2016/0242)

11. A 10 signature petition was presented to the 13th July 2017 meeting of the County Council by Councillor John Peck on behalf of residents of Maypole Green, Wellow. The petition requests that parking restrictions are introduced on Maypole Green to prevent inconsiderate parking.
12. The Council receives a very large number of requests for such parking restrictions and therefore requests are prioritised by the local highways district manager. To ensure that all similar requests are assessed in a standard and consistent way parking restrictions are implemented at locations where some ,or all, of the following issues are evident:
 - there have been three or more accidents in the last three years which have resulted in personal injury
 - emergency services and/or bus services are being severely obstructed by the parking on a regular basis
 - problems entering into or out of junctions by emergency services and/or bus services have been repeatedly and regularly reported
 - the parking restriction is likely to be respected by drivers and will have a significant beneficial effect on the area
 - there would not be a significant transfer of the parking to adjacent areas
 - the required public consultation on the restriction would not result in significant objections.

13. Unfortunately the issues outlined above do not appear to be evident at this location and therefore the request will not currently be prioritised. If, however, any of the conditions stated above alter significantly in the future the request will be reviewed.
14. Residents have previously contacted the Council about inconsiderate parking on Maypole Green and to help address the issue of the highways liaison team have, however, offered to work with the village hall (which attracts a number of visitors) and provided residents with postcards which advise drivers which they believe have parked inconsiderately. Residents are also able to fund the provision of white advisory H-bar markings outside their properties to help prevent obstruction of their driveways. All of these options are still available to the residents should they wish to pursue them.
15. It is recommended that the lead petitioner be informed accordingly.

D. Petition requesting road safety improvements on Peafield Lane, Mansfield Woodhouse (Ref: 2016/0243)

16. A 1,547 signature petition was presented to the 13th July 2017 meeting of the County Council by Councillor Joyce Bosnjak on behalf of residents and visitors of Mansfield Woodhouse. The petition requests that the Council provide road safety improvements, preferably average speed safety cameras, on the A6075 Peafield Lane, Mansfield Woodhouse. It cites a number of recent incidents including two fatalities, and voiced a general concern of drivers travelling too fast along this section of road.
17. The A6075 was assessed under the 'speed limit review' in 2009/2010 which recommended that the speed limit be reduced to 50mph. This was implemented in 2012 and 50mph signs were introduced to reflect the change in speed limit. The 30mph section east of the A60 was also extended to the edge of the built-up area and an interactive 'Your Speed' sign installed.
18. The most effective form of safety camera for such a length of rural road is an average speed camera system. These have been very successful in reducing the level of road accident casualties and on average in Nottinghamshire reduce KSI accidents (those which result in casualties who are killed or seriously injured) by 66%. However, these projects are extremely expensive, they can be unpopular with drivers, and often lead to complaints for years after installation. Consequently, the County Council's policy is to only consider safety cameras as a remedy to the most serious of recorded injury accident problems, and where no other viable measures are available.
19. On the length of Peafield Lane between the Forest Lane mini-roundabouts and the speed limit change at Dennon Drive there were eight reported injury accidents in the period 1st May 2014 to 30th April 2017; three were KSI accidents, including the two fatal accidents. A detailed investigation into the accidents is currently being undertaken to consider what the most effective course of action would be to address these accidents. A speed survey has also been recently undertaken, the results of which are being examined as part of the study.
20. The provision of safety cameras, as well as other alternative measures, will be considered as part of this assessment. If a viable cost effective option can be identified, and given sufficient funding is available, appropriate Member approval will be sought for its inclusion in a future year's highway capital programme.

21. It is recommended that the lead petitioner be informed accordingly.

E. Petition requesting a residents' parking scheme on Queens Road North, Eastwood (Ref 2016/0244)

22. A 46 signature petition was presented to the 13th July 2017 meeting of the County Council by Councillor Tony Harper on behalf of residents of Queens Road North, Eastwood. The petition requests that waiting restrictions are introduced outside property nos. 1-29 Queens Road North, Eastwood and; a residents' parking scheme is introduced outside property nos. 1-63 on Queens Road North, Eastwood.

23. Requests for residents' parking schemes are prioritised in locations where residents do not have off-street parking and where a scheme won't negatively affect nearby streets and town centres, or increase rat running or vehicle speeds. Schemes are prioritised based on the level of non-resident parking.

24. Queens Road North is a residential road situated to the south of the town centre. Property numbers 1-63 have no off-street parking. There are existing on-street parking restrictions on the road, including no waiting Monday to Saturday 8am-6pm.

25. A parking survey will be undertaken to determine whether a residents' parking scheme should be considered a priority at this location for possible inclusion in a future year's integrated transport programme.

26. It is recommended that the lead petitioner be informed accordingly.

F. Petition requesting a crossing at Brookside Primary School, East Leake (Ref: 2016/0245)

27. A 1,000 signature petition was presented to the 13th July 2017 meeting of the County Council by Councillor Andrew Brown on behalf of residents of East Leake. The petition requests a pedestrian crossing on Main Street, East Leake near Brookside Primary School.

28. The County Council receives far more requests for formal crossings (such as puffin or zebra crossings) than it is able to fund and therefore requests for crossings are prioritised based on the numbers of people crossing and the volume of traffic at a proposed location so that the available funding helps the greatest number of people.

29. A similar request for a crossing at this location was received in late 2012 and surveys were undertaken at the site to determine whether a crossing at this location should be prioritised for future funding. The surveys undertaken on Main Street, East Leake at the time identified that both the volume of traffic travelling through the site and the number of pedestrians crossing at the site is low when compared to other locations that have requested a formal crossing. Formal crossings are also provided where they are identified as the most effective means of addressing a history of reported road collisions resulting in injuries. Fortunately our records show that there have been no reported injury accidents at this location in the last five years. This location would not, therefore, currently be prioritised for a formal pedestrian crossing.

30. The majority of the people crossing at this location were parents and pupils travelling to and from school and in such cases the provision of a school crossing patrol (SCP) is also considered. A SCP operated outside the school until February 2011 when the SCP left and unfortunately the Council has been unable to recruit to the post as no members of the community have come forward. The Council continues to monitor the site (the last count being in July 2017) and will continue to try and recruit a SCP at this location.
31. It is recommended that the lead petitioner be informed accordingly.

G. Petition requesting an alteration to parking restrictions on Newgate Lane, Mansfield (Ref: 2017/0246)

32. A 227 signature petition was presented to the 13th July 2017 meeting of the County Council by Councillor Andy Sissons on behalf of residents, customers and businesses on Newgate Lane, Mansfield. The petition requests that the existing limited waiting bays are increased from 30 minutes to 1 hour.
33. Newgate Lane is located to the east of the town centre with a mixture of residential/commercial properties. There are existing on-street parking restrictions on the road.
34. The request will be investigated and considered for inclusion in a future integrated transport programme should it be considered appropriate (subject to Communities and Place Committee approval).
35. It is recommended that the lead petitioner be informed accordingly.

H. Petition requesting road resurfacing on Bridge End Avenue, Selston (Ref: 2017/0247)

36. A 41 signature petition was presented to the 13th July 2017 meeting of the County Council by Councillor David Martin on behalf of residents of Bridge End Avenue, Selston, requesting resurfacing of the road.
37. Bridge End Avenue is an unclassified road; its condition has deteriorated and it has been patched numerous times. The overall condition is visually poor but the road surface failure is limited to the upper layer. This road has been identified as a proposed resurfacing site for the 2018/19 Highway maintenance programme for micro-asphalt resurfacing and as such will feature in the report presented to committee in Autumn to endorse this programme.
38. Following receipt of the petition the road has been inspected and a number of defects identified for immediate repair. These repairs have been undertaken and the site will continue to be monitored through the planned inspection regime to keep the surface safe ahead of the planned resurfacing work next year.
39. It is recommended that the lead petitioner be informed accordingly.

I. Petition requesting a residents' parking scheme on Lime Tree Road, Elkesley (Ref: 2017/0248)

40. A 10 signature petition was presented to the 13th July 2017 meeting of the County Council by Councillor Kevin Greaves on behalf of residents of Lime Tree Road, Elkesley. The petition requests that a residents' parking scheme is introduced on Lime Tree Road, Elkesley. Requests for residents' parking schemes are prioritised in locations where residents do not have off-street parking and where a scheme won't negatively affect nearby streets and town centres, or increase rat running or vehicle speeds. Schemes are prioritised based on the level of non-resident parking.
41. Lime Tree Road is a residential road situated to the south of the village and whilst there are currently no parking restrictions on it, all the properties have off-street parking.
42. As all of the properties on Lime Tree Road have off-street parking, the introduction of a residents' parking scheme would not currently be considered a priority. Residents are, however, able to fund the provision of white advisory H-bar markings to help prevent obstruction of their driveways.
43. It is recommended that the lead petitioner be informed accordingly.

Statutory and Policy Implications

44. This report has been compiled after consideration of implications in respect of crime and disorder, finance, human resources, human rights, the NHS Constitution (Public Health only), the public sector equality duty, safeguarding of children and vulnerable adults, service users, sustainability and the environment and ways of working and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

RECOMMENDATION/S

It is recommended that the proposed actions be approved, and the lead petitioners be informed accordingly.

Adrian Smith - Corporate Director Place Department

Constitutional Comments [SLB 24/08/2017]

Communities and Place Committee is the appropriate body to consider the content of this report.

Financial Comments [PH 25/08/2017]

There are no financial implications contained within this report.

Background Papers and Published Documents

- None

Electoral Division(s) and Member(s) Affected

- Kirkby South – Councillor Rachel Maddon
- Sherwood Forest – Councillor John Peck
- Mansfield North – Councillor Joyce Bosnjak
- Eastwood – Councillor Tony Harper
- Leake & Ruddington – Councillor Andrew Brown
- Selston – Councillor David Martin
- Worksop South – Councillor Kevin Greaves

07 September 2017

Agenda Item: 6

**REPORT OF THE SERVICE DIRECTOR SOUTH NOTTINGHAMSHIRE AND
PUBLIC PROTECTION.**

COMMUNITY SAFETY BUDGET UPDATE: REQUEST FOR FUNDING.

