

## **Planning and Licensing Committee**

**Tuesday, 18 June 2013 at 10:30**

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

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### **AGENDA**

- |   |  |         |
|---|--|---------|
| 1 | Minutes of the last meeting held on 23 May 2013  | 3 - 6   |
| 2 | Apologies for Absence  |         |
| 3 | Declarations of Interests by Members and Officers:- (see note below)<br>(a) Disclosable Pecuniary Interests<br>(b) Private Interests (pecuniary and non-pecuniary) |         |
| 4 | Declaration of Lobbying  |         |
| 5 | Alterations to the Existing Car Park Facility, New Playground Areas and New Gate, Carnarvon Primary  | 7 - 26  |
| 6 | Statement of Community Involvement Review  | 27 - 72 |
| 7 | Annual Report to Planning and Licensing Committee of the Licensing Work carried out by Trading Stand   | 73 - 78 |
| 8 | Presentation from Nottinghamshire County Council's Conservation Team   |         |
| 9 | Work Programme   | 79 - 82 |

### **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 David Forster (Tel. 0115 977 3552) 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.

# minutes

Meeting **PLANNING AND LICENSING COMMITTEE**

Date **Thursday 23 May 2013 (commencing at 2.00 pm)**

## **membership**

Persons absent are marked with 'A'

## **COUNCILLORS**

Sybil Fielding (Chairman)  
Sue Saddington (Vice-Chairman)

Roy Allen  
Chris Barnfather  
Steve Calvert  
Jim Creamer  
Darren Langton

Rachel Madden  
Andy Sissons  
A Keith Walker  
Yvonne Woodhead

## **OFFICERS IN ATTENDANCE**

Steven Baker - Solicitor  
David Forster – Democratic Services Officer  
Jerry Smith – Team Manager, Development Management  
Sally Gill – Group Manager Planning  
Tim Turner - Monitoring & Enforcement Senior Practitioner

## **APPOINTMENT OF CHAIRMAN AND VICE-CHAIRMAN**

### **RESOLVED 2013/014**

That the appointment of Councillor Sybil Fielding as Chairman and Councillor Sue Saddington as Vice-Chairman by Full Council on 16 May 2013 for the ensuing year be noted.

## **MEMBERSHIP OF THE PLANNING AND LICENSING COMMITTEE**

### **RESOLVED 2013/015**

That the membership of the committee as set out above is noted subject it being noted that Councillor Barnfather has been appointed in place of Councillor Andrew Brown for this meeting.

## **MINUTES OF LAST MEETING**

The minutes of the meeting held on 17 April 2013, having been circulated to all Members, were taken as read and were confirmed and signed by the Chairman.

## **APOLOGIES FOR ABSENCE**

An apology for absence was received from Councillor Keith Walker (other County Council Business)

## **DECLARATIONS OF INTERESTS BY MEMBERS AND OFFICERS**

None

## **DECLARATIONS OF LOBBYING OF MEMBERS**

None

## **APPEAL AGAINST NON-DETERMINATION – RESUBMISSION OF APPLICATION FOR THE CONSTRUCTION OF A LEISURE MARINA COMPRISING MARINA BASIN WITH 553 LEISURE MOORINGS AND ANCILLARY BUILDINGS ASSOCIATED VEHICLE PARKING LANDSCAPING AND INFRASTRUCTURE AND THE INCIDENTAL EXCAVATION AND REMOVAL OF MINERALS – RED HILL MARINA RATCLIFFE-ON-SOAR**

Mr Smith introduced the report and informed to members that this report is before committee to endorse the Officers written representations set out in appendix A to the report in response to an appeal lodged on the grounds of non-determination. He highlighted the fact that there was not sufficient information received from the applicant to determine the application and that this is contrary to Policy M3.1 of the Nottinghamshire Minerals Local Plan.

Mr Smith also reported that since the report had been published the Council had received a copy of a letter sent from the Planning Inspectorate to the appellant asking for more information under Regulation 22 of the Environmental Impact Assessment Regulations relating to issues including Bats, Great Crested Newts, archaeology, noise, construction traffic, dewatering and impacts on the Lockington Marshes Site of Special Scientific Interest.

During Members' deliberations the following issues were commented upon:-

- statutory consultees have asked for further information the decision cannot be made without it and support was expressed for the position taken by Officers
- significant issues still need to be addressed which are included at paragraphs 76 and 77 of the report and
- the original application was withdrawn by the applicant on the grounds that Rushcliffe Borough Council had objected to the application on Green Belt grounds
- the letter from the planning inspectorate omitted to request further details sought by East Midlands Airport concerning aircraft safety which was considered highly important information

On a motion by the Chairman, seconded by the Vice-Chairman it was unanimously:-

**RESOLVED 2013/016**

That, had a decision been made prior to the appeal being lodged, planning permission would have been refused on the grounds that there was insufficient information contrary to Policy M3.1 of the Nottinghamshire Minerals Local Plan and that the Planning Inspectorate be informed accordingly.

**REQUEST FOR SITE INSPECTIONS BY PLANNING AND LICENSING COMMITTEE**

**RESOLVED 2013/017**

That approval be given for the following site visits on dates to be agreed

1. Lodge House Opencast Coal Site Near Smalley Derbys
2. Shortwood Opencast Coal Site, Nr Trowell
3. Hucknall Town Centre Improvement Scheme  
; and
4. Plevins, Crookford Hill, Elkesley

**ANNUAL REPORT ON DEVELOPMENT MANAGEMENT WORK – 1 APRIL 2012 TO 31 MARCH 2013**

Mrs Gill introduced the report to members and informed members there are currently 49 undetermined applications outstanding as of 1 April 2013. She then took members through the report.

**RESOLVED 2013/018**

That the report be noted.

**ANNUAL REPORT ON PLANNING MONITORING AND ENFORCEMENT WORK – 1 APRIL 2012 TO 31 MARCH 2013**

Mr Turner introduced the report and gave a slide presentation on the work of the Monitoring and Enforcement section.

**RESOLVED 2013/019**

That the report be noted.

**ATTENDANCE AT PLANNING SUMMER SCHOOL**

That the attendance of 1 member (or substitute) at the Planning Summer School at Leeds University on 6 – 9 September be approved.

## **WORK PROGRAMME**

### **RESOLVED 2013/020**

That the work programme be noted

The meeting closed at 3.15 pm.

**CHAIRMAN**

**18 June 2013****Agenda Item: 5****REPORT OF CORPORATE DIRECTOR POLICY, PLANNING AND  
CORPORATE SERVICES****RUSHCLIFFE BOROUGH REF. NO.: 8/13/00514/CTY****PROPOSAL: ALTERATIONS TO THE EXISTING CAR PARK FACILITY, NEW  
PLAYGROUND AREAS AND NEW GATE****LOCATION: CARNARVON PRIMARY SCHOOL, NURSERY ROAD, BINGHAM****APPLICANT: HEAD TEACHER & NCC CHILDREN, FAMILIES & CULTURAL  
SERVICES****Purpose of Report**

1. To consider a planning application for alteration and extension of a car park, new playground and a new entrance gate at Carnarvon Primary School, Bingham. The key issue relates to acceptability of relocated car parking provision and satisfactory on-site service turning space at the school. The recommendation is to grant planning permission, subject to the conditions set out in Appendix 1.

**The Site and Surroundings**

2. Carnarvon Primary School, on a site of 2.8ha, is located in a residential area approximately 1km to the east of Bingham town centre. Residential estate development lies to the north and south of the school. An area of open space on the site of Bingham medieval settlement, a Scheduled Ancient Monument (SAM), lies to the west of the school. The western third of the school grounds set as grass playing field, to the west of a watercourse running mostly in open channel through the site, lies within the designated boundary of the SAM. Uncultivated land outside of the village envelope lies to the east of the school. Public Footpath No.11 Bingham crosses the SAM, from west to east before turning south immediately within the school boundary, running along the southern school boundary, turning north along the eastern boundary (both within the boundary of the school) before turning east across the adjoining field (Plan 1).
3. A series of culs-de-sac to the north of the school are accessed from either Abbey Road or Nursery Road. The principal access to the school is from a cul-de-sac 30m in length on Nursery Road which also serves four residential

properties. An electricity sub-station lies between the northern boundary of the school and 28 Nursery Road. Pedestrian access in the south-west corner of the school site is gained from Oak Avenue along a path adjacent to the field to the west of the school. The path immediately on entering the school site follows the alignment of Public Footpath No.11 Bingham. (Plan1)

4. Accommodation at Carnarvon Primary School is provided in two single-storey CLASP buildings, faced principally with hanging tiles, with a later brick faced addition to the eastern-most building. The school is contemporary with housing to the north and south. Residential properties to the north generally all have off-street parking, as do the residential properties to the south with the exception of Oak Avenue where there is a mixture of off-street parking and garage courts serving flats.
5. A hard play ball court is provided to the east of an informal hard play area, and adjacent to the eastern school boundary. Specimen trees are established along the eastern boundary of the site.
6. The site is bounded by stock fencing and hedges to the field boundaries to the east and west, and timber fencing and/or planting to the boundary with residential properties to the north or south.
7. Carnarvon Primary School operates a school day beginning at 08:50 hours and ending at 15:30 hours. A Breakfast Club operates from 07:30 hours with an After School Club operating until 18:00 hours during the school term. Community groups use rooms within the school until 21:15 hours.
8. There are currently 411 children on the school roll (March 2013). 41 full-time and 14 part-time staff, which equates to 48 Full-Time Equivalent (FTE) are employed. 29 car parking spaces, including one disability parking space, are provided either side of the vehicular access drive and from a turning head accessed between the two school buildings (Plan 2).
9. Established trees of varying quality (Category A to Unclassified) lie to either side of the access drive and car parking spaces.

## **Proposed Development**

### **Planning History**

10. Application reference 8/99/00982/CTY (January 2000) - Construction of classroom and link extension to existing school.
11. Application reference 8/01/01456/CTY (April 2002) - Construction of three classrooms and toilets, hall and staff room extension.
12. Application reference 8/03/01002/CTY (September 2003) - Extension of hard play area (to the east of the school).
13. Application reference 8/08/00820/CTY (July 2008) - Extension to form administration and foundation class with additional toilets and kitchen facilities.



14. Application reference 8/13/00337/CTY (April 2013) - Erection of a 2 classroom stand alone building and the retention of the adjacent fenced ball court hard play area.

#### Proposal

15. As a consequence of the erection of the classroom granted under application reference 8/13/00337/CTY, the school is seeking planning permission to extend the hard play area to the east and south of the two existing school buildings, and to the west of the new classroom under construction (Plan 3). An existing silver birch tree (Category B) within the extended area of hard play would be retained within the extended hard play area. Part of the kitchen and school service area, currently used to park 12 cars, would be re-surfaced and used for hard play, segregated from the retained access for school kitchen deliveries by a fence and double gate.
16. The existing access drive would be widened on its north-east side, allowing the provision of additional car parking spaces on the south-west side, reconfiguration of the existing parking layout, and the provision of an alternative service vehicle manoeuvring area to replace that lost to hard play. Four trees (whitebeam (Category B), Norway maple (Category C), cherry and one unidentified tree (both Unclassified) would be removed to accommodate the additional parking and manoeuvring spaces.
17. Four visitor spaces would be provided on entering the site adjacent to the boundary with an electricity sub-station and 28 Nursery Road.
18. The number of car parking spaces on the site would remain as at present. 29 car parking spaces would be provided, including one disability space closest to the main school entrance.
19. The existing vehicular single-leaf entrance gate would be replaced by a double-leaf hinged gate 1.55m in height and coloured green to match the adjoining pedestrian entrance gate.

#### Consultations

20. **Rushcliffe Borough Council** - *No objection, subject to the provision of replacement tree planting, and the installation of bat boxes prior to parking spaces being brought into use as recommended in the supporting ecological report.*
21. **Bingham Town Council** - *No objection, but concern is raised regarding the dropping-off of children and the public footpath access.*
22. **NCC Highways Development Control** – *No objection. The existing 29 parking spaces are intended to be replaced generally along the entrance drive within the site in a layout that is considered to be acceptable. No additional parking spaces are proposed despite there also being a separate proposal to provide two additional classrooms dealt with under planning application reference F/2774 and a parking accumulation survey counting up to 37 vehicles on site over a week in April under existing conditions. However, the 9.00am to 3.00pm*

average accumulation in that week was 29 vehicles. As there are a number of areas beyond the formal proposed parking spaces within the site that could be used for informal short stay overspill parking in times of peak demand, the level of proposed parking is considered to be acceptable, particularly as on-street parking restrictions are to be reviewed as part of the school extension.