Purpose of the Report

1. To seek approval for committing **£26,500** of funding from the Community Safety Initiatives Budget for 2017/18.

Information and Advice

Community Safety Initiatives Budget 2017/18

2. Each year, a proportion of the Community Safety Budget is allocated to initiatives across the County that are designed to reduce crime, disorder and anti-social behaviour, reduce the fear of crime, and increase levels of community safety and confidence within our communities. Initiatives are designed to tackle the issues that are causing the most harm to communities and individuals.
3. The initial amount available for 2017/18 was **£211,840**.
4. £25,000 is also paid to Nottinghamshire County Council by the Office of the Nottinghamshire Police and Crime Commissioner (OPCC) to cover the costs of this Authority acting as the Accountable Body for the grant received by the Safer Nottinghamshire Board and the Community Safety Partnerships from the OPCC.
5. The work related with undertaking the role of the Accountable Body includes the Community Safety Team monitoring the use of this funding by partners and processing the related payments. It was agreed at this Committee in July that this money be included in the Community Safety Initiatives Budget making the amount available **£236,840**.
6. Also at the July meeting of this Committee the following commitments were agreed:

Project	Agreed Allocation
Funding to support neighbourhood working	£93,334
Working with individuals who Hoard	£12,000
Community Cohesion Project	£20,000

Dragons Den Style Project	£7,000
Trent Bridge Safety Barriers	£15,000
TOTAL	£147,334

6. This leaves a remaining balance in the Community Safety Initiatives Budget of £89,506.

Proposed Projects

Mass Marketing Scams: Video Clip - £1,500

7. Nottinghamshire County Council has previously successfully partnered with Nottingham Trent University media studies students to produce a series of short video clips to help promote and demonstrate the benefits of occupational therapy equipment, such as raised toilet seats and grab rails. (<http://www.nottinghamshire.gov.uk/care/adult-social-care/help-living-at-home/equipment-to-help-you>)
8. This project aims to repeat this successful partnership arrangement to produce a short 2-3 minute video clip to help raise awareness of both mail and telephone mass marketing scams. The video clip, which would be produced in conjunction with the National Scams Team, could be widely distributed in the county and nationally on the internet, social media, on the county council's large screens and via other partner agencies etc. Officers visiting scam victims in their home could play the video to the residents as part of their intervention work.
9. The £2,000 total cost of the video clip covers the production costs incurred by the year 3 students which include a professional camera operator, an actor and editing. The video clip will also include subtitles. The £1,500 contribution from the Community Safety initiatives budget will be supplemented by a £500 contribution from the National Trading Standards Scams Team.

Tackling Antisocial Behaviour in Ashfield – ‘Midnight Football’ - £10,000

10. This project will be led by Ashfield District Council. The work will involve young people who are involved in antisocial behaviour being engaged in positive and enjoyable activities in the presence of a positive peer group.
11. By providing engaging activities that allow young people to channel energy and enthusiasm in a positive way, this can have notable impacts when targeted in areas with recognised antisocial behaviour problems. Diversionary activities, such as this football based project, provide opportunities for young people to build trust in others and gain self-confidence before they potentially progress to more focussed and targeted interventions.
12. Early intervention can steer young people away from criminal behaviour. Engaging with young people before negative behaviour patterns emerge or are ingrained can be an effective means of prevention. Diversionary activities also help young people learn, and put into practice new social norms in terms of their behaviour - learning what is acceptable and what is not, what constitutes positive behaviour and the impact of problem behaviour on

others. In addition, mixing outside their previous groups offers young people the chance to experience new ways of communicating, to learn new social skills and relationships, and think for themselves.

13. To ensure the intended impact the service provider will be directed to work with community safety partners and the Youth Service to identify, and engage with, appropriate young people in areas experiencing higher levels of antisocial behaviour in Ashfield.
14. The outcomes achieved by the project, if funded, will be reported to this Committee.

Mental Health Social Worker – Pilot with Nottinghamshire Police - £15,000

15. Community Safety partners are spending increasing amounts of their time managing incidents triggered by some kind of mental health issue. Many of the services currently available for managing cases where there is a mental health dimension are consent based, have thresholds and gateways and also require the individual involved to take positive steps to engage.
16. There are some people however with complex needs who for a variety of reasons do not access services that could provide them with support. When incidents do occur involving these individuals, it is often the Police that are the only service available to respond.
17. To address this, in 2014, a Nottinghamshire-wide partnership of NHS organisations, police and local authorities in the City and County launched a 'street triage' scheme to help those with mental health issues or learning disabilities in Nottinghamshire to receive the right care and treatment in emergency situations.
18. Nottinghamshire Police have hundreds of contacts a year with individuals who are in distress, or in vulnerable situations, because of mental health problems or learning disabilities.
19. This scheme has seen specially trained mental health nurses from Nottinghamshire Healthcare NHS Trust join police officers on callouts in unmarked street triage cars throughout Nottinghamshire, where vulnerable people need immediate mental health support. The nurses are also available to give telephone advice to police officers and help them decide on the appropriate healthcare service to refer to.
20. The objective of the scheme is to improve services for mental health patients and divert vulnerable individuals with mental health issues away from the Criminal Justice System to a more appropriate care setting. Where required, the service also provides access to community mental health treatment services and learning disability support and care.
21. Street triage has cut demand on police time and allows officers to focus on crime. It has also provided on the spot support from mental health nurses which has reduced the number of citizens being arrested or taken to a 136 Suite - which provides a place of safety for vulnerable people requiring a psychiatric assessment - or to A&E by providing more appropriate care for their needs.

22. Due to the success of this initiative a pilot is being proposed, but this time involving a Social Worker with specific mental health expertise to assess the impact on the individuals that are potentially eligible for Adult Social Care services, who are in distressed or vulnerable situations and a call has been made to Nottinghamshire Police.
23. This would be a three month pilot with the evaluation results informing the next steps. The outcomes and evaluation of the pilot would be reported to this Committee.

Other Options Considered

29. There will be other options for use of the 2017/18 community safety initiatives budget and proposed spends of the remaining balance of **£63,006** will be the subject of future reports to the Communities and Place Committee.

Reason/s for Recommendation/s

30. Community Safety remains one of the key concerns for the residents of Nottinghamshire. The recommendations contained within this report will enable funding to action a range of targeted projects, specifically designed to combat issues of crime and disorder, anti-social behaviour and fear of crime. Any reductions in these issues will encourage the development of strong, healthy and vibrant communities thus reducing risks to those deemed as vulnerable within those communities

Statutory and Policy Implications.

31. This report has been compiled after consideration of implications in respect of crime and disorder, finance, human resources, human rights, the NHS Constitution (Public Health only), the public sector equality duty, safeguarding of children and vulnerable adults, service users, sustainability and the environment and ways of working and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Financial Implications

32. The report seeks to commit **£26,500** of the remaining **£89,506** Community Safety Initiative Budget that is available for 2017/18. The amount of **£26,500** is made up of the following proposed allocations:

Project	Proposed Allocation
Mass Marketing Scams: Video Clip	£1,500
Tackling Antisocial Behaviour in Ashfield – ‘Midnight Football’	£10,000
Mental Health Social Worker – Pilot with Nottinghamshire Police	£15,000

TOTAL	£26,500
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This leaves a remaining amount unallocated of **£63,006**.

RECOMMENDATION:

33. It is recommended that **£26,500** of funding from the Community Safety Initiatives Budget for 2017/18 for the proposed projects outlined in this report be approved.

PAUL MCKAY
Service Director, South Nottinghamshire & Public Protection

For any enquiries about this report please contact: Vicky Cropley, Team Manager Community Safety x 72040

Constitutional Comments (SLB 24/08/2017)

Communities and Place Committee is the appropriate body to consider the content of this report.

Financial Comments (CT63 – 18/08/2017)

The financial implications are contained within Paragraph 32 of this report.

Background Papers and Published Documents

None

Electoral Division(s) and Member(s)

All



7 September 2017

Agenda Item: 7

REPORT OF THE SERVICE DIRECTOR SOUTH NOTTINGHAMSHIRE AND PUBLIC PROTECTION.

UPDATE REPORT ON THE USE OF THE REGULATION OF INVESTIGATORY POWERS ACT

Purpose of the Report

1. To report for Member oversight the use of techniques used by the Trading Standards and Community Safety Service, that fall under the framework provided by the Regulation of Investigatory Powers Act.

Information and Advice

2. The Regulation of Investigatory Powers Act 2000 (RIPA) gives the Council the power to employ certain investigative techniques, in order to undertake certain criminal investigations.
3. Regular reports regarding the use of RIPA are submitted to the appropriate Committee for the Trading Standards and Community Safety Service in order for oversight of use of the techniques. Most of the authorisations sought to employ these techniques by the County Council relate to Trading Standards investigations.
4. There are three types of activity that can be employed that fall under the requirements of the Act:
 - a. Covert Surveillance;
 - b. Access to certain Communications Data; and
 - c. Covert Human Intelligence Sources
5. **Covert Surveillance** - There is a strict authorisation process for the use of such surveillance; applications are considered by senior officers before being considered by the Magistrate's Court for final approval. Since April 2016, one authorisation for covert surveillance has been submitted to the Magistrate's Court, and received approval. This investigation revealed the supply of illicit and counterfeit cigarettes and tobacco from a retail premise in Mansfield town centre. The case is currently in the Nottingham Crown Court, one defendant has already pleaded guilty, with a further 2 awaiting trial in November 2017.
6. **Communications Data** - Under the legislation, the Council can also gain access to some Communications Data, namely telephone and email account information (but not communications content). Once again, a strict authorisation process has to be followed. Since April 2016, five applications for such data were made to assist investigations. One has resulted in no further action, whilst one is connected to an investigation which is currently in

the Nottingham Crown Court for Fraud Act offences and is listed for trial on the 2nd January 2018. The other 3 relate to ongoing investigations.

7. **Covert Human Intelligence Sources (CHIS)** - It is anticipated that in practice CHIS powers will rarely, if ever, be exercised by the County Council. If there ever is such a requirement, Group Leaders will be informed. Additionally, there are existing safeguards in place to ensure appropriate use of CHIS. Legal advice must be sought where use of CHIS is proposed, and the strict authorisation process must be followed.
8. The Office of the Surveillance Commissioner (OSC) is responsible for oversight of covert surveillance by public authorities. The Council is required to report annually on its use of RIPA powers, and is inspected by the OSC approximately every 3 years. The latest inspection was conducted in April 2016.
9. The feedback for the Council was very positive; the Inspector concluded that no formal recommendations for improvement were necessary.
10. The report stated that the Council is well performing with good Senior Responsible Officer and RIPA Co-Ordinating Officers, sound policy and procedures, a good training programme and appropriately trained officers.
11. The report contained some suggestions for improvements, but these were minor, and considered not significant enough to warrant formal recommendations. The OSC inspectors expect that Members receive regular reports regarding the use of RIPA techniques.
12. In relation to government oversight of the access to communications data, all communication requests made by Trading Standards have to be directed through the National Anti-Fraud Network (NAFN), an organisation that operates as the 'Single Point of Contact' (SPOC) for the County Council. This has been the case since 2014.
13. NAFN is inspected biannually by the Interception of Communications Commissioner's Office (IOCCO) to ensure compliance of all the applications it manages as SPOC, rather than each Local Authority being inspected separately. In 2015, NAFN received an 'excellent' inspection report.

Other Options Considered

14. None – the Council's RIPA Policy states that RIPA statistics will be reported quarterly to Community Safety Committee; Communities and Place Committee now has responsibility for this function.

Reason/s for Recommendation/s

15. To update the Communities and Place Committee on the limited use of these investigatory powers across the Trading Standards and Community Safety Service.

Statutory and Policy Implications

16. This report has been compiled after consideration of implications in respect of crime and disorder, finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, sustainability and the environment and ways of working and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Crime and Disorder Implications

17. Use of surveillance can assist the Council in relation to the reduction of crime in Nottinghamshire.

Human Rights Implications

18. Every authorisation for surveillance requires consideration of human rights including the right to privacy and the right to a fair trial. The rights of people under surveillance need to be balanced against public safety and the prevention of crime. This is why every authorisation has to clearly set out why the surveillance is considered necessary and proportionate in the circumstances.

Financial Implications

19. This report contains no additional financial implications, with activity reported or that proposed being contained within existing service budget.

RECOMMENDATION/S

That Members:

- 1) Agree to receive a further update report on the use of RIPA techniques in the Service in 3 months, and that this be included in the work programme; and
- 2) Endorse the findings of the most recent inspection conducted by the Office of the Surveillance Commissioner.

PAUL MCKAY

Service Director, Access and Public Protection

For any enquiries about this report please contact:

Mark Walker
Group Manager, Trading Standards and Community Safety

Tel: (01623) 452 070
Email: mark.walker@nottscc.gov.uk

Constitutional Comments (SLB 10/08/17)

20. Communities and Place Committee is the appropriate body to consider the content of this report.

Financial Comments (CT 11/08/17)

21. The financial implications are contained within Paragraph 16 of the report.

Background Papers and Published Documents

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

- 'None'

Electoral Division(s) and Member(s) Affected

- 'All'



7 September 2017

Agenda Item: 8

**REPORT OF THE SERVICE DIRECTOR FOR SOUTH NOTTINGHAMSHIRE
AND PUBLIC PROTECTION**

**REPORT ON COMMERCIAL PERFORMANCE OF THE TRADING
STANDARDS AND COMMUNITY SAFETY SERVICE**

Purpose of the Report

1. To update the Committee on the progress made by Trading Standards following the Service's involvement in the Authority's commercial development programme, and to seek approval on the frequency of progress reports.

Information and Advice

Trading Standards Commercialisation

2. Trading Standards provides a range of paid for services to businesses, other local authorities' and government agencies. The Authority has the discretion, within limits, to set charges for these services.
3. As part of the work during the Authority's Commercial Development Unit Pilot, a business plan was developed to reduce the net budget of the Service by £320,880 per annum by the end of 2019/20. This is to be achieved by increasing the income generated by the sale of business support services. The income target for new work in 2017/18 is £94,591.
4. As the conclusion of the commercial development process and at the Community Safety Committee meeting of 10 January 2017, it was agreed to provide quarterly monitoring of key performance indicators and these cover:
 - Marketing Performance
 - New Sales by Category
 - Cumulative Additional Income

Pricing

5. The new commercial pricing for any new clients requiring services is based on a full cost recovery rate calculated at £95.75 an hour. Since April 1st, all new agreements have been made in line with the charging policy.

6. The agreed pricing models that can be utilised include:
 - Hourly rate
 - Day rate
 - Project costs, or
 - Specified activity cost.
7. There have been no new clients as yet for Project or Day Rate services which are set at £766 per day.

Marketing Performance

8. An initial sales plan was developed that included the approach and timing of sales activity to a range of industry sectors. This has been updated to take in to account a number of factors. Those that have had material impact have included:
 - The creation and availability of marketing materials including the launch of the new web pages to support the commercial offer;
 - Feedback from businesses; and
 - Emerging opportunities.
9. Experience is highlighting that the sales process from initial contact to agreed sale has been taking longer than originally anticipated during the Commercial Development Unit (CDU) pilot. This is in part due to the increase in the average value of contracts, and an increase in those requiring approval at company board meetings. The longest delay to date has been 4 months from verbal agreement to formal approval.
10. The creation of new web pages are seen as vital to both promote the service and clearly demonstrate the separation of enforcement and business advice. The new web pages www.nottsccl.gov.uk/tscommercial went live on July 24th.
11. One of the agreed performance indicators measures is how many times the website has been accessed. For the first 4 months of this year this is broken down as :
 - April - 0 (holding page live from 17/4/17)
 - May - 28
 - June - 41
 - July - 44
12. At the time of compiling this report (10/8/17) the main page has already received 44 unique views this month with the total number of views being 52.
13. Five broad market segments were identified during the CDU work and two further sectors have emerged from broader sales engagement. The table below indicates the engagements and sales progress to date:

18. Another of the County's larger businesses have requested assistance with their procedures in the run up to the Fireworks season. Officers have worked with the company to produce a document that will be issued to store managers to their 12 stores.
19. Raleigh have recently renewed their Primary Authority Partnership with the Service. This relationship has provided an opportunity to develop the area of work with cycle related businesses through contact with the appropriate trade association.
20. To date the Services furthest customer is likely to be a sports goods retailer based in Edinburgh who are at an advanced stage of negotiations.

Other Options Considered

21. No other options have been considered.

Reason/s for Recommendation/s

22. To agree the frequency of update reports to the Committee.

Statutory and Policy Implications

23. This report has been compiled after consideration of implications in respect of crime and disorder, finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, sustainability and the environment and ways of working and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Financial Implications

24. The income target for new work in 2017/18 is £94,591. The net budget of the Service is to be reduced by £320,880 per annum by the end of 2019/20 from the increased income generated by the sale of business support services.
25. Since April 2017, savings of £24,642 have either been agreed or already achieved with a potential £21,000 in progress. The service is therefore on track to meet the additional income target of £94,591.

RECOMMENDATION/S

- 1) That Members agree to receive an update report to scrutinise commercial performance, as set out within the CDU process, on a quarterly basis, and that this be included in the work programme.
- 2) That Members consider whether there are any actions they require in relation to the issues contained within the report.

Paul McKay
Service Director South Nottinghamshire and Public Protection

For any enquiries about this report please contact:

Mark Walker Group Manager Trading Standards and Community Safety

Constitutional Comments (SLB 14/8/17)

26. Communities and Place Committee is the appropriate body to consider the content of this report.

Financial Comments (CT 14.08.17)

27. The financial implications are contained within Paragraphs 24 and 25 of this report.

Background Papers and Published Documents

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

- 'None'

Electoral Division(s) and Member(s) Affected

- 'All'



7 September 2017

Agenda Item: 9

**REPORT OF THE SERVICE DIRECTOR SOUTH NOTTINGHAMSHIRE AND
PUBLIC PROTECTION.**

UPDATE ON KEY TRADING STANDARDS MATTERS

Purpose of the Report

1. To update the Committee on key Trading Standards matters, to agree the reporting frequency for future such update reports, and the frequency that progress reports regarding certain key threats are provided to Members.

Information and Advice

2. **Animal Health** - Since June 2017, all Avian Influenza (bird flu) restrictions previously imposed were removed for the whole of the United Kingdom. Trading Standards continue to monitor any reports from DEFRA (Department of Environment, Food and Rural Affairs) of outbreaks.
3. A dead swan recently found in North Norfolk was confirmed to have Avian Influenza on 4th August 2017. Because the bird was wild, at the present time, no further restrictions have been put in place. All keepers of poultry are still being reminded to follow strict bio-security practices, which included the cleansing and disinfecting of all footwear, vehicles and equipment.
4. In July 2017, a farmer received and accepted a formal caution regarding the movement of a bovine from his holding in Oldham to Newark Livestock Market. The animal did not have the correct identity or cattle passport and should not have been allowed to leaving its holding address. This matter has also been referred to the Local Authorities in Oldham for them to monitor the keeper.
5. Newark Livestock Market had a temporary suspension of their Animal Gatherings Licence in June 2017, following concerns raised by Trading Standards Officers and Animal & Plant Health Agency (APHA) regarding appropriate cleansing and disinfecting, which is part of the market's licence requirement for disease control. Whilst the suspension was lifted, it is vital that the Market Operator ensures compliance, and Trading Standards Officers are currently working with the market and APHA to ensure that improvements continue.
6. **Illicit Tobacco** - Nottinghamshire Trading Standards Officers continue to apprehend individuals and businesses that sell and distribute illicit tobacco. This work is primarily funded by Public Health monies, but also supported by Nottinghamshire Police by means of seconded Police Officer resource.

7. Since April to June 2017, 14 individuals have been arrested and charged with offences relating to illicit and unsafe cigarettes and hand rolling tobacco in the Mansfield, Ashfield, Worksop and Beeston areas. Between April and June 2017 a total of 44,090 individual cigarettes and 17kg of hand rolling tobacco were seized, which has a total street value of £28,411.
8. The Legal Update section of this report details recent legal action against those involved in this trade.
9. Given the importance of this work, and the funding provided to the Service, it is proposed that regular progress updates, at least once every fourth Committee meeting are provided to Members.
10. **Mass Marketing Scams** – Scams are also a key threat to the people of Nottinghamshire. Better Care Funding has funded two additional officers in the Service for a 12 month period (October 2016-17), to deliver scams prevention work. In addition to the visits to victims, officers are working on a number of prevention initiatives with Royal Mail, banks, and other agencies who work with vulnerable residents in the county.
11. A report is going to the Adult Social Care and Public Health Committee on 11 September 2017 to request a further £49k Better Care Funding to fund the two additional officers for a further 6 months from October 2017 to March 2018.
12. Nottinghamshire is set to receive an additional 800 victim details between October 2017 and April 2018 from the National Scams Team. These details come from lists seized when Police and Trading Standards authorities carry out raids on scam businesses around the country.
13. This additional funding, if approved, will allow the Service to continue this important scams prevention work to:
 - Work with partner agencies to visit and intervene to protect the additional victims identified by the national team.
 - Respond to the increasing scams referrals coming into the Service via the Multi-Agency Safeguarding Hub (MASH), and social care colleagues.
 - Promote and develop the 'Friends Against Scams' initiative (as at July 2017, 123 Friends Against Scams and 17 Scams Champions registered in Nottinghamshire. Nationally there are now over 25,000 Friends Against Scams signed up since the campaign's launch in October 2016. The aim is to achieve one million friends by 2020 and to help achieve this the National Scams Team launched their Friends Against Scams Facebook page in July 2017).
 - Work with Nottingham Trent University Year 3 media students to develop video material to promote awareness of mass marketing scams (£1,500 Community Safety initiatives funding requested to support this initiative).
 - Further promote and embed the national banking protocol.

14. July 2017 was national Citizens Advice Scams Awareness Month, which was supported by the Trading Standards National Scams team and Trading Standards authorities throughout the country. In Nottinghamshire, a press release was issued to promote the Friends Against Scams initiative and officers did local radio interviews.
15. Colleagues from Inspire are also working with Trading Standards to promote scams awareness, and they hosted an event at Arnold library on 19th July to explain how to spot a scam, and avoid becoming a victim.
16. Officers recently supported a resident who was regularly responding to prize draw scams. She had been replying, because she felt she had nothing better to do with her time. As she appeared to be socially isolated, the officer referred her to the Connect Service. On a follow up visit, her health appeared to have deteriorated, so the matter was then referred for social worker involvement. The County Council's Short Term Reablement Team (START) will now work with her to help maintain her independence and improve her general wellbeing.
17. Given the importance of the work to tackle Mass Marketing Scams, and the funding provided to the Service, it is proposed that regular progress updates, at least once every fourth Committee meeting, are provided to Members.
18. **Doorstep Crime** – Represents another key threat to the people of Nottinghamshire. The warmer weather coincides with a seasonal increase in the amount of doorstep crime reports that are received by Trading Standards. In particular, organised criminals target vulnerable residents who live in their own homes, offering services such as garden and roofing maintenance.
19. Recent examples include:
 - A refund of £2500 was obtained in August by Trading Standards Officers for a victim of a rogue trader in the Keyworth area. The victim paid the money for roofing works, which were sub-standard, and had to pay for the works to be re-done.
 - In June, a builder was given a written warning regarding works he had done in the Bassetlaw area. Officers also ensured that the trader was fully aware of his responsibilities to consumers and their rights under the Consumer Rights Act, to prevent further instances occurring.
20. From 1st April to 31st July 2017, Trading Standards received 47 reports of doorstep crime; 9 of those were received from the Police, 1 from a bank, and 1 from the Multi Agency Safeguarding Hub. All others were reported to the Service by individuals.
21. We have supported 19 vulnerable consumers during this time and stopped a further £3,000 from being paid. In comparison, for 1st January 2017 – 31st March 2017, we received 41 doorstep crime reports and in one case our intervention stopped a payment of £15,000 from being given to criminals.
22. Given the importance of the work to tackle Doorstep Crime, it is proposed that regular progress updates, at least once every fourth Committee meeting, are provided to Members.