23. *The proposed site plan details a refuse collection point and an adjacent manoeuvring area. However, it has not been demonstrated that this is of sufficient size to cater for a refuse vehicle that can be typically 11.6m in length. Nevertheless, the revised arrangements offer an improvement over the existing situation and should be of sufficient size to provide sufficient space for delivery and service vehicles provided they are well managed.*
24. *There are no highway objections to the revised proposal subject to a condition requiring the revised parking area to be appropriately marked out, hard, surfaced and drained, and for the delivery manoeuvring area to be appropriately hatched out to deter parking prior to the school extension being brought into use in the interest of highway safety and residential amenity.*
25. **NCC Road Safety Team** - No response received.
26. **Ramblers' Association** – *No objection, but would welcome a specific statement that the definitive and non-definitive routes are protected as part of the development.*
27. **NCC Countryside Access Team** - No response received.
28. **Sport England** – *No objection. The new car parking areas and the conversion of the existing car park to play area do not raise any issues for Sport England. The section of new play area would however, be constructed on the secondary area of playing field. The primary area of playing field is located to the west of the school buildings. The location of the extended play area is triangular in shape and contains a tree, given the shape, position and tree, this area is considered to be unable to be used as a pitch or part of a pitch, meeting the requirements of exception E3. In addition the school has created a fenced hard court sports area adjacent to the existing play area, which is considered in part to compensate for this loss of playing field area.*
29. **NCC Archaeology Team** – *The school is adjacent to a scheduled monument related to Medieval occupation, and contains the remains of an extensive Roman farmstead, complete with human remains. All ground disturbance within the school site, even that involving relatively minimal alteration of levels, should be covered by some degree of archaeological work. In the case of the proposed new parking areas a condition to require a "strip, map and sample", whereby the stripping to formation levels is undertaken under archaeological supervision, with provision allowed for the sampling of any archaeological features uncovered, after these have been recorded, is recommended.*
30. **Police Force Architectural Liaison Officer** – *No concerns raised.*
31. **NCC Project Engineer (Noise)** - *No objection. The proposal is not expected to give rise to unacceptable levels of noise at surrounding sensitive receptors given the considerable distance that will still exist between the proposed*

*playground areas and properties on the southern boundary (~85m). There is no requirement for any noise specific conditions to control site generated noise other than the recommendation of a condition restricting working time during construction to Monday to Friday 07:30-18:00 and Saturday 07:30 to 13:00hrs.*

- 32. **Severn Trent Water Limited** – No objection.
- 33. **Western Power Distribution** – Provide plans showing apparatus at the application site, including a detailed plan of the area around the proposed gates, and request that all relevant staff/contractors be provided with such plans and the need to work in accordance with Health and Safety Guidance (HSG) 47 ‘Avoiding danger from underground services’.
- 34. **National Grid (Gas)** – No response received.

### **Publicity**

- 35. The application has been publicised by means of site notices, press notice and neighbour notification letters sent to the nearest occupiers in accordance with the County Council’s adopted Statement of Community Involvement.
- 36. Representations have been received from two nearby households primarily concerned with the need for additional car parking spaces, parking outside the school grounds and vehicle access by emergency services:
  - a) Local residents’ drives are often blocked by cars dropping off and picking up pupils from the school. This occurs during peak school hours, after normal school hours and sometimes at the weekend.
  - b) The proposed development does not appear to be in line with the school’s current Travel Plan.
- 37. Councillor Martin Suthers OBE has been notified of the application.
- 38. The issues raised are considered in the Observations Section of this report.

### **Observations**

- 39. NPPF Paragraph 72 encourages Local Authorities to give great weight to the need to alter schools. The proposed development would enhance and enlarge the hard play area at the school whilst making improved provision to meet the operational needs of the school.
- 40. Rushcliffe Borough Non-Statutory Replacement Local Plan (2006) (RRLP) Policy GP2 *Design and Amenity Criteria* will allow development (amongst other criteria) where there is no significant effect upon the amenity, particularly residential amenity, of adjoining properties or the surrounding area by reason of the levels of activity on the site or traffic generated. The application proposes to replace existing car parking spaces with an equivalent number, whilst making better provision for on-site turning by service vehicles. It is considered that the proposed provision of visitor car parking, separated from the nearest residential

property, 28 Nursery Road, by an electricity sub-station, would not give rise to unacceptable loss of amenity, and would comply with RRLP Policy GP2 *Design and Amenity Criteria*. Only staff and visitors would park on the school site, with no on-site provision made for parent drop-off and pick-up of children.

41. The proposed extended area of hard play and reconfiguration of car parking would not attract additional traffic to the site. The representations received from local residents relate to parent parking behaviour, an issue considered in the determination of the application for the classroom building reported to Committee on 17 April 2013 and under construction (8/13/00337/CTY). That permission includes measures to monitor and mitigate traffic impacts associated with that development, including a review of the School Travel Plan after the classrooms are brought into use.
42. Having regard to the location of the site in proximity to a Scheduled Ancient Monument, the site has archaeological potential and it is recommended that excavation works are carried in accordance with an agreed archaeological mitigation (Condition 4).
43. The proposed car park works would require the removal of four trees which, with the exception of the Category B whitebeam, are not considered to be of particular merit. There are a significant number of trees within the site on the approach to the school buildings and loss of these trees would not have a significant impact on the amenity of the site. However, it is recommended that replacement tree planting takes place, which would be in accordance with the recommendation in the consultation response received from Rushcliffe Borough Council (Condition 11).
44. Although no bats have been identified on the site, the ecological report supporting the application advises, following a best practice approach, that opportunities should be provided for roosting bats. The provision of bat roosting opportunities would provide appropriate ecological mitigation for the loss of trees and is the subject of recommended Condition 12.
45. The existing silver birch in the south-west corner of the area of extended hard play is worthy of retention and would provide shade to the outdoor play area. A method statement and detailed proposals for work beneath the tree have not been provided, and is subject of a recommended condition. Other than for the period of work beneath the tree canopy, the tree should be protected for the period of construction (Conditions 9 and 10).
46. The location of the areas of extended play in relation to nearby residential properties should not give rise to unacceptable noise and disturbance to neighbouring occupiers and would comply with RRLP Policy GP2 *Design and Amenity Criteria*. However, a condition is recommended to restrict hours of construction in the interest of residential amenity (Condition 6).
47. Condition 15 of planning permission reference 8/13/00337/CTY requires an area of grass playing field affected by construction of the classroom to be reinstated to grass following the completion of construction work. If this application is granted, part of the area to be reinstated would become hard play area. An Informative is recommended to advise the applicant that this

permission will supersede the requirements of condition 15 in so far as the area to be reinstated is affected by the permission granted.

48. With regard to the consultation response received from The Ramblers, the proposed works for the provision of hard play area and car parking do not affect the definitive route of Public Footpath No.11 Bingham and are not material to the determination of this application.
49. An Informative is suggested to bring the applicant's attention to the plans showing the apparatus identified in the plans supplied by Western Power Distribution in their consultation response. Whilst a response has not been received from National Grid, it is noted that a plan identifying apparatus was received in respect of the recent separate application for the classroom building previously reported to Committee. Notwithstanding the fact that it was provided in response to a separate application, it is considered prudent to bring such information to the attention of the applicant and an appropriate Informative is suggested.

### **Other Options Considered**

50. The report relates to the determination of a planning application. The County Council is under a duty to consider the planning application submitted. Accordingly no other options have been considered.

### **Statutory and Policy Implications**

51. 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**

52. There are no financial implications arising from the proposed development.

### **Crime and Disorder Implications**

53. The development would be sited within an existing school site and would benefit from existing security measures. Whilst such security measures are not as robust as on many other school sites, these would appear fit for purpose in this location and no objection is raised from consultees on this issue.

### **Human Rights Implications**

54. The relevant issues arising out of the Human Rights Act have been assessed in accordance with the Council's adopted protocol and it appears that no human rights under Article 8 and Article 1 of the First Protocol are affected.

## **Safeguarding of Children Implications**

55. The extended hard play area would be segregated from the adjacent parking area by fencing which would reduce risk of pedestrian/vehicular conflict and improve the safeguarding of children.

## **Conclusions and Statement of Reasons for the Decision**

56. NPPF Paragraph 72 encourages Local Authorities to give great weight to the need to alter schools. The proposed development would enhance and enlarge the hard play area at the school whilst making improved provision to meet the operational needs of the school.
57. Rushcliffe Borough Non-Statutory Replacement Local Plan (2006) (RRLP) Policy GP2 *Design and Amenity Criteria* will allow development (amongst other criteria) where there is no significant effect upon the amenity, particularly residential amenity, of adjoining properties or the surrounding area by reason of the levels of activity on the site or traffic generated. The development would replace existing car parking spaces with an equivalent number, whilst making better provision for on-site turning by service vehicles. Consideration has been given to the location of the extended areas of hard play and the visitor car parking area. In determining the application it is concluded that the amenity of residents nearby would not be significantly affected.
58. Trees would be lost as a consequence of the proposed enlargement of the car park. Ecological and amenity impacts would be mitigated through the protection of retained trees, planting of replacement trees and the provision of opportunities for bat roosting, which are secured through planning condition. The site is in proximity to a Scheduled Ancient Monument and archaeology may be encountered during development. The need for archaeological mitigation is addressed through a planning condition.
59. The County Council is of the opinion that the proposed development is on accordance with the relevant Development Plan Policies and that there are not material considerations that indicate that the decision should be made otherwise. The County Council considers that any potential harm as a result of the proposed development would reasonably be mitigated by the imposition of the attached planning conditions.

## **Statement of Positive and Proactive Engagement**

60. In determining this application the County Planning Authority has worked positively and proactively with the applicant by entering into discussion; assessing the proposals against relevant Development Plan policies; all material considerations; consultation responses and any valid representations that may have been received. Issues of concern have been raised with the applicant and addressed through negotiation and acceptable amendments to the proposals. This approach has been in accordance with the requirement set out in the National Planning Policy Framework.



## **RECOMMENDATIONS**

61. It is RECOMMENDED that planning permission be granted for the purposes of Regulation 3 of the Town and Country Planning General Regulations 1992 subject to the conditions set out in Appendix 1. Members need to consider the issues, including the Human Rights Act issues, set out in the report and resolve accordingly.

**JAYNE FRANCIS-WARD**

**Corporate Director Policy, Planning and Corporate Services**

## **Constitutional Comments**

“Planning and Licensing Committee has authority to consider and approve the recommendation set out in this report by virtue of its terms of reference.” [NAB 3.06.13]

## **Comments of the Service Director - Finance**

“There are no specific financial implications arising directly from this report” [SEM 03/06/13]

## **Background Papers Available for Inspection**

The application file available for public inspection by virtue of the Local Government (Access to Information) Act 1985.

## **Electoral Division and Member Affected**

Bingham

Councillor Martin Suthers OBE

Report Author / Case Officer

Nina Wilson / David Marsh

0115 9696511 / 9696514

For any enquiries about this report, please contact the report author.

F/2793 – W001121

**PSP.DM/PB/ep5185 – COMMITTEE REPORT FOLDER REFERENCE**

3 June 2013 – Date Report Completed by WP Operators

## RECOMMENDED PLANNING CONDITIONS

1. The development hereby permitted shall be begun within 3 years from the date of this permission.

*Reason: To comply with the requirements of Section 91 (as amended) of the Town and Country Planning Act 1990.*

2. The County Planning Authority (CPA) shall be notified in writing of the date of commencement at least 7 days, but not more than 14 days, prior to the commencement of the development hereby permitted.

*Reason: To assist with the monitoring of the conditions attached to the planning permission and for the avoidance of doubt.*

3. Unless otherwise required pursuant to conditions of this permission, the development hereby permitted shall be carried out in accordance with the submitted application, documents as amended and recommendations of reports, and the following plans:

- a) Location Plan (Drawing 1774(08)01) received by the CPA on 6 March 2013.
- b) Existing Site Plan (Drawing AL(0)100A) received by the CPA on 30 May 2013.
- c) Proposed Site Plan (Drawing 1774(08)03F) received by the CPA on 30 May 2013.
- d) New Entrance Gate detail received by the CPA on 29 May 2013.