23. **Food Enforcement** - Officers continue to monitor food alerts and respond to complaints and intelligence received regarding food safety. Officers have been working closely with Environmental Health Officers in sharing intelligence and conducting joint inspections with regards to food safety and business compliance. Particular issues found involve food labelling, allergens, and health claims problems.
24. A flour confectioner, importing goods into England for national retail through small independent shops, has received advice regarding the requirements of imported food labels. The food business operator worked with Trading Standards to ensure that all of his food labels were fully compliant, so that the products were fit to be offered for sale in England.
25. In June 2017, Officers had a visit from the International Federation of Spirit Producers who gave training to officers on key facts regarding counterfeit alcohol, and new tactics that criminals have taken to avoid being detected. This intelligence sharing is key for officers when conducting food inspections, as counterfeit alcohol is often made in unhygienic conditions with added chemicals which not only are harmful to human health, but may also be combustible.
26. **Regional Investigation Team** – Operation Spinnaker – the financial investigations relating to all those who benefitted from this advertising fraud have now been concluded. This follows the successful conviction of those key decision makers involved in the Wyvern Media Group, a network of companies that targeted businesses and consumers. The business sold advertising that was either non-existent, misleading, or of such poor quality it could not possibly generate any legitimate interest.
27. The criminal proceedings were concluded in January 2017, and resulted in 12 individuals being convicted for their involvement. Over 12 1/2 years of custodial sentences were handed down, as well as suspended sentences and directorship bans.
28. The financial investigations were concluded against those who had benefited from their crimes in August, with Joanne Soen receiving an order to repay £114,494 within three months, or face a term of imprisonment.
29. The table overleaf sets out the criminal benefit and confiscation amounts in respect of all the financial investigations concluded.

	Benefit from Crime Evidenced	Available for Confiscation
Thomas Chamberlain	£150,249	£121,669
Dennis Draper	£98,971	£1,251
Jonathan Rivers	£1,216,305	£1,216,305
Keira Byrne	£97,865	£93,912
Jagjeet Basra	£146,932	£9,047
Matthew Walker	£79,572	£305
Barbara Stone	£20,000	£20,000
Andrew Simpson	£154,393	£30,168
Joanne Soen	£330,655	£114,494
TOTAL	£2,294,943	£1,607,150

30. All of the victims of the offenders who featured in the case have had their money returned as a result of the financial investigations. This investigation is the largest Trading Standards case the region has ever taken on, and the successful result has generated much media attention. The latest instalment for the Fake Britain Programme has now been recorded and is due to air in September.
31. Vehicle Fraud – A group of Leicestershire based motor traders are due to face trial at Leicester Crown Court on 4th October for their involvement in a criminal ring that the Authority will allege sold unroadworthy, misdescribed and clocked vehicles to unsuspecting consumers. 5 individuals have entered not guilty pleas in relation to their alleged involvement.
32. **Legal Update** - Sherzad Mohammad of Annesley Road Stores and Hucknall Mini Market, Hucknall appeared in the Nottingham Magistrate's Court on the 10th May 2016, charged with the supply and possession of counterfeit and dangerous cigarettes. His case was sent to the Crown Court, where he entered guilty pleas. He will be sentenced in October. Further offences though have now since been identified, and Mr Mohammad's case has been listed for trial for

October of 2017, where he will be sentenced for the old matters following the trial for the new and additional matters.

33. There have been a number of seizures and resulting prosecutions with regards to Hucknall Mini Market, including Aziz Hussain, who was given 70 hours unpaid work and costs of £150, Soren Khder, who was given £150 fine and £800 costs, and Dana Mira who was given 100 hours unpaid work and £750 costs.
34. Four individuals were charged with conspiracy to possess criminal property, namely illicit cigarettes. These are Mr Hersh Mohammed, Mr Alan Ali, Bakir Khalidi and Syrwan Mohammed-Ali. This was a joint investigation with Nottingham City Council as two of the premises involved are within the City area. The premises in Nottinghamshire is Outram General Stores at Sutton in Ashfield. A hearing was listed for the 21st October 2016, where all defendants pleaded not guilty, a trial date was then set for the 26th June 2017.
35. Before the trial, Mr Al Khaldi, and Mr Alain Ali, both pleaded guilty to the charges. Mr Hersh Mohammed and Mr Mohammed Ali were both found guilty after the trial. Mr Hersh Mohammed was sentenced to 2 ½ years in prison. Mr Alain Ali was given a 12 months suspended prison sentence with 120 hours unpaid work. Mr Khalidi and Mr Mohammed Ali are still waiting sentence. A proceeds of crime investigation is ongoing for all four.
36. In the previous 12 months, Trading Standards have prosecuted seven other defendants also connected with this shop, all for the possession of illicit cigarettes:
 - Mr Alizadeh was given 80 hours unpaid work, with £470 costs;
 - Mr Saidi was given 100 hours unpaid work;
 - Mr Rassul who has been dealt with twice, had a combined sentence of 180 hours unpaid work and £300 costs;
 - Mr Kumal £165 fine and £50 costs;
 - Mr Hussaini, who has been caught twice, was given 150 hours unpaid work and £800 costs;
 - Mr Kheder 60 hours unpaid work and £200 costs; and
 - Mr Mohamed £360 fine and £220 costs.
37. Mr Hew Abdullah and Mr Abdullah Mohammed, from the retail premise Zabcia, Mansfield both pleaded guilty to charges of possession of counterfeit cigarettes in the Nottingham Crown Court. Both had initially pleaded not guilty, but subsequently changed their pleas before court. They are due to be sentenced on the 1st September 2017, and again a proceeds of crime investigation is ongoing.
38. On the 3rd January 2017, Mr Sarbest Abdullah of Zam Zam, Eastwood, appeared in the Nottingham Magistrates court charged with the supply of dangerous and illicit tobacco. He pleaded not guilty to the charges and the trial date is listed for the 19th September. This is the first occasion that anybody from this particular premise has been in court.
39. On the 29th March 2017, four men appeared in the Mansfield Magistrates Court charged with conspiracy to supply dangerous and counterfeit cigarettes, they are connected to the retail shop Kubus in Mansfield. The matter was sent to the Crown Court and a trial date of the 20th November has been listed. Those involved are Fakher Fathulah, Marwan Shaban, Nabaz Ahmadi and Amin Amin.

40. On the 11th May 2017, Mr John Paul Allen appeared in the Mansfield Magistrates court charged with offences of fraud to the value of £26,400. There is one victim in this case, who the Authority alleges has been defrauded by representations that she needed certain work carrying out on her property. Mr Allen pleaded not guilty, and his case is listed for trial on the 2nd January 2018.
41. On the 6th July 2017, Mr Fazil Ghafor of Aro's, Worksop pleaded guilty a charge of selling counterfeit cigarettes. He was fined £350.
42. On the 6th July 2017, a Mr Karwan Dewari of the retail premises Andrews News and Booze pleaded guilty to 9 charges relating to the possession and supply of counterfeit and dangerous cigarettes. He was sentenced to 18 weeks custody, suspended for 12 months.

Other Options Considered

43. None

Reasons for Recommendations

44. To provide appropriate progress reports and establish the reporting frequency to enable Members to appropriately scrutinise and help steer the work of the Service.

Statutory and Policy Implications

45. This report has been compiled after consideration of implications in respect of crime and disorder, finance, human resources, human rights, the NHS Constitution (Public Health only), the public sector equality duty, safeguarding of children and vulnerable adults, service users, sustainability and the environment and ways of working and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Financial Implications

46. This report contains no additional financial implications for the net budget of the service, with activity reported or that proposed being contained within existing service budget.
47. Additional funding of £49k is to be sought (Adult Social Care and Public Health Committee on 11th September 2017) from the Better Care Fund to support the Service with the continuation of important scams prevention work from October 2017, to March 2018.

RECOMMENDATIONS

48. That Members agree to:

- 1) Receive a follow up report at every second Committee meeting on key Trading Standards Matters, in the same format as the report considered by Committee at this meeting, and that this is included in the work programme; and
- 2) Receive updates on progress regarding the specific key threats of Illicit Tobacco, Mass Marketing Scams, and Doorstep Crime as part of these follow up reports, at a frequency of not less than once every fourth Committee meeting.

Paul McKay, Service Director, South Nottinghamshire & Public Protection.

For any enquiries about this report please contact:

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Constitutional Comments (SLB 24/08/2017)

Communities and Place Committee is the appropriate body to consider the content of this report.

Financial Comments (CT25/08/17)

The financial implications are contained within paragraphs 46 and 47 of the report.

Background Papers and Published Documents

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

- 'None'

Electoral Division(s) and Member(s) Affected

- 'All'

REPORT OF THE CORPORATE DIRECTOR, PLACE

GRANT AID SPORTS FUND: TALENTED ATHLETES 2017-18

Purpose of the Report

1. The purpose of this report is to seek approval for the Talented Athletes Grant Aid awards for 2017-18.

Information and Advice

2. Grant Aid Sub-Committee in March 2015 approved, as part of the Council's Corporate Grant Aid Strategy, a fund totalling £1.75million per year from 2015-18 to support projects in the Voluntary & Community Sector (VCS). Within this budget £36,000 per year was allocated to the Sports Fund. Most of the Sports Fund 2015-18 budget has been allocated; therefore, the budget for the Talented Athletes 2017-18 is £23,905.
3. The Sports Fund helps to deliver against Nottinghamshire County Council's priorities and consists of two parts: Talented Athletes and Club Development. Further information about the Sports Fund categories / themes can be found in **APPENDIX 1** to this report.
4. Traditionally, sports clubs and individual athletes have been awarded grants on an annual basis. In October 2015, Members agreed:
 - To align the Club Development programme with the main 3-year Grant Aid 2015-18 programme (therefore Club Development funding has already been awarded for 2015-16 and for 2016-18);
 - To continue delivering the Talented Athletes scheme on an annual basis (this is due to the unpredictable nature of the athletes; for example, athletes may not be selected for their squad in subsequent years, they may change sport categories, or they may be injured).

Launch and Promotion

5. Online applications were invited from 12 June 2017 to 17 July 2017. The Community & Voluntary Sector (C&VS) team worked with colleagues in Communications and Marketing to promote the Talented Athletes scheme via the local press, social media and the NCC webpage. The C&VS team and Sport Nottinghamshire also contacted previous applicants to inform them of the new round.

Applications Received and Assessment Process

6. The C&VS team received 72 Talented Athletes applications requesting a total of £29,158 (the maximum award for this category is £400 per athlete). It is noted that the number of Talented Athletes applications received was up by almost 47% compared to the previous year.
7. The applications were assessed by Sport Nottinghamshire colleagues against the published eligibility and assessment criteria. Talented Athletes were required to submit an endorsement letter from their National Governing Body (NGB), in support of their application.
8. Assessors recommended 65 applications for funding, totalling £23,900 for 2017/18. **APPENDIX 1** to this report lists:
 - The number of Talented Athlete applications received and the recommendations by district (Table 2)
 - The number of Talented Athlete recommendations by sport (Table 3)
9. All applications were reviewed by the C&VS team as part of the moderation process. Where necessary, clarification regarding assessment recommendations was sought from the assessors. Members will note that the numbers of applications are not evenly spread across Nottinghamshire. Work will be undertaken to understand the reasons behind this and to encourage applications from areas where there have only been a small number.

Monitoring and Support

10. Recipients of Talented Athletes funding will be asked to complete monitoring information at the end of each funded year.
11. All applications not approved for funding will be provided with the reason(s) for not recommending their applications and will be signposted to other possible sources of information / support as appropriate.

Programme Developments

12. In recent years, a complete review of the Sports Fund 'end-to-end' process and forms has taken place in line with the corporate Grant Aid strategy and in response to budget challenges, to make the process more efficient, effective and purposeful. Developments include:
 - Use of technology e.g. an enhanced online application form and introduction of online monitoring reports
 - A revised assessment tool and process to make it more robust, including assessment guidance for assessors
 - A revised agreement in line with corporate requirements
 - Use of the new corporate database (One Space), to assist with managing and sharing information as well as financial recording and reporting
 - Revised monitoring arrangements.

Other Options Considered

13. All the applications received have undergone rigorous assessment and moderation by officers.

Financial Implications

14. These are contained within the report.

Reasons for Recommendations

15. The Talented Athletes applications recommended for approval meet the published criteria and help to deliver against NCC's priorities.

Statutory and Policy Implications

16. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

RECOMMENDATIONS

- 1) Members are asked to approve spend as outlined in paragraph 8 to this report.
- 2) That a further work be undertaken to improve the number of applications in future years from under-represented areas and that a further report be brought to this Committee.

Adrian Smith
CORPORATE DIRECTOR, PLACE

For any enquiries about this report please contact:

Cathy Harvey
Team Manager, Community and Voluntary Sector Team
0115 97 73415

Constitutional Comments (SLB 15/08/17)

17. The Communities and Place Committee is the appropriate body to consider the content of this report.

Financial Comments (SES 15/08/17)

18. The financial implications are set out in the report.

Background Papers and Published Documents

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

- None

Electoral Division(s) and Member(s) Affected

- All

Appendix 1: Sports Fund themes

Table 1: Sports Fund themes and eligibility criteria

Fund Category / Theme	Eligibility
Talented Athletes	<ul style="list-style-type: none"> ▪ Athletes who compete in a sport that is recognised by Sport England and governed by a National Governing Body that is also recognised by Sport England. ▪ Applicants must have represented the Country of their choice within the last 8 months / and / or be nationally ranked within the top 5 in their age group. ▪ If the applicant is applying as an individual from a team sport, they must be a member of a national squad. A maximum award of £400 will be available to individual athletes.
Club Development - Themes:	
Sports Clubs - Participation	<ul style="list-style-type: none"> ▪ Clubs who are looking to run projects that aim to increase participation or diversify its current membership. ▪ The club will be required to hold Clubmark accreditation or demonstrate it is actively working towards gaining the award. ▪ A maximum award of £1,000 will be available.
Sports Clubs - Developing Volunteers	<ul style="list-style-type: none"> ▪ Clubs who are looking to train volunteers to become qualified officials can apply for a contribution towards the overall costs. ▪ The club will be required to identify the need and receive an endorsement from its Governing Body. ▪ A maximum award of £250 will be available for Volunteering Development.
Sports Clubs - Coaching	<ul style="list-style-type: none"> ▪ Clubs who are looking to train individuals to become qualified level 1 & 2 coaches will be able to apply for a contribution towards the overall costs. ▪ The club will be required to identify need and receive an endorsement from its Governing Body. ▪ A maximum award of £400 will be available for Coach Bursaries.

Note: The maximum award across all Club Development themes is £1,000.

Table 2: Talented Athletes: Number of applications received and recommendations by district

District	Number of Applications	Number of Applications Recommended for Approval	Number of Applications <u>Not</u> Recommended
Ashfield	8	8	-
Bassetlaw	4	3	1
Broxtowe	8	8	-
Gedling	8	7	1
Mansfield	1	1	-
Newark & Sherwood	9	9	-
Rushcliffe	31	29	2
Nottingham City	3	-	3
Countywide Totals	72	65	7

Note:

- a. Out of the 72 Talented Athletes applications received:
 - 24 also applied in the previous year;
 - 22 received funding in the previous year;
 - 35 were for athletes aged under 16.
 - 7 applications were not recommended due to not meeting the eligibility requirements.
- b. Generally, applications were requested as a contribution towards the cost of coaching, competition, travel, equipment, training and travel.

Table 3: Talented Athletes: Number of applications recommended by sport / discipline

Sport / Discipline	Number of Recommended Applications
Archery	1
Athletics (<i>including Triathlon</i>)	9
Canoeing (<i>including sprint kayak, slalom</i>)	14
Climbing	2
Cricket	3
Cycling	1
Equestrian	1
Fencing	1
Handball	1
Ice Hockey	2
Ice Skating (<i>including speed skating, figure skating, synchronised skating</i>)	14
Rowing	1

Sport / Discipline	Number of Recommended Applications
Rugby	2
Snowsport	1
Swimming	5
Table Tennis	4
Taekwondo	1
Tennis	2

7 September 2017**Agenda Item: 11****REPORT OF THE CORPORATE DIRECTOR FOR PLACE****MINERALS AND WASTE DEVELOPMENT SCHEME UPDATE 2017****Purpose of the Report**

1. To seek Committee approval for an update to the Nottinghamshire Minerals and Waste Development Scheme (MWDS).

Information and Advice

2. The Planning and Compulsory Purchase Act 2008 (amended) requires the County Council to produce a Development Scheme. The Development Scheme does not form part of the Development Plan, its purpose is to set out the timetable and resources for preparing Minerals and Waste Local Plans.
3. The revised Minerals and Waste Development Scheme is attached in Appendix 1 and sets out the County Council's programme for the preparation of Minerals and Waste Local Plans. This revised scheme will replace the current Minerals and Waste Development Scheme which was approved by this Committee in May 2016
4. The MWDS has two key objectives:
 - To inform the public and stakeholders of the Council's commitment to producing documents that will make up the development framework for minerals and waste planning in Nottinghamshire and the programme for their preparation; and
 - To reflect the County Council's priorities in terms of producing documents for both the Waste and Minerals Local Plans.
6. The County Council will continue to review the Development Scheme and progress will be reported annually through the relevant Waste and Minerals Authority Monitoring Reports (AMR).

The Minerals and Waste Development Scheme Timetable

7. The new preparation timetable for the production of the Minerals and Waste Local Plans is set out in the revised Development Scheme and detailed in the tables below:

Table 1: Revised Minerals Local Plan

Stage	Dates	Completed
Consultation on Scope, Issues and Options (Reg 18)	November 2017	No
Consultation on Draft Plan proposals	June 2018	No
Publication (Reg 19) and Submission	November 2018/January 2019	No
Examination Period	March-July 2019	No
Adoption	October 2019	No

Table 2: Revised Joint Waste Local Plan (incorporating review of Waste Core Strategy 2013) to be prepared with Nottingham City Council

Stage	Dates	Completed
Consultation on Scope, Issues and Options (Reg 18)	April 2019	No
Consultation on Draft Plan proposals	October/November 2019	No
Publication (Reg 19) and Submission	April/June 2020	No
Examination Period	September-December 2020	No
Adoption	February 2021	No

Other Options Considered

8. None. It is a statutory requirement for the Council to have up to date Minerals and Waste Development Local Plans and to publish a timetable to identify when new or revised Plans will be prepared.

Reason for Recommendation

9. To provide clarity on the timetable for the production of the Minerals and Waste Local Plan in order for the County Council to meet its statutory functions as a Minerals and Waste Planning Authority.

Statutory and Policy Implications

10. This report has been compiled after consideration of implications in respect of finance, the public sector equality duty, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Financial Implications

11. The County Council has to meet its statutory functions as a Minerals and Waste Planning authority. The Waste Local Plan is being prepared jointly with Nottingham City Council. The County Council has taken the lead role and financial resources are split proportionately according to population. The costs to the County Council of preparing a revised Minerals Local Plan and its share of the costs of preparing a revised Joint Waste Local Plan will be met from reserves.

RECOMMENDATION

- 1) That Committee approve the revised Minerals and Waste Development Scheme.

Adrian Smith
Corporate Director - Place

**For any enquiries about this report please contact: Nina Wilson,
Principal Planning Officer, Planning Policy Team, 0115 97 73793**

Constitutional Comments SLB 10/08/2017

12. Communities and Place Committee is the appropriate body to consider the content of this report.

Financial Comments [RWK 14/08/2017]

13. The financial implications are set out in paragraph 11.

Background Papers and Published Documents

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

Electoral Division(s) and Member(s) Affected

All

**Minerals and Waste
Development Scheme**
September 2017

Preface

Nottinghamshire County Council has prepared this Development Scheme in accordance with the requirements of the Town and Country Planning (Local Planning) (England) Regulations 2012. The County Council resolved to bring this scheme into effect on the XXXX and it replaces the previous scheme brought into effect in 28 April 2016.

Contents

1.	Introduction to Local Plans and Development Plan Documents	2
2.	The Minerals and Waste Local Development Scheme.....	3
3.	Existing Plans and Transitional Arrangements.....	3
4.	The Timetable.....	3
5.	Progress to Date.....	5
6.	Joint Working.....	6
7.	Risk Assessment.....	7
8.	Community Involvement.....	7
9.	Local Development Scheme Monitoring and Review.....	8
10.	Further Information.....	8
	Glossary.....	9
	Appendix A – Geographical Plan Coverage.....	12
	Appendix B – Waste Policies replaced by the Waste Core Strategy.....	13
	Appendix C – Minerals and Waste Timetables.....	14

1 Introduction to Local Plans

- 1.1 Nottinghamshire County Council is the minerals and waste planning authority for the county of Nottinghamshire; see Appendix A for a map showing the geographical coverage of the plan area. This means that it is responsible for all matters associated with minerals and waste development, including setting the land use policies and determining planning applications for such development.
- 1.2 The Nottinghamshire Minerals Local Plan (2005), the saved policies contained in the Waste Local Plan (2002) and the Waste Local Plan Part 1: Core Strategy (2013) along with District and Borough Local Plans and Neighbourhood Plans form the statutory development plan for Nottinghamshire. Decisions on planning applications should be made on the basis of having an up-to-date statutory development plan.
- 1.3 The National Planning Policy Framework (NPPF) was published in March 2012 and sets out that each Local Planning Authority should produce a Local Plan for its area and that any additional Development Plan Documents should only be prepared where clearly justified.
- 1.4 Nottinghamshire County Council had significantly advanced the review of the 2002 Waste Local Plan prior to the new requirements set out in the NPPF and as such continued to progress a separate Waste Local Plan, Part 1: Core Strategy which was subsequently adopted in December 2013.
- 1.5 The County Council is progressing a Minerals Local Plan to replace the 2005 Local Plan. This document will contain a vision, strategic objectives, strategic policies, policies identifying the future provision requirements, development management policies and a policies map.
- 1.6 The Waste and Minerals Local Plans are both subject to examination by an independent Planning Inspector.
- 1.7 Complementary documents which exist alongside the Local Plans, include:
 - **Supplementary Planning Documents (SPDs)**, add further detail to the policies of the Local Plan. They can be used to provide further guidance for development on specific sites, or on particular issues, such as design. SPDs are capable of being a material consideration in planning decisions but are not part of the Development Plan. The County Council is not planning to prepare any SPDs.
 - **Statement of Community Involvement**, specifies how the authority intends to involve communities and stakeholders in the process of preparing planning policy documents and determining planning applications.