*Reason: For the avoidance of doubt as to the development that is permitted.*

4. No development shall take place until details of a scheme for archaeological mitigation has been submitted to and approved in writing by the CPA. Development of the site shall take place in accordance with details of the approved scheme.

*Reason: To address any archaeological potential within the site.*

5. Unless otherwise agreed by the CPA in writing and under the supervision of a suitably qualified ecologist, no tree, shrub, scrub or other vegetation clearance works shall be carried out between the months of March to August inclusive.

*Reason: To avoid disturbance to birds during the breeding season.*

6. Unless in the event of an emergency, or as otherwise may be previously agreed in writing with the CPA, for duration of construction works;



- a) no construction work shall take place on Sundays, Public or Bank Holidays; and
- b) no construction deliveries to site or construction work on the site during school term time shall take place except between 09:30 hours -15:00 hours Mondays to Fridays, or between 07:30 hours – 13:00 hours on Saturdays; and
- c) no construction deliveries to site or construction work on the site outside of school term time shall take place except between 07:30 hours -18:00 hours Mondays to Fridays, or between 07:30 hours – 13:00 hours on Saturdays.

*Reason: To safeguard the amenities presently enjoyed by the occupiers of nearby residential properties.*

- 7. If during development, contamination not previously identified is found to be present, no further development shall be carried out, unless first agreed in writing by the CPA, until a remediation strategy to deal with the unsuspected contamination has been submitted to and approved in writing by the CPA. Development shall be carried out in accordance with the approved details.

*Reason: To ensure that the site is remediated to an appropriate standard.*

- 8. Prior to the commencement of development, details of the method of working during construction, in the form of an environmental management plan, to include:
  - a) a scheme for the recycling/disposal of surplus soils and waste resulting from construction; and
  - b) construction site layout to segregate students, staff and visitors from construction taking place within the school site,

shall be submitted to and approved in writing by the CPA. All construction shall be undertaken in accordance with the approved details unless otherwise agreed in writing by the CPA.

*Reason: In the interest of highway safety and to safeguard those attending the school throughout the period of construction.*

- 9. Prior to the commencement of main site works, tree protection measures detailed in the submitted Arboricultural Survey Report (19 December 2012) shall be implemented to protect Tree Reference 00507, to the written satisfaction of the CPA. Unless otherwise first approved in writing by the CPA, tree protection measures shall be retained throughout the period of construction.

*Reason: In order to safeguard the health of the silver birch tree during the period of construction and in the interest of visual amenity.*

10. Prior to work taking place within the safeguarded root protection area of the silver birch tree (Condition 9), a plan identifying finished surface treatments and a detailed method statement for work to be undertaken within the safeguarded area shall be submitted to and approved in writing by the CPA. Development shall be undertaken in accordance with the approved detail.

*Reason: In order to safeguard the health of the silver birch during the period of construction in the interest of visual amenity.*

11. Within 6 months of the date of commencement of development, a scheme, including:

- a) replacement tree species and planting sizes;
- b) a specification for tree pits; and
- c) a schedule of maintenance for replacement tree planting,

shall be submitted to and approved by the CPA in writing.

The approved tree scheme shall be completed not later than the first planting season following the development first being brought into use. Any tree that fails to become established within 5 years of the completion of the approved planting and landscaping scheme shall be replaced to the satisfaction of the CPA.

*Reason: In the interest of the visual amenity of the site.*

12. Prior to the car parking areas approved by this permission first being brought into use, roosting opportunities for bats, as recommended in the supporting ECUS Ecological Scoping Report – September 2012 (Paragraph 3.4.4) received by the CPA on 18 February 2013 shall be provided on site to the written satisfaction of the CPA.

*Reason: In the interest of the ecology of the site.*

13. Prior to being brought into use, the car parking areas shall be drained, constructed and surfaced with a bound material, and parking spaces shall be marked out, to the written satisfaction of the CPA.

*Reason: To ensure that car parking on the site is provided to an acceptable standard in the interest of highway safety.*

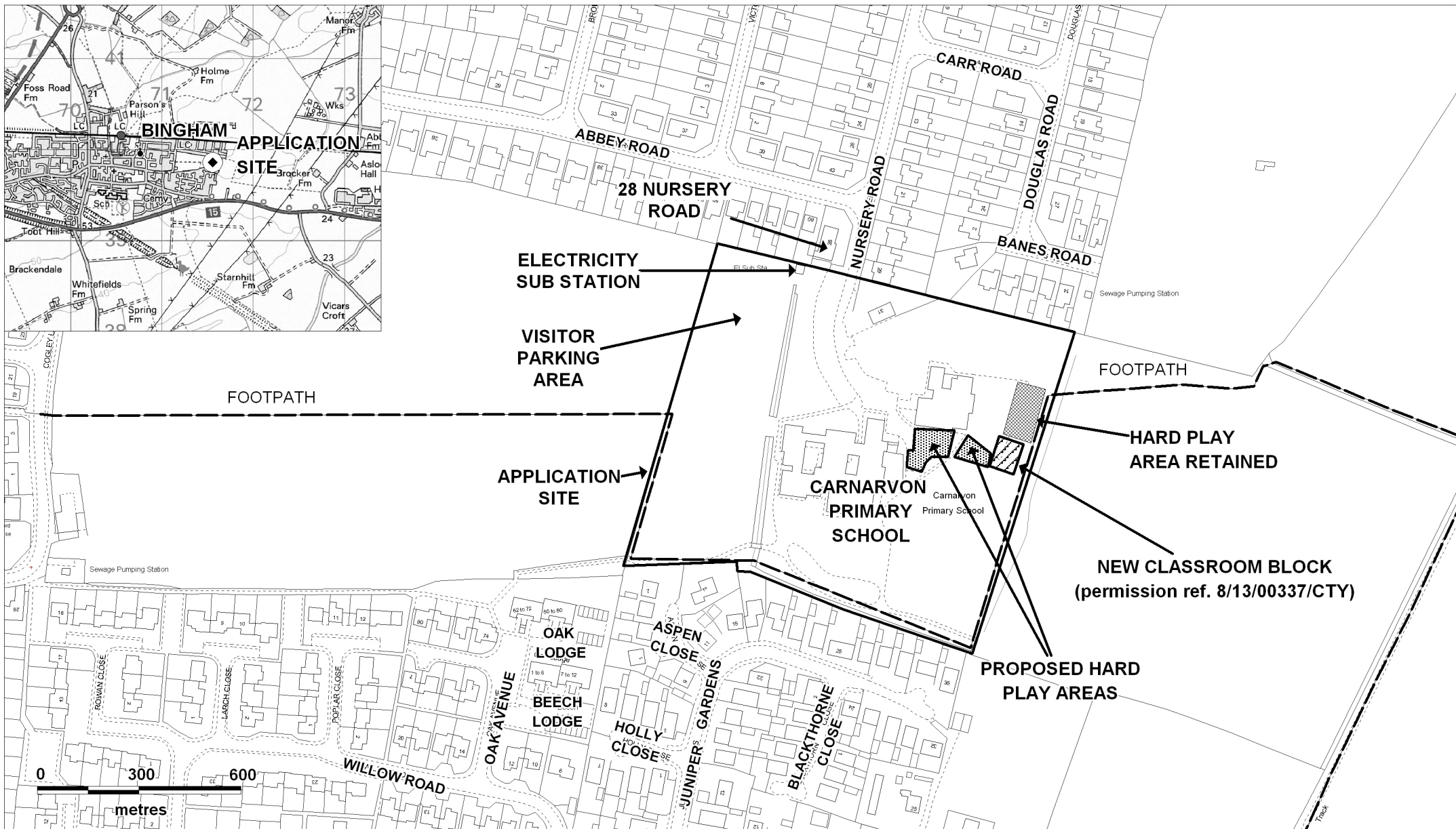
14. Prior to the extended parking area being brought into use, the delivery manoeuvring area identified on approved Drawing 1774(08)03F shall be hatched to deter its use as a parking area to the written satisfaction of the CPA.

*Reason: To make appropriate space available so that service vehicles can enter and leave the site in a forward gear in the interest of highway safety.*

## **Informatives/notes to applicants**

1. Condition 15 of planning permission reference 8/13/00337/CTY requires an area of grass playing field affected by construction of the classroom to be reinstated to grass following the completion of construction work. This grant of planning permission, if implemented, supersedes the requirements of condition 15 in so far as the area to be reinstated is affected by the permission granted.
2. With reference to Condition 4, the scheme submitted by the archaeological consultant should make it clear that the mitigation proposed follows the requirements of a strip, map and sample exercise.
3. Western Power Distribution has network close to the site. A copy of the consultation reply, including plans, from Western Power Distribution dated 6 June 2013 is enclosed. The applicant is reminded of the need to ensure that all relevant staff/contractors are issued with such plans and work in accordance with the Health and Safety Guidance HSG47 *'Avoiding danger from underground services'*.
4. Whilst no consultation response has been received from National Grid, a response was issued in respect of a recent separate application at the site which identifies apparatus. The applicant is advised to note the content of that consultation response dated 28 February 2013 a copy of which is enclosed.





Trent Bridge House, Fox Road  
Nottinghamshire West Bridgford, Nottingham, NG2 6BJ  
County Council Tel: 0115 982 3823

Alterations to existing car park facility, new playground areas and new gate.  
Carnarvon Primary School, Nursery Road, Bingham, Notts.  
Planning Application No. 8/13/00514/CTY

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Date: JUNE 2013

**PLAN 1**







Trent Bridge House, Fox Road  
Nottinghamshire West Bridgford, Nottingham, NG2 6BJ  
County Council Tel: 0115 982 3823

Alterations to existing car park facility, new playground areas and new gate.  
Carrarvon Primary School, Nursery Road, Bingham, Notts.  
Planning Application No. 8/13/00514/CTY

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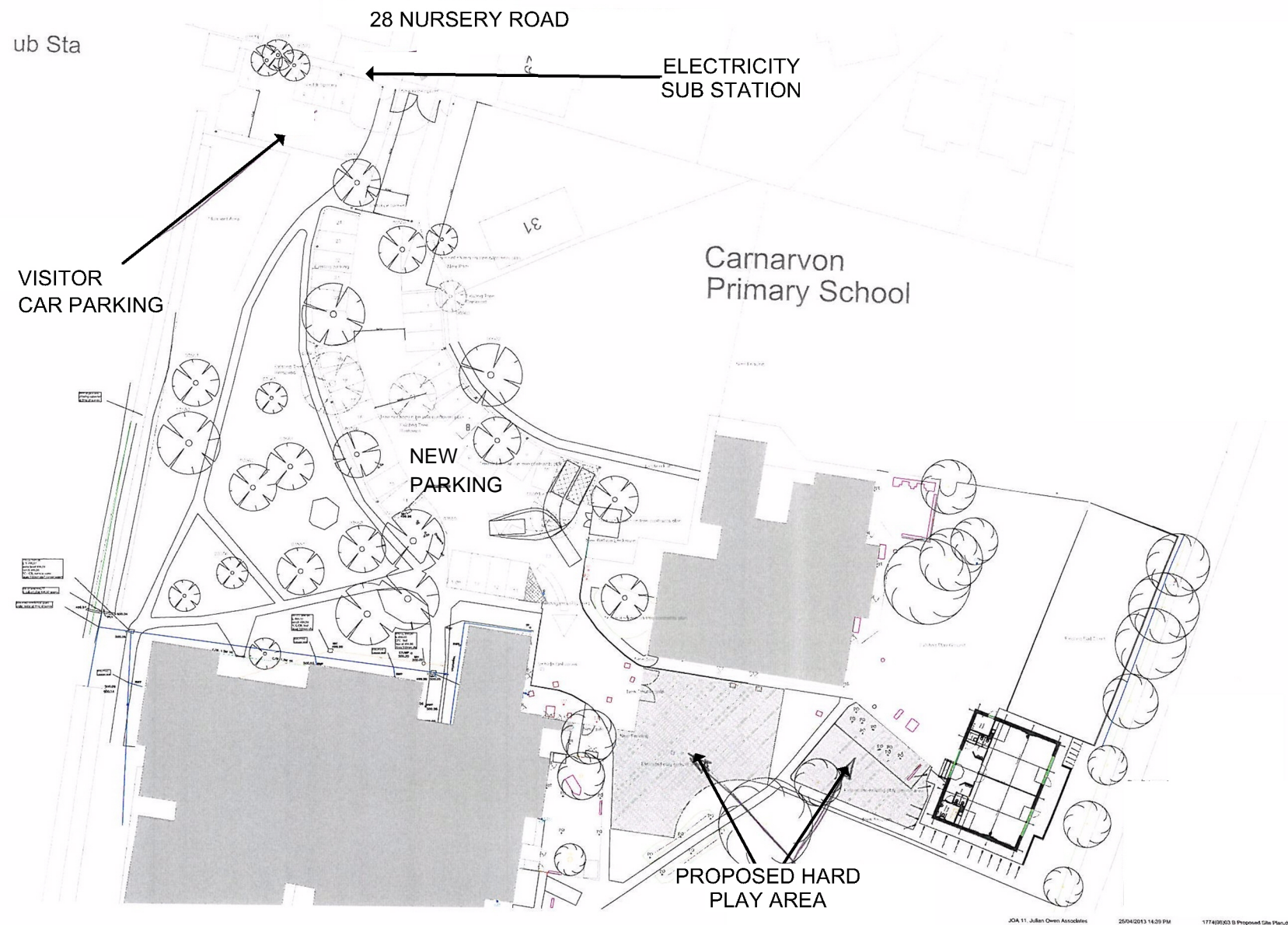