- **Development Scheme** (this document), sets out details of planning policy documents to be produced and the time scales and arrangements for production.
- **Annual Monitoring Report**, sets out progress in producing planning policy documents and implementing policies.

2 The Minerals and Waste Development Scheme

- 2.1 This Minerals and Waste Development Scheme (MWDS) sets out the County Council's programme for the preparation of the Waste and Minerals Local Plans.
- 2.2 The MWDS has two key objectives:
- To inform the public and stakeholders of the Council's commitment to producing the Waste and Minerals Local Plans in Nottinghamshire and the timetable for their preparation; and
 - To establish the County Council's priorities in terms of producing documents as both the Waste and the Minerals Local Plans are prepared.
- 2.3 The County Council will review this MWDS and progress will be reported annually through Authority Monitoring Reports (AMRs). The AMRs are published on the Council's website.

3 Existing Plans and Transitional Arrangements

- 3.1 Following the review of the planning system through the 2004 Planning and Compulsory Purchase Act which altered the way in which statutory development plans were prepared, the Government put in place transitional arrangements that allow existing plans and policies to be 'saved' while the new local plan documents are prepared. These saved policies form part of the development plan until they are replaced under the current planning system. The plans/policies which are currently saved are as follows:
- The Joint Nottinghamshire and Nottingham Waste Local Plan (2002) (with the exception of policies W2.1, W3.2 and W3.24). A list of policies which have subsequently been replaced by the Waste Core Strategy can be found in Appendix B;
 - The Nottinghamshire Minerals Local Plan (2005) (with the exception of policies M3.2, M3.21, M6.5, M6.9, M6.10, M7.4 and M11.1)

4 The Timetable

- 4.1 There will be a separate Minerals Local Plan covering Nottinghamshire and a separate Waste Local Plan covering Nottinghamshire and Nottingham City Tables 1 and 2 below set out the timetable for the preparation of the local plans.

Table 1: Revised Minerals Local Plan

Stage	Dates	Completed
Consultation on Scope, Issues and Options (Reg 18)	November 2017	No
Consultation on Draft Plan proposals	June 2018	No
Publication (Reg 19) and Submission	November 2018/January 2019	No
Examination Period	March-July 2019	No
Adoption	October 2019	No

Table 2: Revised Joint Waste Local Plan (incorporating review of Waste Core Strategy 2013) to be prepared with Nottingham City Council

Stage	Dates	Completed
Consultation on Scope, Issues and Options (Reg 18)	April 2019	No
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Publication (Reg 19) and Submission	April/June 2020	No
Examination Period	September-December 2020	No
Adoption	February 2021	No

4.2 All new development plan documents are subject to an ongoing process of strategic environmental assessment (SEA), combined with the existing practice of sustainability appraisal (SA). This examines the likely environmental, social and economic effects of new policies and proposals and informs the direction and content of each stage of the plan preparation process. The information used and the outcome of the appraisal process will be set out in a report, which will accompany each

document at each stage of its preparation and subject to public consultation.

- 4.3 All development plan documents are also subject to equalities impact assessment (EQIA) to ensure that new policies do not discriminate against certain groups and that all opportunities to promote equality are sought in plan preparation.
- 4.4 The Minerals Local Plan and Waste Local Plan will be subject to a Habitats Regulations Assessment (HRA). The purpose of the HRA of land use plans is to ensure the protection of the integrity of European sites is a part of the planning process at a regional and local level. A HRA Screening Report (March 2011) has been produced, covering both minerals and waste and concluded that no additional assessment would be necessary at this stage of the process.
- 4.5 Local Plans are also subject to Strategic Flood Risk Assessments (SFRA), a Level 1 SFRA has been carried out which collates and reviews available information on flood risk in Nottinghamshire and individual SFRA's for both the Minerals and Waste Plans will be undertaken at the appropriate stages of Local Plan production.
- 4.6 As part of the production of the reviewed Minerals Local Plan a full review of current documents will be undertaken and they will be updated as necessary.
- 4.7 A full timetable for the planned production of the Minerals and Waste Local Plans is contained in Appendix C.

5 Joint Working

- 5.1 The Waste Local Plan will be prepared jointly with Nottingham City Council, as was the case with the 2013 Waste Core Strategy. The County Council has taken the lead role and the costs of plan preparation will be split proportionately according to population.
- 5.2 There are no significant mineral issues within the Nottingham City boundary and therefore the new Minerals Local Plan is not being prepared jointly. However a joint Local Aggregates Assessment is prepared annually to consider future apportionments for aggregate minerals within both the City and County Council boundaries. The City Council is currently preparing their Land and Policies Part 2 Local Plan which, when adopted, will accompany their adopted Core Strategy and will contain policies in relation to Minerals development.

6 Risk Assessment

6.1 In setting out the proposed timetable for work on the new Local Plans, it is important to ensure that these targets are realistic and, achievable and take account of possible problems that may arise. The main areas of risk in terms of implementing the timetable are identified as:

- **Changes to National Policy** – as the new documents are being prepared there is a risk that new policy guidance, such as revisions to the National Planning Policy Framework (NPPF), national planning guidance or legislation could impact upon the timetable for plan preparation.
- **Consultation outcomes** - the consultation process could identify additional issues/options to be evaluated and/or the scale of objections could significantly increase the workload and delay implementation. To minimise the risk, consultation on Draft Plan proposals is to be carried out with stakeholders, statutory consultees, and other key consultees, including parish councils, local environmental groups and the minerals and waste industry.
- **Demand on the Planning Inspectorate** – the time-table for the independent examination will depend on the availability of Planning Inspectors. To minimise this risk the County Council intends to liaise with the Planning Inspectorate at the earliest possible time to ensure that an inspector is available for the examination.
- **Soundness of development plan documents** – if any document were to be found unsound by an Inspector the County Council would have to address the issues raised. Therefore additional work would need to be carried out and the timetable may slip. This may result in significant budget and timetable implications.
- **Joint working** –The County Council and City Council have different Committee/Cabinet reporting mechanisms and timetables (this relates to the Waste Local Plan only) and may have different views which would need to be reconciled.
- **Legal Challenge** – the document could be subject to a legal challenge which if successful may result in all or part of the plan being quashed, this would mean starting the plan over.

7 Community Involvement

7.1 The Statement of Community Involvement (SCI) sets out the standards to be achieved by the County Council in involving stakeholders and the community in the preparation, alteration and continuing review of planning policy documents and planning applications. It contains the County Council's proposals for fully engaging all sections of the community and stakeholders at an early stage in the preparation of each document.

- 7.2 A review of the adopted SCI took place in 2013 and the updated document was adopted in April 2013. A further review was undertaken in August 2017, with adoption expected in early 2018.

8 Development Scheme Monitoring and Review

- 8.1 An Authority Monitoring Report (AMR) is prepared each year to assess progress in implementing the Development Scheme, and subsequently to determine whether the aims and objectives of the planning policy documents are being achieved. In the event that there have been unavoidable slippages in the LDS timetable, and 'milestones' have not been achieved, the AMR will explain what the reasons are for the delay. It will also set out any amendments to the Development Scheme and the revised timetable for implementation to reflect the delay.
- 8.2 The AMR will also include annual technical monitoring information to provide the context for assessing the success of the policies in the planning policy documents.

9 Further Information

- 9.1 For further information on this minerals and waste development scheme or any of the documents mentioned please contact the County Council at the address shown below. Information on the existing minerals and waste local plans and the development plan process is also available on the County Council's website.

Nottinghamshire County Council
Planning Policy
County Hall
Loughborough Road
West Bridgford
Nottingham
NG2 7QP

Email: development.planning@nottscc.gov.uk

Website: www.nottinghamshire.gov.uk

- 9.2 This information can be made available in alternative formats and languages.

Glossary

Terms shown in *italics* are defined elsewhere in the glossary.

Authority Monitoring Report (AMR): the annual monitoring report will assess the implementation of the Local Development Scheme and whether policies in *Local Development Documents* are being successfully implemented.

Development Plan (DP): consists of the relevant Local Plans for the area. In respect of Waste Planning, this incorporates the Waste Local Plan Part 1: Core Strategy (2013) and extant policies in the Waste Local Plan (2002). In terms of Minerals planning, this relates to the Minerals Local Plan 2005).

Development Plan Documents (DPD): statutory documents which set out the *local planning authority's* formal planning policies for its area. There are different types of document (see also *Core Strategy, Development Management Policies, Site Specific Policies, and Proposals Map*).

Development Management Policies (DMP): a suite of criteria-based policies designed to ensure that all development meets the aims and objectives set out in the *Core Strategy*. These can be included in another *Development Plan Document* or may form a stand-alone document.

Development Scheme: a document setting out the timescales for the production of development plan documents.

Equalities Impact Assessment (EQIA): a management tool that makes sure that policies and working practices do not discriminate against certain groups and that, opportunities are taken to promote equality.

Habitats Regulation Assessment (HRA): required under the European Directive 92/43/EEC on the “conservations of natural habitats and wild fauna and flora for plans” that may have an impact of a European nature conservation site, such as a Special Protection Area. It is an assessment of the impacts of implementing a plan or a policy on a European nature conservation site with the purpose of considering the potential impacts against conservation objectives of the site and to ascertain whether it would adversely affect the integrity of the site.

Independent Examination: all *Development Plan Documents* need to be tested for soundness through an independent examination held by an independent inspector appointed by the Secretary of State.

Issues and Options (IO): initial, informal consultation stage setting out the main planning issues and a range of possible options. Responses will help to identify what are the most realistic options, which will then be put forward as *Preferred Options*.

Local Plan (LP): a plan setting out the spatial and strategic direction for development within a plan area. For Nottinghamshire County Council as a minerals and waste planning authority this only relates to minerals and waste development.

Minerals and Waste Development Scheme (MWDS): the equivalent of the *Local Development Scheme* produced by County Councils who are responsible for minerals and waste planning.

National Planning Policy Framework (NPPF): It sets out the Government's planning policies for England and how these are expected to be applied. It provides a framework within which local and neighbourhood plans can be produced reflecting the needs and priorities of the local area.

Neighbourhood Plan (NP): A plan prepared by a Parish Council or Neighbourhood Forum for a particular neighbourhood area (made under the Planning and Compulsory Purchase Act 2004).

Draft Plan proposals: Informal consultation stage which will identify the Local Planning Authority's preferred approach(es) to likely development proposals and any alternatives that have been rejected, along with the reasons for this.

Proposals Map: the adopted proposals map illustrates on a base map all the policies contained in *Development Plan Documents*, together with any saved policies. It must be revised as each new *Development Plan Document* is adopted, and it should always reflect the up-to-date planning strategy for the area.

Saved Policies or Plans: existing adopted development plans which are to be saved (usually up to 3 years unless otherwise extended by Government direction) until they are replaced by the new style *Development Plan Documents*.