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Produced by: JW  
Date: JUNE 2013

PLAN 2







Trent Bridge House, Fox Road  
Nottinghamshire West Bridgford, Nottingham, NG2 6BJ  
County Council Tel: 0115 982 3823

Alterations to existing car park facility, new playground areas and new gate.  
Carnarvon Primary School, Nursery Road, Bingham, Notts.  
Planning Application No. 8/13/00514/CTY

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PLAN 3



**18<sup>th</sup> June 2013****Agenda Item: 6****REPORT OF CORPORATE DIRECTOR POLICY, PLANNING AND  
CORPORATE SERVICES****STATEMENT OF COMMUNITY INVOLVEMENT- REVIEW****Purpose of the Report**

1. To inform Members of the recently updated Statement of Community Involvement, the reason for the review and the process that was followed.

**Background information**

2. The County Council adopted its Statement of Community Involvement (SCI) in January 2007 following the requisite statutory process. This public document sets out the County Council's approach to public consultation and involvement in the preparation of Minerals and Waste plans and in the determination of planning applications. However, since 2007 there have been a significant number of changes both nationally and locally and therefore a review of the document was considered necessary.

3. The key changes to the SCI related to the following areas;

- i) Development Management – Since the adoption of the SCI the Localism Act 2011 has been enacted, followed a year later by the publication of the National Planning Policy Framework (NPPF). The NPPF replaced most of the existing national planning policy against which planning proposals were considered. Instead the NPPF comprises a more concise document identifying the purpose of planning as helping to achieve sustainable development. One of the key impacts of both the Localism Act and the NPPF has been at the pre-application stage of the planning process. The NPPF advocates early engagement between developers and local authorities to improve the efficiency and effectiveness of the planning application system. The Localism Act has introduced a new requirement for applicants to consult local communities before submitting planning applications for certain developments. Applicants must then have regard to the responses when deciding whether to amend the planning proposals prior to submission. This provision, which has yet to come into force,

will only relate to large scale proposals. The text of the SCI has been amended to reflect these changes.

In 2010 the Town and Country (Development Management Procedure) (England) Order 2010 was published and replaced the 1995 Order and its amendments. The Articles referred to in the SCI now reflect the current statutory instrument.

ii) Plan making - Following the introduction of the NPPF and the new Local Plan Regulations, future Development Plan Documents should be prepared as a single Local Plan rather than as a series of separate documents as under the previous Local Development Framework system. However, where documents are already at an advanced stage of preparation, such as the Waste Core Strategy, or if there are practical reasons to do so, it is still possible to prepare separate documents. The relevant text of the SCI has therefore been amended to reflect the new terminology. The consultation measures have been updated to reflect the increased use of electronic communication, including social media, but there is still a commitment to make hard copies available for those who do not have access to the internet.

iii) Cost effectiveness/electronic communication – In April 2011 the County Council commenced a major reorganisation moving from five to four departments and started to implement its Improvement Programme transforming the way in which it provides its public services in a more effective and customer focussed way. This has had an impact on the content of the SCI in terms of departmental and team structures, the availability of resources and contact information set out in the adopted SCI. These changes reflect the economic climate nationally and have placed greater emphasis on finding the most cost effective method of consulting and involving local people. Running in parallel with this have been the considerable advances in new technology, including improvements to the County Council's website and, as a consequence, electronic communication is now the preferred method for engaging people for both policy making and decision making on planning applications. This shift in emphasis is reflected in the text of the SCI.

One change, prompted by cost savings, is to now notify **only** those who have made a request in writing to be notified of a decision on a planning application. Previously the SCI stated that anyone making representations would be individually notified of the decision. For major and controversial applications this has been extremely costly in terms of staff time and postage. Decision notices will continue to be placed on the County Council website and as such will be publicly available.

iv) Use of personal information – The SCI has been amended to make it clear that the names, addresses and comments of anyone making comments on planning applications or forward plans will be publicly available and those representations will be retained by the County Council for a relevant period of time.

## **Consultation and Publicity**

4. Environment and Sustainability Committee agreed the changes listed above on 29<sup>th</sup> November 2012 and following this extensive consultation was carried with relevant stakeholders in accordance with current regulations.
5. The consultation period ran for six weeks from 18<sup>th</sup> January until 1<sup>st</sup> March 2013. Press Notices were placed in local newspapers covering the whole County. Consultations included Nottinghamshire and adjoining District and Borough Councils, Nottinghamshire and some adjoining Parish Councils, Nottinghamshire MPs and County Councillors. In addition over 100 letters and emails were sent to statutory and non-statutory consultees and to interested parties held on our database who have previously expressed an interest in the SCI. The consultation letters and emails provided a link to the County Council's website where copies of the adopted and draft SCI - Review could be viewed and downloaded. Paper copies of both versions were also placed at the District Council offices and at County Hall.
6. Ten responses were received. This low level of response was expected given the relatively non-controversial extent of the proposed changes to the SCI. Minor changes were made as a consequence of the consultation but these did not materially amend the SCI to such an extent that warranted a further round of consultation.
7. Following this on 17<sup>th</sup> April 2013 Policy Committee approved and adopted the SCI Review as Council policy. This became a formal replacement to the SCI adopted in 2007. The document is set out in Appendix A to this report. It will remain on the County Council's website as an electronic document available for people to view and download.

## **Other Options Considered**

8. Initially it was envisaged that a less formal "light touch" review of the SCI would be undertaken to expedite the process. However, given the importance and range of the changes that prompted the update a full review was considered to be the most appropriate way forward. The only other alternative would have been to not review the SCI but this again was considered inappropriate in that it is important that such a document, setting out how the authority will engage with the public, is up to date and factually correct.

## **Reason for Recommendation**

9. To inform Members of the changes made to the County Council's SCI and to enable them to understand how consultations have been undertaken on planning applications which are brought before them for a decision.

## **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.

## **Implications for Service Users**

11. It is considered that the proposed changes to the SCI will assist users of the document by containing more current and accurate information. Some of the proposed improvements set out within the SCI Review will improve the accessibility of information and will result in a more cost effective means of communication.

## **RECOMMENDATIONS**

12. It is RECOMMENDED that Members note that the County Council's Statement of Community Involvement has been updated and formally adopted as Council policy.

## **JAYNE FRANCIS-WARD**

### **Corporate Director of Policy, Planning and Corporate Services**

**For any enquiries about this report please contact: Jane Marsden-Dale  
Tel. 0115 969 6505**

## **Constitutional Comments**

"Planning and Licensing Committee has authority to consider the matters set out in this report by virtue of its terms of reference." [NAB 03.06.13]

## **Comments of the Service Director - Finance**

"There are no specific financial implications arising directly from this report"  
[SEM 03/0613]

## **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.

Nottinghamshire County Council Statement of Community Involvement adopted 2007

## **Electoral Division(s) and Member(s) Affected**

All



# Nottinghamshire County Council's Statement of Community Involvement - Review

Covering all minerals and waste planning issues and planning applications for the County Council's own development such as schools and roads.

Adopted April 2013



## **Foreword**

### **Foreword by Councillor Richard Butler**

Nottinghamshire County Council adopted its SCI in January 2007. Since then, there has been a great deal of change both nationally and locally regarding planning, such as the introduction of the NPPF. We therefore think that it is timely to carry out a review.

The SCI is a public document which sets out the County Council's policy and approach to public consultation and involvement in the minerals and waste plans it prepares and the planning applications it determines. We are keen to ensure that communities have opportunity to be involved in the planning processes, and this document sets out how we will do this.

Two key strands underpin the SCI. These are 'front loading', which means providing the opportunity to comment on planning proposals at the earliest possible stage, and 'continuous involvement' which ensures that communities continue to be engaged throughout the plan, preparation and planning application processes.

This first review of the SCI has been prompted by changes in national planning legislation and guidance, progress on the County Council's Minerals and Waste Development documents, as well as advances in technology enabling the greater use of electronic methods as an effective means of communication.

The revised SCI confirms the County Council's commitment to engage the community in the planning process and to ensure that we can reach the best possible consensus when making planning decisions.

Councillor Richard Butler  
Chairman of Environment and Sustainability Committee

## Preface

The County Council adopted its first Statement of Community Involvement (SCI) on 18 January 2007. This updated SCI document replaces the earlier adopted version. It has been prepared in accordance with the National Planning Policy Framework, the Localism Act 2011 and the Town and Country Planning (Local Planning) (England) Regulations 2012.

## Changes to the SCI

Since the SCI was adopted new primary and secondary legislation and planning guidance has come into effect. These include the Localism Act 2011, the Town and Country Planning (Local Planning) (England) Regulations 2012 and the Town and Country Planning (Development Management Procedure) (England) Order 2010. In addition, the National Planning Policy Framework was issued in March 2012 and replaced much of the existing national planning policy, including the Planning Policy Statements and Minerals Planning Statements and guidance. However, at the time of writing, national policy on waste continues to be set out separately.

Since the adoption of the SCI the County Council has undertaken consultations on its replacement Minerals Local Plan and its Waste Core Strategy in accordance with the SCI. These documents will continue to go through a series of public consultation stages and independent examinations before being formally adopted by the County Council. The progress of these documents has been monitored through the Annual Monitoring Report published by the County Council.

In the light of the current economic situation the County Council has increasingly placed greater emphasis on cost effectiveness and value for money. As a consequence the County Council is likely to make greater use of electronic communication for its consultations, where appropriate, in order to strike a balance between the accessibility of information and being cost effective. Since 2007 the County Council has also undergone a restructuring which has had an impact on departmental and team structures, contact details and the availability of resources.

The SCI has therefore been updated to reflect the above issues.

This document is available in large copy prints, audio cassette, Braille, or languages other than English. If you require the document in one of these formats please contact the address below:

Planning Policy Team,  
Nottinghamshire County Council, County Hall  
Loughborough Road  
West Bridgford  
Nottingham  
NG2 7QP  
tel; 0300 500 80 80 (customer service centre)  
email: [development.planning@nottsccl.gov.uk](mailto:development.planning@nottsccl.gov.uk)

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# 1 Introduction

1.1 Local communities need to be confident that they will be fully involved in the preparation of future plans, strategies and planning proposals that may affect them. All planning authorities therefore have to prepare a 'Statement of Community Involvement' (SCI) setting out how this will be achieved. For the County Council, which is the minerals and waste planning authority for Nottinghamshire, this SCI will cover the following areas:

- **The preparation of forward plans and policies** which provide the framework for determining all future proposals for minerals and waste development, such as quarries, landfill sites and other waste and recycling facilities. These plans can include preferred areas for development as well as more general policies.
- **The determination of planning applications** for minerals and waste development. The County Council is also responsible for determining proposals for its own development such as schools and roads.

1.2 The seven Nottinghamshire district and borough councils all prepare separate SCIs covering their planning functions. These comprise the preparation of forward plans and the determination of planning applications for all other types of development such as housing, retail and employment. Nottingham City Council is a unitary authority and is therefore responsible for all planning matters within its boundary.

## What are the main aims of the SCI?

1.3 Public consultation has always been an important part of the planning process and the County Council's methods and approaches have been improved and developed over time in line with good practice. The following four principles are central to our approach:

- **Front loading** – this means providing opportunities to be involved in planning proposals at the earliest possible stage and before decisions are made, allowing communities to help shape forward plans and future development.
- **Continuous involvement** – ensuring communities are continually engaged throughout the planning process both for plan preparation and where planning applications are amended or revised prior to determination. This should result in a greater understanding, consensus and ownership of planning decisions.

- **Transparency** – ensuring the reasons why certain planning decisions have been made, and what other options have been considered and why they have been rejected, are available for public scrutiny and consultation.
  - **Providing feedback** – letting the community know when and why a decision has been made and how their views have been taken into account.
- 1.4 The principles underpinning the SCI build upon the priorities and guiding principles set out in the County Council's **Sustainable Community Strategy 2010-2020**. For example, the strategy wants to see local people influencing decisions which affect their lives and their communities. Principles such as this are reflected in other public engagement initiatives such as the **Public Engagement Policy**, published by the County Council in December 2005. Together they aim to promote the economic, social and environmental well being of the county whilst allowing communities early and continuous involvement in shaping future development.
- 1.5 By tailoring its methods of community involvement to address the four key principles highlighted above, the County Council believes it will carry out its planning functions in a way which leads to:

**Community Involvement**  
**Consensus**  
**Legitimacy**  
**Sustainability**

- 1.6 The remainder of this SCI considers community involvement proposals for forward plans and then planning applications. The final sections consider how community involvement will be resourced and monitored.

## 2 The preparation of forward plans

### Why plan for minerals and waste?

- 2.1 Where minerals are worked, and how we can best deal with all of the waste we produce present major planning issues for the county and are of obvious interest and concern to those communities most affected by these activities. The industry must also be able to plan ahead so it can justify the long term investment needed to develop new or extended minerals and waste sites on which our environment, economy and lifestyle depend.
- 2.2 Nottinghamshire County Council is the minerals and waste planning authority for the county of Nottinghamshire. This means that it is responsible for all matters associated with minerals and waste development, including setting land use policies and determining planning applications for such developments.
- 2.3 Decisions on planning applications should be made on the basis of having an up-to-date statutory development plan setting out strategy, provision, policies and sites for development. Alongside, the Local Plans produced by the District and Borough Councils; the County Council has a statutory duty to prepare, and keep up-to-date, an equivalent plan or plans for minerals and waste. A Local Plan can be produced as a single, comprehensive document or it can be made up of several separate documents depending on local circumstances.
- 2.4 Exactly which documents are going to be prepared, how and when is set out in the **Minerals and Waste Development Scheme**. The County Council's current development scheme came into effect in September 2012. A new Minerals and Waste Development Scheme was approved at Committee in March 2013.
- 2.5 All forward plans within the framework, and the scheme, must be monitored annually and reviewed as necessary to make sure that the framework remains up to date and comprehensive in its coverage.

### How are the new plans prepared?

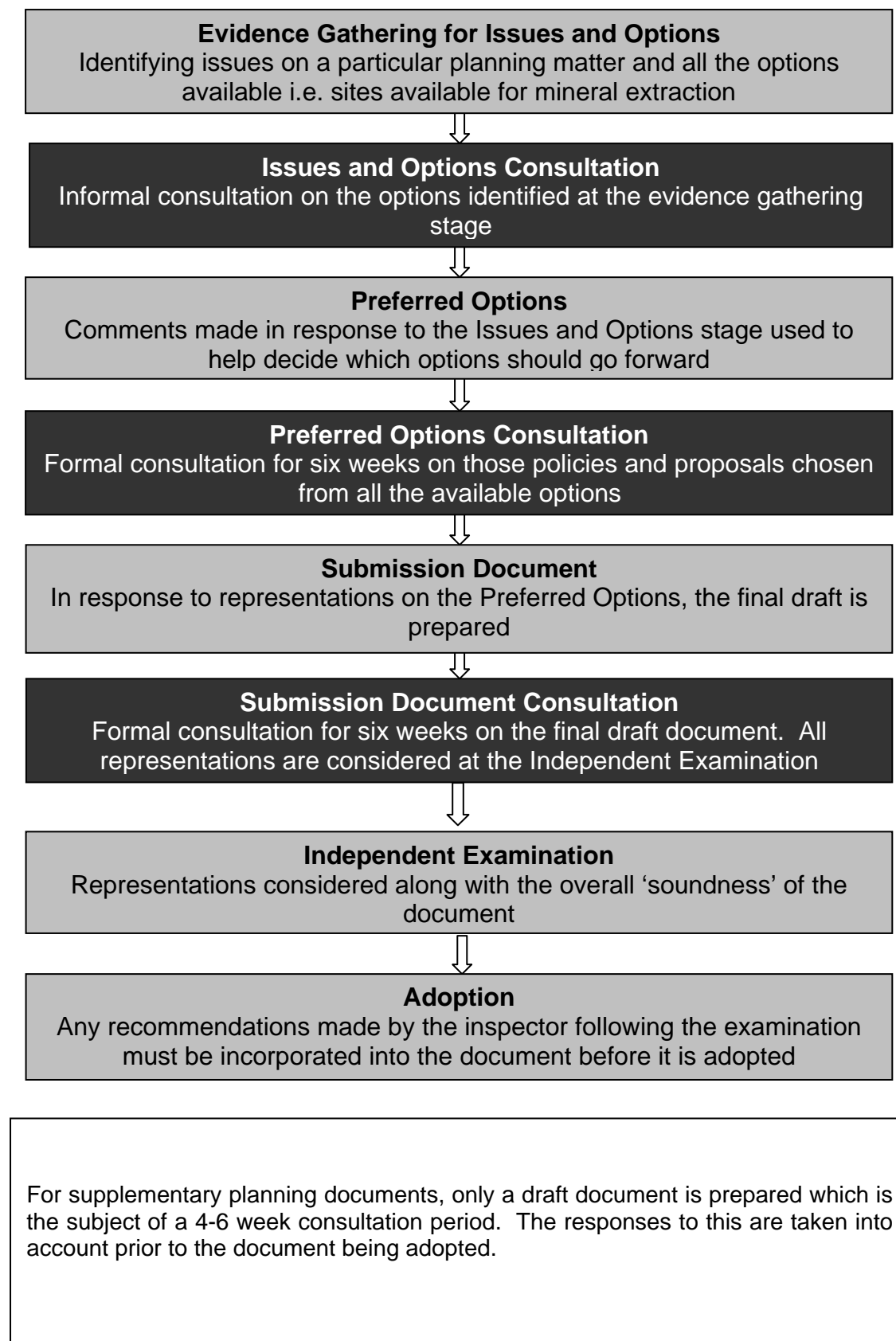
- 2.6 Each development plan document must go through various stages of public consultation and an independent examination before it can be adopted. (see **Figure 1**).
- 2.7 In summary, the process begins with an informal '**issues and options**' stage. This results from an evidence gathering exercise which explores what reasonable options exist to address the planning issues that need to be resolved. The information and comments received are then used to help prepare a '**preferred options**' document setting out which options are

considered the most suitable to go forward into the plan and which have been rejected and why. This is again subject to a period of informal consultation, the responses to which are then used to help prepare the final '**submission draft**' document which is subject to a formal consultation period before being submitted to the Secretary of State. This draft will be made available for public inspection at the County Council's offices and on our website. All of the representations received are then forwarded to the Secretary of State, along with the submission draft and any supporting information. This will include a summary of the main issues raised and how these have been taken into account during the plan preparation which will also be available on the County Council's website or provided on request. Once the plan has been submitted, there will be an independent examination held before a Government appointed inspector.

- 2.8 The examination considers the 'soundness' of the whole document along with any objections made at the submission draft consultation stage. The document can only be adopted if it is found to be sound by the Inspector who may recommend specific changes in order to make the plan sound. If it is not found sound the plan will have to be withdrawn. Copies of the adopted document will be published as soon as possible after its adoption and also published on the County Council's website. Figure 1 provides an overview of the plan preparation process. The Council will undertake and publish regular monitoring updates.



**Figure 1 – Stages in the preparation of development plan documents**



## **Who approves the Minerals and Waste Development Framework documents?**

- 2.9** All development plan documents must be considered and approved by the County Council's elected councillors. The approval mechanisms vary according to each document and the stage it is at. Early stages may be considered by the relevant committee but more formal stages will have to be considered at a meeting of the Full Council. For each planning document, the County Council will also establish informal member and officer working groups where appropriate. These groups will aim to further improve councillors' involvement in and understanding of the planning process.

## **Legal challenges and complaints**

- 2.10** All objectors to the submission document have a right to have their views heard at the independent examination. Neither the County Council nor objectors have a right to appeal against the inspector's recommendations. Objectors can, however, legally challenge a development plan document within six weeks of it being adopted. Such challenges must be based on procedural or other substantive legal errors in preparing the document. The usual rights to make a complaint on these grounds to the Local Government Ombudsman, or via the County Council's own complaints procedure, apply. The County Council could also challenge the inspector's report on procedural or other legal grounds.

## **Compliance with the SCI**

- 2.11** The County Council is required to comply with the measures set out in the SCI when preparing minerals and waste development plan documents. Evidence given at an independent examination which shows otherwise could result in the inspector at the independent examination recommending that a development plan document be withdrawn.

## **3 Community involvement during the preparation of forward plans**

- 3.1** The SCI has to meet the legal minimum requirements for consultation and publicity and more importantly set out the additional measures to be carried out to meet the four key principles set out in paragraph 1.3. These are considered below:

### **Consultation and publicity – what the County Council must do**

- 3.2** For development plan documents, consultation must begin at the informal issues and options stage. The County Council must consult all organisations and other bodies it considers relevant to the document being prepared. These will normally include Government departments and agencies, the minerals and waste industries, district and parish councils and environmental groups. The types of groups that will be consulted are set out in annex 1.

There is no specific requirement to publicise or to individually consult local residents or any other members of the public.

- 3.3 At the formal consultation stages, organisations will be sent details of the plan, public notice and forms for making representations. All other relevant documents, such as the sustainability appraisal, will be available on the County Council's website or printed copies can be made available on request at a reasonable charge. This approach should minimise wastage and costs in sending background documents to consultees who may have no wish to see them. Wherever possible details will be sent electronically (see paragraph 3.21).
- 3.4 At the formal consultation stages, there is no longer a requirement to place public notices in the local press but copies of all relevant documents and details of how to make representations must be made available for public inspection at the County Council's main office. This information must also be made available on the County Council's website and electronically. The County Council must make provision for representations to be submitted electronically.
- 3.5 For supplementary planning documents, only one formal consultation stage takes place which follows similar procedures as those detailed in paragraphs 3.3 and 3.4 above for development plan documents.

### **Duty to Co-operate**

- 3.6 The Localism Act 2011 also introduced a specific 'Duty to Co-operate' for local planning authorities and other public bodies which extends to all parts of the UK, not just our local area, where there are common issues such as cross-boundary movements of waste, the supply of minerals or the impact of major proposed development schemes. Where such issues are identified, the County Council will work with those local planning authorities or public bodies affected to address these issues through its development plan documents.

### **Additional consultation and community involvement – what the County Council proposes to do**

- 3.7 As well as the minimum requirements set out above, we will also make use of some or all of the following methods, where appropriate, to ensure wider community engagement in line with the four key principles set out in paragraph 1.3
- 3.8 Each measure is discussed in turn and its relevance to each type of forward plan and the stages of its preparation detailed. A summary of all the options can be found in table 3 (see pages 21-23). Tables 4a-4c (pages 24-26) detail when each of these options is likely to be used at the various stages of preparation for the different types of forward plans.

- **Near-neighbour notification**

3.9 Minerals and waste development proposals can have a real or perceived impact over a wide area and possibly whole communities. Near-neighbour notification is useful for planning applications (see paragraph 5.11) which affect a specific location but there can be practical problems in using this for forward plans which cover a large area. It is not feasible for the County Council to write to every resident individually, but where minerals and waste plans are putting forward site specific proposals rather than general, strategic policies, near-neighbour notification may be appropriate. Indeed, the County Council has carried out such near-neighbour notification in recent years. Nevertheless, in adopting this approach, a balance has to be struck between the benefits of consulting everyone who could conceivably be directly or indirectly affected against the costs and practicalities of adopting such an approach.

3.10 There are no national standards for consultation distances and the likely impacts of development will vary according to the type of use being proposed and the exact location. For example issues such as noise or visual impact will be significantly different between say an industrial or a rural location. Taking account of Government guidance and practical experience we will therefore use the following minimum near-neighbour notification standards for rural and built up areas as set out in Table 1 below. These standards will be applied to all allocations for mineral extraction, landfill and other waste management facilities.