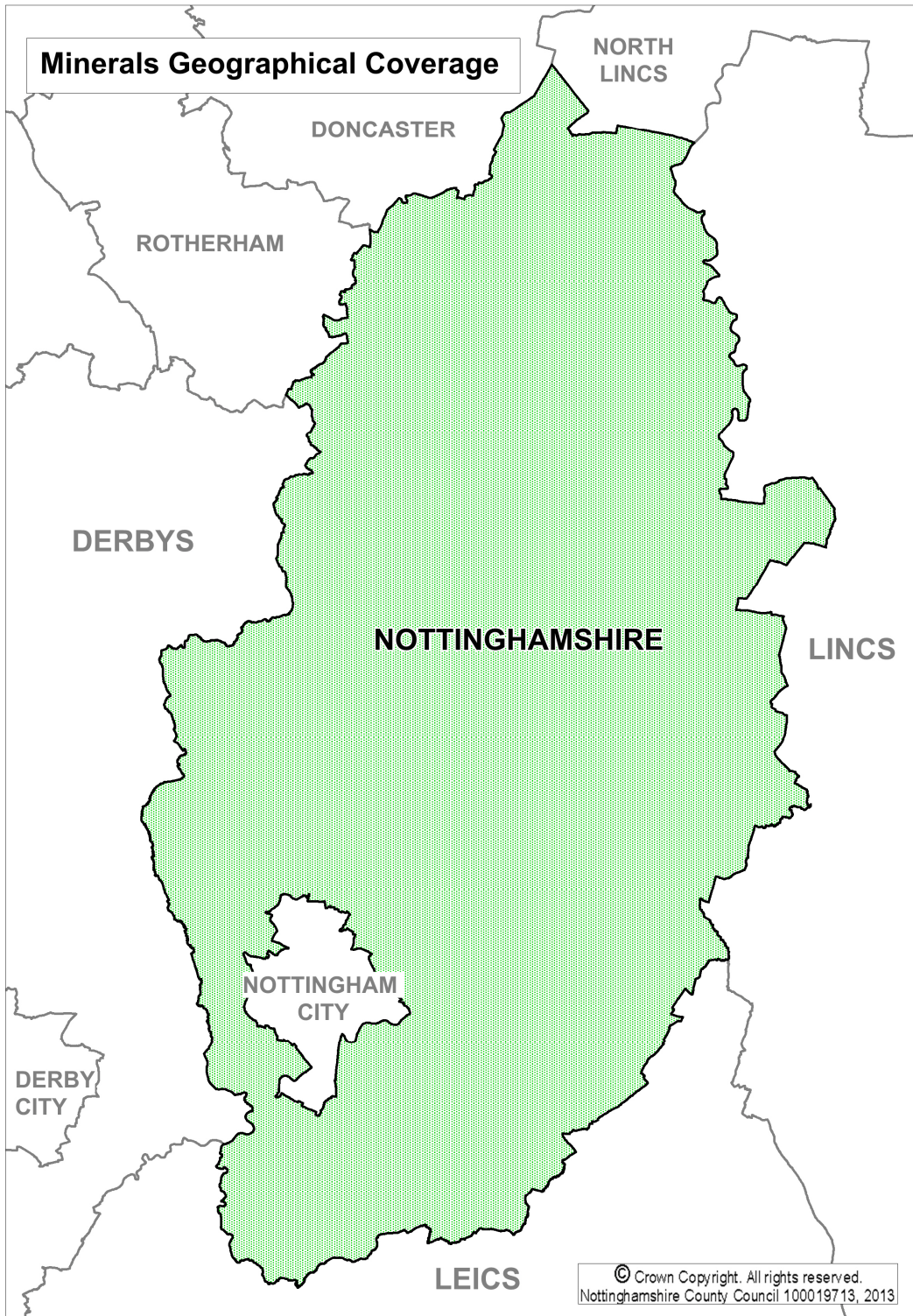
Statement of Community Involvement (SCI): a document which sets out how a council will involve the community on all major planning applications and in the preparation of planning policy documents.

Strategic Environmental Assessment (SEA): a procedure (set out in the Environmental Assessment of Plan and Programmes Regulations 2004) which requires the formal environmental assessment of certain plans and programmes which are likely to have significant effects on the environment.

Publication or Submission Draft: Final draft of the Local Plan/Core Strategy, submitted to the Secretary of State for Communities and Local Government, subject to independent examination by the Planning Inspectorate, which includes public hearings and the preparation of an Inspector's Report. Formal representations made at this stage will be considered at the *Independent Examination*

Sustainability Appraisal (SA): a document that examines the social, economic and environmental effects of strategies and policies in a development plan from the outset of its preparation. In the UK this process incorporates the EU requirement for *Strategic Environmental Assessment* of plans or programmes.

Appendix A – Minerals Local Plan Geographical Coverage



Appendix B – Waste Local Plan Policies replaced by the Waste Core Strategy

Appendix 1

Waste Local Plan policies replaced by the Waste Core Strategy

The following policies within the Nottinghamshire and Nottingham Waste Local Plan (adopted January 2002) have been replaced:

Chapter 3 – Environmental Protection

W3.16 – Bulk Transport of waste

Chapter 5 – Waste Recycling

W5.1 – Household Waste Recycling Centres – Areas of Search

W5.2 – Household Waste Recycling Centres in Disposal Sites

W5.3 – Mini Recycling Centres

W5.4 – Material Recovery Facility – Eastcroft

W5.5 – Material Recovery Facilities – Industrial Estates

W5.6 – Material Recovery Facilities – Waste Disposal Sites

W5.7 – Permanent Aggregate Recycling Centres

W5.8 – Mobile Aggregate Recycling Centres

W5.9 – Recycling Soils

W5.10 – Scrapyards – Areas of Search

W5.11 – Scrapyards – Existing Sites

Chapter 6 – Waste Treatment & Energy Recovery from Waste

W6.1 – Future Provision of Municipal Incinerators

W6.2 – Clinical Incinerators

W6.3 – Other Technologies

W6.4 – Refuse Derived Fuel

W6.5 – Energy Recovery from Incineration – Environmental Impact

W6.6 – Energy Recovery from Incineration – Economic Viability

W6.7 – Energy Recovery from Waste Disposal – Environmental Impact

W6.8 – Energy Recovery from Waste Disposal – Economic Viability

Chapter 7 – Composting & Landspreading

W7.1 – Commercial Composting Sites – Areas of Search

W7.2 – Commercial Composting – Waste Disposal Sites

W7.3 – Small Scale Composting Schemes in Agricultural Areas

Chapter 8 – Waste Water & Sewage Treatment

W8.1 – Future Requirements

Chapter 9 – Waste Transfer Stations

W9.1 – General Waste Transfer Stations – Areas of Search

Chapter 10 – Waste Disposal

W10.1 – Waste Disposal in Mineral sites, other Voids and Colliery Spoil Heaps

W10.2 – Waste Disposal in Derelict or Degraded Land

W10.3 – Waste Disposal in Greenfield Sites

W10.4 – Bentinck Void & Colliery Tip - Allocation

Appendix C – Minerals and Waste Local Plan Timetables

Minerals Local Plan

Stage	Dates	Completed
Consultation on Scope, Issues and Options (Reg 18)	November 2017	No
Consultation on Draft Plan proposals	June 2018	No
Publication (Reg 19) and Submission	November 2018/January 2019	No
Minerals Local Plan Examination Period	March-July 2019	No
Adoption	October 2019	No

Waste Local Plan

Stage	Dates	Completed
Consultation on Scope, Issues and Options (Reg 18)	April 2019	No
Consultation on Draft Plan proposals	October/November 2019	No
Publication (Reg 19) and Submission	April/June 2020	No
Examination Period	September-December 2020	No
Adoption	February 2021	No

7 September 2017

Agenda Item: 12

REPORT OF THE CORPORATE DIRECTOR FOR PLACE

STRATEGIC PLANNING OBSERVATIONS

Purpose of the Report

1. To provide a summary of the responses made by the County Council when consulted by Nottinghamshire District and Borough Councils, neighbouring authorities and central government, where those responses require Committee approval.
2. To ratify the responses to consultations as agreed by the Team Manager in consultation with the Vice Chair of the Committee as already submitted to meet deadlines.

Background

3. The Protocol on Planning Observations as agreed by the Committee at its meeting in June, requires that significant consultation responses made by the County Council through the planning policy team are reported to the Committee for ratification. This report presents two consultation responses – one in response to a re consultation by Rushcliffe Borough Council relating to a major application for residential and mixed uses at land south of Clifton – and the other is a response to amendments to the Newark and Sherwood Core Strategy.

Other Options Considered

4. The report reflects the protocol on planning consultations agreed by the Committee in June 2017 which indicates that responses to larger applications and development plans will be approved by Committee. The option of not reporting to Committee or not making comment is therefore not appropriate.

Reason for Recommendation

5. In accordance with the protocol on planning consultations

Statutory and Policy Implications

6. This report has been compiled after consideration of implications in respect of finance, the public sector equality duty, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

RECOMMENDATION

1) That the responses to consultations as set out in Appendix 1 be ratified.

Adrian Smith
Corporate Director, Place

For any enquiries about this report please contact: Nina Wilson, Principal Planning Officer, Planning Policy Team, 0115 97 73793

Background Papers

Individual Consultations and their responses.

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

Constitutional Comments [SLB 29/08/2017]

7. Communities and Place Committee is the appropriate body to consider the content of this report.

Financial Comments [RWK 15/08/2017]

8. There are no specific financial implications arising directly from this report.

Electoral Division(s) and Member(s) Affected

Balderton (Cllr Walker)
Collingham (Cllr Dobson)
Farndon and Trent (Cllr Saddington)
Leake and Ruddington (Cllrs Adair and Brown)
Muskham and Farnsfield (Cllr Laughton)
Newark East (Cllr Wallace)

Newark West (Cllr Girling)
Ollerton (Cllr Pringle)
Sherwood Forest (Cllr Peck)
Southwell (Cllr Jackson)

Appendix 1: Planning Application Responses for Ratification

District	Proposal	Summary of Response
Rushcliffe Borough Council	14/01417/OUT – Outline application for the development of a sustainable urban extension comprising residential development up to a maximum of 3000 dwellings, employment development incorporating a maximum of 100,000m ² of B1, B2 and B8 floorspace, retail development 9A1 to A5) up to a maximum of 2500m ² of floorspace, community buildings, leisure uses, schools, gypsy and traveller pitches, access to the site, new roads, footpaths and cycleways, green infrastructure including new community park, ancillary infrastructure and groundworks – Land East and South of Nottingham Road, South of Clifton	<p><u>Introduction</u> – This application is a re-consultation on an existing application. NCC previously responded on 05/07/2014 as follows:</p> <p><u>Landscape</u> - The following information is required as part of the outline application:</p> <ul style="list-style-type: none"> • An indication of the Zone of Visual Influence of the proposed development, although referred to in the text of the LVIA this figure is not provided • A layout drawing of the proposed housing which indicates the heights of the properties eg 2 storey, 3 storey etc. • Additional Green Infrastructure should be added to the Masterplan between the existing and proposed development at the edge of Clifton to further reduce moderate adverse residual impacts on residential receptors at this point • Broaden the width of Green Infrastructure routes through the site, to provide corridors from the belt of woodland to the south of the proposed area, particularly along the existing Public Right of Way which passes through the site. This will help to mitigate the visual impact of the development in the views from Gotham Hill to the south • Reconsider the visual impact on the existing Public Right of Way that passes through the site, this is assessed as Negligible in the long term, the Landscape Team consider that this visual impact would remain minor adverse