<b>Table 1 – Proposed allocations for minerals and waste development – near-neighbour notification standards</b>	
<b>Location of proposed allocation</b>	<b>Minimum level of near neighbour notification</b>
Rural areas	250 metres from the allocation boundary
Built up areas	100 metres from the allocation boundary
For the purposes of this SCI, 'built up areas' are those predominately surrounded by built development with little or no adjacent open countryside. 'Rural areas' are those predominately surrounded by open countryside with only small settlements and isolated buildings close by.	

3.11 The above standards are a minimum. Additional consultation will be carried out where issues such as visual and traffic impact are clearly more widespread. This will help ensure that those properties most at risk of being affected are individually notified. This approach, along with other local consultation and publicity measures (see below), should ensure that local residents and communities will be aware of what is proposed at an early stage in preparing a relevant plan.

3.12 The consultation will include sufficient information to highlight the site or sites relevant to the neighbourhood, along with other standard details on how to inspect the full documents and respond to them. Details of any public meetings/exhibitions organised relating to the site could also be included.

- **Stakeholder meetings**

3.13 Stakeholder meetings allow a wide range of views to be considered in an open forum. Stakeholder groups have no decision-making powers but can take involvement beyond paper consultation exercises, enabling different parties to interact and see how their views relate to the views of others. This process can help to achieve a greater degree of consensus than otherwise might be the case.

3.14 To be effective, the groups are best limited in number, usually no more than 15 or 20 to contain sufficient expertise and breadth of views to provide useful guidance. Representatives from Government bodies and agencies, the minerals and waste industries, environmental bodies and community organisations would normally be invited (see annex 1 for a full list of the types of consultees).

3.15 Stakeholder groups are more likely to be suitable when preparing strategic policies setting out the broad approach on the amount and type of development that is appropriate, for example, rather than when considering specific site allocations where individual commercial and local interests may tend to make objective discussion and consensus more difficult to attain.

3.16 To be most effective the stakeholder groups should be established at the very start of preparing a new plan, before any informal general consultation begins. This means that the group can debate and provide evidence on what issues and options apply.

- **The role of parish/town councils**

3.17 Parish and town councils have an important role to play in relaying information to their communities when forward plans are produced, especially for site specific proposals, and then feeding back any local concerns back to the planning authority. The relevant parish/town councils, both within and adjacent to the county, can assist the County Council in deciding how best to inform local communities, including groups we find hard to reach, of proposals being put forward. These options include suggesting suitable venues for public meetings and exhibitions (such as parish/community halls, local libraries, public houses and post offices), leaflet drops and providing suitable locations to place additional documents on public display or display posters and/or leaflets.

3.18 The partnership between the County Council and parish/town councils is important because the latter often have limited resources, both in terms of

active members and finance, to fully engage their parishioners. By working together, the objectives of the SCI can be more fully realised.

- **The role of voluntary and community organisations**

3.19 Voluntary and community organisations can also have an important role to play when forward plans are produced. This can be in partnership with parish/town councils or, in areas where there is no such council; they could be the main focus for engagement within the local community.

- **Groups we find hard to reach**

3.20 There are some sections of the community which traditionally do not get involved in planning matters. These are often referred to as 'hard to reach groups' and include:

- Older people
- Ethnic minority communities
- Gypsies or travellers
- People with disabilities

By working with these groups and their representatives, it is hoped that they can have a more active role in planning matters in the future. The County Council will make every endeavour to meet the requirements of the Equality Act 2010.

- **The use of the internet and other electronic communication**

3.21 The use of the internet and email is now an integral part of everyday life and is a key tool when it comes to consultation and raising public awareness. Where possible, we will use email to make people aware of consultations to reduce costs and paper use. All of the consultation documents and supporting information will be available on the County Council's website for the public to view or download, or copies can be made available on CD much more cheaply than printing. However we will still ensure that printed copies are available for those who prefer, or do not have access to a computer. We will also use social media sites such as Facebook or Twitter to raise awareness and provide updates on plan progress.

- **The use of the media**

3.22 The media can help publicise forward plans in a number of ways.

3.23 Press releases provide a factual background of what is being proposed at each key stage. They can also explain the County Council's views and reasoning for the decisions it has taken. There is, however, no guarantee that the local press will use them and they are not a reliable means of publicity.

- 3.24 Press adverts have the advantage that the County Council retains control of what is published. However, they need to be paid for and the costs of placing a prominent advert can be considerable. This has to be balanced against the additional publicity it might achieve. Although there is no longer a legal requirement to place public notices in the local press, the County Council will continue to use press adverts where this would be cost effective and help to advertise a key issue.
- 3.25 The County Council may also use its own publications, such as County News, to bring key documents to the public's attention.
- 3.26 Finally, there are some publications produced for planning professionals and the minerals and waste industries which the County Council can contribute articles. This can, for example, help keep the various industries up to date on the key planning issues in the county. However, some of these publications have infrequent publication dates which mean that they are not always suitable for seeking consultation responses.

- **Feedback**

- 3.27 It is important that all consultees, particularly objectors, receive good feedback so they know how their comments and representations have been considered and why they have been accepted or rejected. This can help objectors decide if they wish to maintain their objection or withdraw it in light of the County Council's reasons for not accepting it.

Below is a summary of how and when we will use these various consultation methods.

- **How will we use your personal information**

- 3.28 Please be aware that in order to maintain an effective consultation database of those who have expressed an interest in any of the planning documents being prepared, we will need to keep a record of your name, address, contact details on our database and any comments you have made. Consultation responses cannot be made anonymously and others will have the right to see comments you have made. Where these are published on the County Council's website we will make every effort to ensure that personal details such as your address, phone number, email and signature are not visible to others. However we are required to make copies of responses available to view at our offices on request and this may include original correspondence.

If you no longer wish to be contacted by the County Council about any of our planning documents you can let us know and ask us to remove your details at any time. However, if you have made formal representations on a plan we cannot delete your record unless you withdraw your representation which will mean it cannot be considered by an Inspector at examination. This also applies to any representations you may have made on a plan that has since been adopted. The Council has to retain all of the information and evidence, including representations that were part of preparing that plan in case of any



procedural/legal challenge. Usually the information is retained until the Plan has been replaced which may take several years.

The information we hold will only be used in connection with the planning documents we are preparing and the planning process and we will not pass this on to anyone else other than those who are directly involved with preparing the plan and the planning process unless we are required to disclose this information by law or by any government department or other regulatory authority. Where relevant, information may be disclosed to others outside the County Council such as the Planning Inspectorate.

## **4 The determination of planning applications**

### **Types of planning applications**

- 4.1 The County Council is responsible for determining planning applications for minerals and waste proposals and for its own development. The type, scale and complexity of applications vary enormously. These range from major proposals including new quarries, large scale waste management facilities, new schools and road schemes to minor applications such as small buildings within sewage treatment plants, applications to vary planning conditions, extensions to schools and multi-use games areas on school sites. Since their introduction in 2009 the County Council has also dealt with applications for non-material and minor-material amendments to existing planning permissions.
- 4.2 The nature of each application affects how long the County Council takes to deal with them. For instance, minor, straightforward applications are usually determined within 13 weeks, with more complex ones often taking over six months. Exceptionally, it can take a year or more to determine a very complex, major application.
- 4.3 Most major proposals are accompanied by a significant number of plans and supporting documents, including, where required, an environmental statement. These can raise complex issues which require extensive consultation. Sometimes planning permissions are subject to legal agreements, which often add significant time to the issuing of the decision.

### **Stages of determining planning applications**

- 4.4 The process of determining a planning application is essentially the same regardless of its size or complexity. The applicant must submit the necessary forms and supporting information and the County Council then makes a decision to grant or refuse planning permission after all consultations and negotiations have been completed. In some cases, the applicant may discuss the proposal with the County Council, other key consultees and local communities before the planning application is submitted. The merits of this approach are considered later in paragraphs 5.6 – 5.7.



## **Making the decision**

- 4.5 Major and controversial planning applications are reported to the County Council's Planning and Licensing Committee for a decision by councillors. Using powers delegated to the Corporate Director for Policy, Planning and Corporate Services planning officers make decisions on more straightforward applications.
- 4.6 If a planning application is approved, the decision usually has a comprehensive set of planning conditions attached (with reasons) and sometimes a legal agreement covering aspects such as financial contributions towards the long term aftercare and management of a site or dealing with lorry routing. Where appropriate, the County Council will undertake additional consultation on the approval of details required by planning conditions.

## **Compliance with the SCI, rights of appeal, legal challenges and complaints**

- 4.7 If a planning application is refused, reasons have to be stated and applicants have the right to appeal against this decision or against conditions they consider to be unreasonable. Appeals are considered by a government inspector who can either uphold the decision made by the local authority or overturn it. Occasionally appeals are decided by the Secretary of State taking an inspector's advice into account. There are no third party rights to appeal against planning decisions. Additionally, there is no right of appeal against decisions made on the County Council's own applications.
- 4.8 The County Council has an internal complaints procedure to deal with matters relating to how planning applications have been processed, rather than the planning decisions themselves. This could include complaints that public consultation on a planning application has not complied with the SCI. Matters which cannot be resolved through this mechanism can be referred to the Local Government Ombudsman.
- 4.9 Very occasionally planning decisions are subject to legal challenges. Procedures for appeals and legal challenges fall outside the remit of this SCI.

## **Monitoring and enforcement**

- 4.10 As most minerals and waste operations are ongoing and often long term developments, the County Council regularly monitors sites to ensure that planning conditions and legal agreements are complied with. This is done in accordance with an adopted 'Monitoring and Enforcement Policy and Protocol'. Where breaches of planning control occur then the County Council has a range of powers to enforce compliance. Other statutory bodies, such as the Environment Agency and district council environmental health departments, also have a role in enforcing the proper operation of sites.

## Liaison groups

- 4.11 The County Council has encouraged the setting up of local liaison groups at most major quarries and waste management sites to help assist the dialogue between the industry and local communities. These meetings are usually held twice a year and may include site visits to look at how the development is progressing and what issues, if any, are of concern to the local community. Experience has shown that these meetings can be very effective at resolving issues and preventing problems before they arise, and operators are usually keen to be involved in this way.

## 5 Community involvement during the determination of planning applications

- 5.1 The methods of community involvement detailed below begin by setting out what the County Council must do, followed by additional measures it intends to undertake to meet the four key principles of the SCI (see paragraph 1.3).

### Consultation, publicity and notification – what the County Council must do

- 5.2 Regulations require various bodies and organisations to be consulted on certain planning applications. For example, where an application affects a public highway, the local highways authority has to be consulted. If a proposed development involves mining operations or the deposit of refuse or waste, the Environment Agency has to be consulted. Consultees are either sent complete copies of the application or those sections which are relevant to them. Planning law requires statutory consultees to respond within a set time period of 21 days. Such bodies as Natural England will be allowed a longer period of time to comment on certain applications where this is prescribed by legislation.
- 5.3 The minimum requirements for publicity and notifying local communities are very limited, comprising a combination of one or more of the following: site notices; local press adverts, and notifying adjacent land owners. Applicants must also notify any owners of land to which the application relates if they are not themselves the owner. Which methods apply varies according to the type of planning application, details of which are set out in Table 2.

<b>Table 2 – Publicity requirements for planning applications</b> (as required by Article 13 of the Town and Country Planning (Development Management Procedure) (England) Order 2010)	
<b>Type of Application</b>	<b>Minimum Publicity Requirements</b>
Applications for major development* submitted with an Environmental Statement; Applications involving a departure from the development plan; or Development affecting a public right of way	Posting of a site notice for not less than 21 days, and Notice in a local newspaper

Other applications for major development*	Posting of a site notice for not less than 21 days, or serving notice on adjoining owners/occupiers; and Notice in a local newspaper
Applications affecting the setting of a listed building or the character or appearance of a conservation area	Posting of a site notice for not less than 21 days; and Notice in a local newspaper
Other applications	Posting of a site notice for not less than 21 days; or Serving notice on adjoining owners/occupiers

\* The definition of major development is set out in annex 2.

## **Additional consultation, publicity and notification – what the County Council proposes to do**

- 5.4 The statutory publicity and notification measures listed above are unlikely to be very effective at engaging local communities. For instance, press notices generally follow a very legalistic format, do not set out the detailed nature of the proposed development and there is no means of establishing readership levels. Site notices are better at informing local residents of proposals, providing they are placed at accessible and easily visible locations, which the County Council endeavours to do.
- 5.5 On their own, press and site notices only achieve their purpose of notifying the public of proposals. However, they fall well short of the consultation and engagement measures communities can reasonably expect. The County Council therefore intends to use a range of other measures, discussed below, to ensure the SCI principles are met. A summary of all potential options is set out in Table 3 (see pages 21-23). Details of when these options are likely to be used are set out in Table 4d (see page 27).

### **• Pre-application discussions**

- 5.6 The National Planning Policy Framework (paras.189-190) stresses that although developers are not required to engage with local authorities before submitting planning applications early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties and should therefore be encouraged. The main advantage of pre-application discussions is that they provide an opportunity for the County Council to check if any issues have not been covered before the planning application is submitted. They are generally only carried out for major or potentially controversial proposals, or those affecting a sensitive area, and can involve consultation with other organisations. This reduces the likelihood of the County Council having to request further information from the developer once the application has been submitted and then having to carry out further consultation on that information. Occasionally, County Council officers may advise developers that their

proposals are contrary to planning policy and therefore planning permission is unlikely to be granted, leading to proposals being dropped.

5.7 Developers often request that pre-application information be treated as confidential for commercial reasons, for example when they have yet to secure a legal interest in the land. However, where such obstacles do not exist or have been overcome, there are benefits to 'front-loading' the process by encouraging pre-application dialogue with the wider community. This early stage offers a real opportunity for local residents to influence a development before final proposals are drawn up and submitted. While the County Council cannot make pre-application discussions compulsory (with the exception of those application types listed in paragraph 5.8 below) it will continue to encourage developers to enter into them, and welcomes the involvement of the local community. Developers/applicants will be encouraged to ensure that all public meetings and exhibitions are held at easily accessible locations.

5.8 The Localism Act 2011 introduced a new requirement for applicants/ developers to consult local communities before submitting planning applications for certain developments. The details about what applicants will be required to do and which applications it will be applied to are still awaited. It is likely that it will only relate to very large scale proposals, probably development with a floor area of 10,000sqm or more or where the site area is 2 hectares or more. Applications will need to be accompanied by details of how the applicant has complied with the consultation obligations, including publicity given to the proposal and responses received. The Act then imposes a duty on the applicant to have regards to the responses when deciding whether to amend the application prior to submission.

5.9 This requirement to consult local communities will apply to proposals submitted both by external applicants and to the County Council as an applicant for its own developments, such as new schools, where these meet the relevant thresholds. At the time of drafting the SCI this requirement has yet to come into force. For further information about this please contact the Development Management Team.

- **Additional consultation**

5.10 Beyond the statutory consultees described in paragraph 5.2, the County Council already consults other bodies and organisations it considers are likely to be interested in proposed developments and this will continue in the future. These include parish councils and organisations such as the Campaign to Protect Rural England, Nottinghamshire Wildlife Trust, the Health Protection

Agency and local community groups. Annex 1 sets out the types of bodies and organisations to be consulted.

- **Near-neighbour notification on submitted applications**

- 5.11 The most effective way of ensuring local communities are aware of a proposal is to notify individual homes and businesses by letter. Near-neighbour notification on planning applications is widely practiced by local planning authorities and the County Council is no exception. There are however no national standards or guidelines and each planning authority have had to develop its own approach.
- 5.12 The extent of this near-neighbour notification has been at the discretion of the case officer dealing with the application and it is proposed to retain this method in the future.
- 5.13 The extent of near-neighbour notification will vary according to the scale and nature of the proposal and its potential impact. For minor applications, consultation can usually be limited to properties adjoining the site. For larger scale proposals, such as a new quarry or school, more extensive consultation will be undertaken. The case officer will take account of details such as the proposed location and scale of new buildings and plant, access points, vehicular routes, and potential 'nuisances' such as noise, odour, dust and visual impact, and make a professional and well-informed judgement on who to notify. This process could also involve seeking advice from parish/town councils about any hard to reach groups in the area etc.
- 5.14 This approach differs from the more standardised near-neighbour notification that will apply to development plan allocations for minerals and waste proposals (see paragraphs 3.9 – 3.12). This is because consultation on planning applications can be more precisely tailored to reflect the expected impact of a detailed proposal. In contrast, near-neighbour notification on a development plan allocation can only look at the principle of the allocation. When deciding on the extent of near-neighbour notification, the County Council must also balance the benefits of consulting everyone who might be directly or indirectly affected against the costs and practicalities of doing so. The desire is to improve the quality of community involvement, not merely the quantity.
- 5.15 The County Council will continue to carry out near neighbour notification by letter with a site location plan enclosed. Comments will be invited within 21 days with all responses being acknowledged by the County Council. Specific requests for additional time to respond will usually be agreed to, where appropriate and practical. This could be to enable discussion at a parish council meeting or to take into account public and bank holidays. If significant amendments are made to a proposal the County Council will notify all original consultees about these changes.

- **Stakeholder group meetings**

5.16 For complex applications or those in sensitive areas the County Council will consider bringing together the various parties involved in the planning application process including developers, government bodies and agencies, and representatives from local action or community groups to form stakeholder groups. Meetings of these groups could be arranged at key stages of the application to establish common ground and help facilitate proposals that are acceptable to all parties.

- **The role of parish/town councils**

5.17 Parish and town councils, both within and adjacent to the parish council, have an important role to play in the planning process and can often be the focus of putting forward local concerns to the planning authority. They can also help identify hard to reach groups who might wish to be consulted on a certain issue. They can help identify suitable locations, such as parish/community halls, local libraries, public houses and post offices, for displaying additional planning documents, plans and other information, such as leaflets and posters, while also advising of suitable venues for holding public meetings and exhibitions. The County Council will continue to build on its existing relationships with them to make their role, and use of resources, more effective.

- **The role of voluntary and community organisations**

5.18 Voluntary and community organisations can also have an important role to play when planning applications are submitted. This can be in partnership with parish/town councils or, in areas where there is no such council; they could be the main focus for engagement within the local community.

- **Groups we find hard to reach**

5.19 The views of some sections of the community have traditionally been difficult to attain when dealing with planning issues. These sectors of the community are often referred to as 'hard to reach groups' and include:

- Older people
- Ethnic minority communities
- Gypsies or travellers
- People with disabilities

The County Council will make every endeavour to meet the requirements of the Equality Act 2010.

5.20 It is important that the SCI develops and expands on traditional consultation and engagement methods and adopts more imaginative ways of ensuring that these sections of the community become more involved in the County



Council's planning issues. The various methods proposed are summarised in Table 3 (pages 21-23) and by working with these groups and their representatives, it is hoped that they can have a more active role in planning matters in the future.

- **Public speaking at committee**

5.21 Where planning applications are reported to the Planning and Licensing Committee for a decision, anyone who has submitted written views on an application within the appropriate timescale is given an opportunity to speak at committee. Details of who can speak and for how long are set out in the County Council's 'Guidance Note on Public Speaking at Committee' which can be viewed on the County Council's website at [www.nottinghamshire.gov.uk](http://www.nottinghamshire.gov.uk)

- **The use of the internet and other electronic communication**

5.22 The County Council will continue to develop its website and other forms of electronic communication to make its planning service more accessible to the public and consultees. This will include placing information, such as planning application forms, plans and other supporting documents as well as decision notices, on the County Council's website. Electronic communication, such as CD ROMs and emails, will be used for consultation purposes where practical, available and preferred by consultees. Representations on planning applications can already be made electronically and it is anticipated that more use of electronic communication will be made in the future.

- **The use of the media**

5.23 The County Council will utilise the local media, publications aimed at planning professionals and the minerals and waste industries, and its own publications to publicise its planning applications, particularly major or controversial ones. This could include press releases to local papers, radio stations and television. Press advertisements may also be used for announcing significant proposals. However, due to their high cost, the County Council will encourage developers to undertake these as part of any public engagement exercise, particularly at the pre-application stage.

- **Feedback**

5.24 Anyone making representations on a planning application will be individually notified of the decision by the County Council when a final decision is made, if this is requested by them in writing. For all applications the decision, including the statement of reasons for the decision, will be placed on the County Council's website at [www.nottinghamshire.gov.uk](http://www.nottinghamshire.gov.uk)

5.25 Anyone making representations should be aware that names, addresses and any comments made will be publicly available and will be retained by the County Council for the relevant period of time.



**Table 3 – Community involvement options –  
benefits and *resource implications***

<b>Method</b>	<b>Objectives and benefits</b>	<b>Main resource implications</b>
<b>Near-neighbour notification</b>	<ul style="list-style-type: none"> <li>Ensures residents and businesses near a proposal are informed</li> </ul>	<ul style="list-style-type: none"> <li>Postage costs</li> <li>Officer time identifying near neighbours</li> </ul>
<b>Stakeholder meetings</b>	<ul style="list-style-type: none"> <li>Brings together representatives covering a broad cross-section of views</li> <li>Establishes common ground at an early stage prior to plans and policies being drawn up</li> <li>Allows issues to be discussed in great depth</li> <li>Creates better evidence base</li> </ul>	<ul style="list-style-type: none"> <li>Substantial officer time organising meetings and circulating documents/ correspondence</li> <li>Pressure on stakeholders who could be involved in numerous other similar meetings</li> </ul>
<b>Pre-application discussions</b>	<ul style="list-style-type: none"> <li>Identifies important issues at an early stage in the process</li> <li>Provides an opportunity for the local community to influence a proposal before it is finalised</li> <li>Can discourage planning applications being submitted which are likely to be refused</li> </ul>	<ul style="list-style-type: none"> <li>Potentially significant officer time</li> <li>Implications for resources of applicants</li> </ul>
<b>Placing planning documents at local venues</b>	<ul style="list-style-type: none"> <li>Makes information more easily available to local communities</li> </ul>	<ul style="list-style-type: none"> <li>Officer time arranging suitable venues with parish clerks</li> <li>Minimal additional printing costs</li> </ul>
<b>Loaning plans and documents</b>	<ul style="list-style-type: none"> <li>Makes information available to those with mobility problems which would otherwise be inaccessible</li> </ul>	<ul style="list-style-type: none"> <li>Officer time</li> <li>System could be abused resulting in it becoming unmanageable</li> </ul>
<b>Public meetings</b>	<ul style="list-style-type: none"> <li>Engages local communities on local issues</li> <li>Can highlight main issues at an early stage e.g. pre-application</li> <li>Response sheets could provide valuable feedback</li> </ul>	<ul style="list-style-type: none"> <li>Cost of hiring venues for meetings</li> <li>Officer time</li> <li>Can be confrontational</li> <li>Many people find it uncomfortable to participate</li> </ul>

<b>Method</b>	<b>Objectives and benefits</b>	<b>Main resource implications</b>
<b>Public exhibitions</b>	<ul style="list-style-type: none"> <li>• Makes detailed information available to local communities</li> <li>• Raises the profile of significant local planning issues</li> <li>• Response sheets could provide valuable feedback</li> </ul>	<ul style="list-style-type: none"> <li>• Cost of hiring venues</li> <li>• Considerable officer time, especially if exhibitions required to be manned at all times</li> <li>• Can be confrontational</li> <li>• Many people find it uncomfortable to participate</li> </ul>
<b>Leaflets and posters</b>	<ul style="list-style-type: none"> <li>• User-friendly way of informing the public and consultees of the key points/issues of complex documents and applications</li> </ul>	<ul style="list-style-type: none"> <li>• Design and printing costs (for planning applications, these could be borne by the applicant)</li> </ul>
<b>County Council website</b>	<ul style="list-style-type: none"> <li>• Makes detailed and up to date planning information widely available</li> <li>• Meets e-government targets</li> <li>• Provides an alternative way to make representations</li> </ul>	<ul style="list-style-type: none"> <li>• Officer time updating the website, although this can offset additional printing costs</li> <li>• Not accessible to everyone</li> </ul>
<b>Parish/town council websites</b>	<ul style="list-style-type: none"> <li>• Key planning information can be placed on the parish/town council's own website</li> <li>• Increases local ownership of planning issues</li> <li>• Improves working relationship between County Council and parish/town councils</li> </ul>	<ul style="list-style-type: none"> <li>• Officer time communicating with parish/town council</li> <li>• Not accessible to everyone</li> </ul>
<b>CD-ROMS, email and electronic documents</b>	<ul style="list-style-type: none"> <li>• Send details electronically to consultees instead of paper versions</li> <li>• Makes relevant information available to a wider audience</li> <li>• Provide online comment boxes for the public to complete</li> <li>• Meets e-government targets</li> <li>• Low cost and speed of email</li> </ul>	<ul style="list-style-type: none"> <li>• Cost of CDs which can be offset by reduced printing costs</li> <li>• Cannot be used by everyone</li> </ul>
<b>Press releases</b>	<ul style="list-style-type: none"> <li>• Provides information to local radio and other media</li> <li>• Increases awareness and interest in planning matters</li> <li>• Reaches a wider audience including potentially 'hard to reach' groups at a low cost</li> <li>• Provides more user friendly format than statutory press notices</li> </ul>	<ul style="list-style-type: none"> <li>• Officer time drafting the text</li> <li>• Might not be used</li> </ul>