		<ul style="list-style-type: none"> • Detailed design proposals should refer to the species list for the South Nottinghamshire Farmlands • More information is required about the night time visual impacts of the proposed scheme, at the detailed design stage • More details about how the maintenance of the site will be funded, including the maintenance of semi mature street trees and entrance gateway features A management and maintenance plan should be provided at the detailed application stage. <p><u>Archaeology</u> - the County Council recommend that the applicants be requested to supply additional information on the buried archaeological resource, in accordance with the advice given in the <i>National Planning Policy Framework 2012</i> (paragraph 128). Further archaeological field evaluation is necessary here, and this work should include a scheme of trial trenching.</p> <p>RBC are now re-consulting on the application, prior to determination and requests for S106 Obligations have been reviewed/updated in light of viability issues.</p> <p><u>Primary Education obligations</u> – NCC requested a site and funding be provided for a 1 three form Entry (630 place primary school) to serve this development, which would require a single three hectare site, located in association with the first phase of development. The cost of a school of this size is estimated as £8,482,000.</p> <p><u>Secondary Education obligations</u> - The County Council are requesting a financial contribution of £7,185,338 (£19,849 X 362) towards the provision of an additional 362 places. These places will be provided at East Leake Academy which is the close available secondary school. The amount per pupil place is higher than that set out in the County Council’s Planning Obligations Strategy (£17,260). This is to reflect the PFI uplift which needs to be applied to the costs of providing the additional places. For clarity</p>
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		<p>Officers from Place Planning have spoken with the Principal of the Academy, and the school is supportive of the principle of expansion to accommodate additional pupils from Clifton provided there is funding available to do so.</p> <p><u>School Bus Service obligations</u> - A school transport contribution of £1,535,273 will be required to ensure that appropriate statutory school transport is provided for pupils living on the site. This will be used to transport children to the secondary school at East Leake. The costs have been projected through the build-out phase of the development i.e. 17 years, and not in perpetuity (as previously stated in the County Council's response to the Borough Council on the 2nd December 2014)</p> <p><u>Local Bus Service obligations</u> - To ensure that the site is sustainably served by public transport a contribution of £1,233,169 is being sought for additional bus vehicle resources. This has indicatively been allocated to Nottingham City Transport Service 1 (Loughborough – East Leake – Clifton – Nottingham) utilising an additional 2.4 vehicles (2 vehicles, plus peak hour weekdays enhancement) and Nottingham City Transport Service 53 (Ring Road Service) utilising an additional half vehicle resource to enhance peak hour capacity.</p> <p><u>Waste and Recycling</u> - The West Bridgford Waste and Recycling Centre is currently operating at full capacity.. Due to significant actual and proposed housing development in the area a new site will be required. To assist with the delivery of such a facility the County Council are seeking a contribution of £204,743.22 from this scheme which is proportionate to the level of development proposed.</p>
Newark and Sherwood District Council	Publication Amended Core Strategy Development Plan Document (DPD) 2017	<u>Public Health</u> - recommended that planners liaise with both Newark and Sherwood CCG and the Mid Nottinghamshire Local Estates Forum regarding any healthcare infrastructure requirements as a result of proposed growth. Exposure

to takeaway food outlets is associated with marginally higher consumption of takeaway food, greater body mass index, and greater odds of obesity. It is recommended that the District Council considers different approaches to in relation to fast food outlets including concentration and clustering, hours of operation and healthy eating options.

Waste – the site is within close proximity to land used for waste management purposes. Residential development in areas, especially those in the south-eastern area of the proposed designation, may be close enough to existing waste management facilities off Bowbridge Lane (at Quarry Farm) to potentially prejudice the continued operation of authorised sites, due to the topography of the area and operations being conducted at these waste management sites. Policy WCS10 of the Waste Core Strategy safeguards existing facilities against sterilisation by development of adjacent land.

To the north another waste management facility is present to the east of the intersection of Bailey Road and Bowbridge Road. This facility is at a distance from the potential residential whereby impact would be unlikely. As the area within which this facility is located is designated as 'existing industrial use' on Figure 5, in respect of this facility NAP 2A complies with WCS10.

Strategic Highways - NCC would suggest that the text should explain that the SLR is already partly constructed and the section between Staple Lane and Bowbridge Lane is now open to traffic.

Paragraph 6.16 refers to a list of infrastructure improvements on the A46 Newark Bypass and these are separately itemised in the first 5 bullet points. These schemes are now incorporated into the Highways England proposals to improve the A46 Newark Northern Bypass and its junction with the A1. This scheme will be funded through central government funding sources (not CIL) and is being planned for delivery in the next Roads Investment Period 2020/2025 (RIS2). It is

		<p>suggested that the separate bullet points are replaced with a single entry re A46 Newark Bypass upgrade since the scheme will not be delivered as discrete individual projects as implied by the current wording of paragraph 6.16.</p> <p><u>Ecology</u> - the allocation of land at the former Thoresby Colliery, this is the most significant change introduced. Recognition of the ecological sensitivity of the surrounding area is welcomed, and the measures that will need to be taken to protect these sensitivities, as set out in paragraphs 6.100 – 6.104. In the associated policy ShAP 4 Land at Thoresby Colliery, it is requested that the policy (perhaps in section 13) should require provision being made for the long-term management of the restored heathland area on the colliery pit tip to the north of the proposed allocation, given that this area will inevitably be heavily used by residents of any new development.</p> <p><u>Developer Contributions</u> - The County Council would wish to continue to be involved with negotiations with the District Council, applicants and their agents in respect of the infrastructure and contributions which may be required from sites which are put forward for development in the District. In addition the District Council currently has an adopted Developer Contributions & Planning Obligations Supplementary Planning Document. The County Council would wish to be involved with any review of this document which may take place as a result of the local plan process.</p> <p>The District Council also has an adopted CIL Charging Schedule. Where it is determined that monies will be passported to the County Council, be it for highways or secondary education infrastructure, the County Council would wish to work with the District Council to develop the mechanisms and procedures for achieving this. This is to ensure that infrastructure can be delivered in a timely manner to meet the needs of the community.</p>
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7 September 2017

Agenda Item: 13

REPORT OF CORPORATE DIRECTOR, RESOURCES WORK PROGRAMME

Purpose of the Report

1. To consider the Committee's work programme for 2017-18

Information and Advice

2. The County Council requires each committee to maintain a work programme. The work programme will assist the management of the committee's agenda, the scheduling of the committee's business and forward planning. The work programme will be updated and reviewed at each pre-agenda meeting and committee meeting. Any member of the committee is able to suggest items for possible inclusion.
3. The attached work programme has been drafted in consultation with the Chairman and Vice-Chairman, and includes items which can be anticipated at the present time. Other items will be added to the programme as they are identified.
4. As part of the transparency introduced by the new committee arrangements, each committee is expected to review day to day operational decisions made by officers using their delegated powers. The Committee may wish to commission periodic reports on such decisions where relevant.

Other Options Considered

5. None.

Reason/s for Recommendation/s

6. To assist the committee in preparing its work programme.

Statutory and Policy Implications

7. This report has been compiled after consideration of implications in respect of finance, public sector equality duty, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

RECOMMENDATION/S

- 1) That the Committee's work programme be agreed, and consideration be given to any changes which the Committee wishes to make.

Jayne Francis-Ward
Corporate Director, Resources

For any enquiries about this report please contact: Martin Gately, Democratic Services Officer on 0115 977 2826

Constitutional Comments (HD)

8. The Committee has authority to consider the matters set out in this report by virtue of its terms of reference.

Financial Comments (PS)

9. There are no financial implications arising directly from this report.

Background Papers

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

- New Governance Arrangements report to County Council – 29 March 2012 and minutes of that meeting (published)

Electoral Division(s) and Member(s) Affected

All

COMMUNITIES AND PLACE COMMITTEE**DRAFT WORK PROGRAMME**

Report Title	Brief summary of agenda item	For Decision or Information?	Lead Officer	Report Author
5 OCTOBER 2017				
Trading Standards Commercialisation Update		Information	Paul McKay	
Winter Maintenance Preparation Report	Details of Winter Maintenance Programme	Decision	Gary Wood	
Statement of Community Involvement	Consideration of revised document prior to approval by Policy Committee	Decision	Sally Gill	
Bus Stop Clearways	Consideration of Objections	Decision	Gary Wood	
TRO 1200 Prohibition of Waiting (Ordsall)	Consideration of Responses	Decision	Gary Wood	
Buses Bill – Moving Forward	Details of Buses Bill	Decision	Pete Mathieson	
Developer Contributions Strategy	Approval of revised draft strategy prior to consultation	Decision	Sally Gill	
Miner to Major	Submission of revised stage 2 HLF application in Nov	Decision	Sally Gill	
Archaeological Advice to Districts	To agree a course of action	Decision	Sally Gill	
9 NOVEMBER 2017				
Cultural Services Update		Information	Derek Higton	Derek Higton
Flood Risk Management Local Levy		Decision	Gary Wood	
Waste Site Hazards		Decision	Sally Gill/Rob Fisher	
Registration Service Fees for 2018 / 2019 and 2019 / 2020	To seek approval of revised and proposed fees for registration services to the public in 2018 / 19 and 2019 / 20	Decision	Paul McKay	Robert Fisher

Waste Strategy Consultation	To approve first draft prior to consultation	Decision	Mick Allen	
Place Performance Report	Performance Update for Place Department	Decision	Adrian Smith	
Place Plan	To approve departmental strategy for Place Dept.	Decision	Adrian Smith	
TRO 7192	To consider objections received in respect of the Traffic Regulation Order proposed to support the introduction of improved bus infrastructure	Decision	Gary Wood	
7 DECEMBER 2017				
Cultural Services Update		Information	Derek Higton	Derek Higton
11 JANUARY 2018				
Fees and Charges 2018/19 – Sherwood Forest Country Park	Annual determination	Decision	Derek Higton	Mark Croston
Fees and Charges 2018/19 – Libraries, Archives & Information	Annual determination	Decision	Derek Higton	Peter Gaw
Cultural Services - service update		Information	Derek Higton	Derek Higton
Place Performance Report	Performance Update for Place Department	Decision	Adrian Smith	
8 FEBRUARY 2018				
Cultural Services - service update		Information	Derek Higton	Derek Higton
Charging for Highway Services	Approval for proposed charges	Decision	Gary Wood	
Charging Policy for the Historic Environment Record and proposed future developments	Agree charging policy	Decision	Sally Gill	

8 MARCH 2018				
Nottinghamshire Community Learning & Skills Service Annual Plan and Fees 2018/19	For decision		Derek Higton	Ian Bond
Cultural Services - service update		Information	Derek Higton	Derek Higton
Place Performance Report	Performance Update for Place Department	Information	Adrian Smith	
19 APRIL 2018				
Cultural Services - service update		Information	Derek Higton	Derek Higton
17 MAY 2018				
Cultural Services - service update		Information	Derek Higton	Derek Higton
14 JUNE 2018				
Annual review of the County Council Cultural Strategy		Derek Higton	Derek Higton/ Mark Croston	
Cultural Services - service update		Information	Derek Higton	Derek Higton
19 JULY 2018				
Cultural Services - service update		Information	Derek Higton	Derek Higton