<b>Method</b>	<b>Objectives and benefits</b>	<b>Main resource implications</b>
<b>Press advert</b>	<ul style="list-style-type: none"> <li>• Promotes planning issues using local media</li> <li>• Increases awareness and interest in planning matters</li> <li>• Reaches a wider audience including potentially 'hard to reach' groups</li> <li>• Provides more user friendly format than statutory press notices</li> <li>• Guaranteed coverage, not subject to editorial decisions</li> </ul>	<ul style="list-style-type: none"> <li>• High cost</li> <li>• Cost implications for developer if they publish one</li> </ul>
<b>County Council's own publications, such as County News</b>	<ul style="list-style-type: none"> <li>• Increases awareness and interest in planning matters</li> <li>• User friendly format</li> <li>• Guaranteed coverage, not subject to editorial decisions</li> </ul>	<ul style="list-style-type: none"> <li>• Limited additional officer time</li> <li>• Timing of publications not guaranteed to mirror consultation exercises</li> </ul>
<b>Professional publications, such as Minerals Planning</b>	<ul style="list-style-type: none"> <li>• Informs professional organisations of planning matters in the county at a low cost</li> </ul>	<ul style="list-style-type: none"> <li>• Timing of publications unlikely to mirror consultation exercises</li> </ul>
<b>Site liaison meetings</b>	<ul style="list-style-type: none"> <li>• Brings together site operators, council officers and the local community once a minerals or waste site is operational</li> <li>• Keeps local communities informed of site operations</li> <li>• Allows local concerns to be voiced and discussed in an open forum</li> </ul>	<ul style="list-style-type: none"> <li>• Officer time twice a year which could be substantial if there are a large number of sites having meetings</li> </ul>
<b>Planning Aid</b>	<ul style="list-style-type: none"> <li>• Provides impartial planning advice to those who cannot afford it</li> <li>• Help communities understand the planning process</li> <li>• Allows local communities to play a more proactive role in planning</li> </ul>	<ul style="list-style-type: none"> <li>• Resource/manpower implications for Planning Aid</li> </ul>

**Table 4(a) – Community involvement – who, when and how**

(A) Core strategies and development management policies documents		Statutory consultation	Likely methods of additional community involvement															
			Stakeholder meetings	Documents at local venues	Loaning documents and plans	Public meetings	Public exhibitions	Leaflets and/or posters	County Council website	Parish council websites	Electronic communication	Press releases/adverts	County Council publications	Professional publications				
Target group for method of community involvement	Stage of document preparation																	
General public	Issues and options			✓	✓	✓	✓	✓	✓	✓	✓	✓	✓					
	Preferred options		✓	✓	✓	✓	✓						✓					
	Submission		✓	✓									✓					
Government bodies	Issues and options	✓	✓															
	Preferred options	✓	✓															
	Submission	✓																
Parish/ town councils	Issues and options	✓				✓	✓							✓			✓	
	Preferred options	✓				✓	✓							✓			✓	
	Submission	✓												✓			✓	
Interest groups	Issues and options	✓	✓			✓	✓										✓	
	Preferred options	✓	✓			✓	✓										✓	
	Submission	✓															✓	
Other planning authorities	Issues and options	✓	✓															
	Preferred options	✓	✓															
	Submission	✓																
Industry/utilities	Issues and options	✓	✓															✓
	Preferred options	✓	✓															✓
	Submission	✓																✓

**Table 4(b) – Community involvement – who, when and how**

(B) Site specific documents		Statutory consultation	Likely methods of additional community involvement																
			Near-neighbour notification	Stakeholder meetings	Documents at local venues	Loaning documents and plans	Public meetings	Public exhibitions	Leaflets and/or posters	County Council website	Parish council websites	Electronic communication	Press releases/adverts	County Council publications	Professional publications	Planning Aid			
Target group for method of community involvement	Stage of document preparation																		
General public	Issues and options		✓		✓	✓	✓	✓	✓	✓	✓	✓	✓		✓				
	Preferred options		*		✓	✓	✓	✓					✓			✓			
	Submission		*		✓	✓									✓				
Government bodies	Issues and options	✓		✓															
	Preferred options	✓																	
	Submission	✓																	
Parish/ town councils	Issues and options	✓					✓	✓							✓		✓		✓
	Preferred options	✓					✓	✓							✓		✓		✓
	Submission	✓													✓		✓		✓
Interest groups	Issues and options	✓		✓			✓	✓					✓	✓			✓		✓
	Preferred options	✓					✓	✓									✓		✓
	Submission	✓															✓		✓
Other planning authorities	Issues and options	✓		✓															
	Preferred options	✓																	
	Submission	✓																	
Industry/utilities	Issues and options	✓		✓															
	Preferred options	✓												✓					
	Submission	✓												✓					

**Table 4(c) – Community involvement – who, when and how**

<b>(C) Supplementary planning documents</b>		<b>Statutory consultation</b>	<b>Likely methods of additional community involvement</b>							
			Docs at local venues	Loaning docs and plans	County Council website	Parish council websites	Electronic communication	Press adverts	County Council publications	Professional publications
<b>Group</b>	<b>Stage</b>									
General public	Draft SPD consultation		✓	✓	✓		✓	✓	✓	
Government bodies	Draft SPD consultation	✓			✓		✓	✓	✓	
Parish/ town councils	Draft SPD consultation	✓	✓		✓	✓	✓	✓	✓	
Interest groups	Draft SPD consultation	✓	✓		✓		✓	✓		
Other planning authorities	Draft SPD consultation	✓			✓		✓	✓		
Industry/utilities	Draft SPD consultation	✓			✓		✓	✓		✓

**Table 4(d) – Community involvement – who, when and how**

<b>(D) Planning applications</b>		<b>Statutory and non-statutory consultation</b>	<b>Statutory publicity</b>	<b>Likely methods of additional community involvement</b>													
				Pre-application discussions	Near-neighbour notification	Stakeholder meetings	Documents at local venues	Loaning documents and plans	Public meetings and exhibitions	Leaflets and/or posters	County Council website	Parish council websites	Electronic communication	Press releases/adverts	County Council publications	Professional publications	Site liaison meetings
				Planning Aid													
<b>Target group for method of community involvement</b>	<b>Type of planning application</b>																
General public	Major/controversial		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
	Minor		✓		✓		✓	✓			✓	✓			✓		
Government bodies	Major/controversial	✓				✓							✓				
	Minor	✓															
Parish/ town councils	Major/controversial	✓	✓	✓		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		✓
	Minor	✓	✓				✓	✓			✓	✓			✓		
Interest groups	Major/controversial	✓	✓	✓		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		✓
	Minor	✓	✓				✓	✓			✓	✓			✓		
Other planning authorities	Major/controversial	✓		✓		✓							✓				✓
	Minor	✓															
Industry/utilities	Major/controversial	✓		✓		✓				✓			✓	✓		✓	
	Minor	✓															

## **6 Resourcing community involvement**

### **Resources available within the County Council**

- 6.1 The planning functions covered by this SCI are carried out by the Planning Group, which includes Planning Policy officers and Development Management officers.
- 6.2 The Group is supported by a team of administration officers and a GIS Development officer. Temporary staff and consultant services can also be engaged for particular planning tasks, or to meet periods of particularly high workload.
- 6.3 The County Council also has a Community and Voluntary Sector Team, which is available to provide advice on community involvement.

### **Resource implications of the SCI proposals**

- 6.4 The measures in this SCI are expected to place increased demands on officer time and resources, especially at the early stages of the planning process due to the greater emphasis on 'front loading'. However, any such increases – including short term demands to set up new processes and front-loading activities – will not be major, and should be offset by reductions over the longer term. For instance, enhanced community involvement in the early stages of core strategies and site allocation documents should yield a greater degree of consensus and reduce the scale of objections to be resolved closer to the public examination stage. By focusing on improving the quality of involvement – such as better access to information – rather than the quantity, the County Council is confident that it has the resources available and in place to deliver the proposals set out in this SCI.



## **The role of Planning Aid England – a national Planning Aid service**

- 6.5 People often prefer to seek independent planning advice and therefore local residents and groups will be made aware of the role of Planning Aid England. Planning Aid provides a free and independent advice service on all planning related matters for individuals and community groups who cannot afford consultant's fees. It also works with communities to help them understand the planning process so that they can play a more positive role in it. For more information contact the Planning Aid Adviceline:

Tel: 0330 123 9244

Email: [advice@planningaid.rtpi.org.uk](mailto:advice@planningaid.rtpi.org.uk)

## **Making information accessible**

- 6.6 The County Council will ensure that all forms of publicity are accessible to all sections of the community. The County Council's Communications and Marketing team are able to provide all consultation material, upon request, in other formats such as large print, audio and Braille. Information can also be provided in other languages. Venues chosen for public meetings/exhibitions or for viewing planning documents will be held in accessible locations, taking advice from parish councils where appropriate, as described above.

## 7 Monitoring and review

- 7.1 It is important that the methods of community involvement proposed in this SCI are regularly monitored in terms of their effectiveness. For instance, the SCI now advocates more use of electronic communication for its consultations to improve accessibility to information in the most cost effective way. The County Council will continue to work with the community to further enhance engagement measures in the light of experience. It is important that the County Council keeps track of these changes and that the SCI evolves in line with them.
- 7.2 The Minerals and Waste Development Framework arrangements have required the County Council to produce and publish an Annual Monitoring Report. An Annual Monitoring Report (AMR) has been published each year since the SCI was adopted. The Reports have acknowledged that the SCI predates significant revisions to the planning system since 2008, although the Government has advised that SCIs should not be reviewed for that reason alone. However, given the scale of the recent changes and other local factors, a review of the SCI is now considered to be timely. Regular Monitoring updates (in place of the AMRs) will continue to monitor the progress of the documents in the framework, including the updated SCI. They will also monitor the effectiveness of the policies and key indicators in these documents. For the SCI, this might include monitoring the response rate to near-neighbour notification exercises; information which could be used to decide whether the County Council's present approach to this remains unchanged or is amended.
- 7.3 The updated SCI is the result of the first review of the originally adopted SCI. It will itself be monitored in the Regular Monitoring updates and reviewed within the next 5 years.

## **Annex 1 – List of types of consultees**

The following bodies and organisations will be consulted, as appropriate, during the preparation of development plan documents and the determination of planning applications.

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**County councils, district councils, parish/town councils** – all councils within and adjacent to the county to be consulted on Development Plan documents which affect them along with, where appropriate, other councils. For planning applications, the relevant district and parish/town council is consulted along with other adjacent/nearby councils depending on the nature and size of the application.

Other statutory consultees, such as English Heritage, the Environment Agency, Natural England and the Coal Authority, are consulted on development plan documents and planning applications as appropriate depending on the nature of the document/application.

**Interest groups** such as Nottinghamshire Wildlife Trust, the Woodland Trust and local action groups. For development plan documents and planning applications, such groups will be consulted where appropriate depending on the nature of the document/application.

**Utility companies** such as Severn Trent Water and Network Rail. For development plan documents and planning applications, such companies will be consulted where appropriate depending on the nature of the document/application.

**The minerals and waste industries and their trade associations** – these will be consulted on minerals and/or waste development plan documents as appropriate. Consultation on planning applications will not normally be carried out.

As well as the consultation requirements for development plan documents and planning applications, the 2012 Regulations prescribe a list of specific bodies with which the Council must engage under the Duty to Cooperate.

Government Office for the East Midlands and the East Midlands Development Agency were abolished in 2010 and 2012 respectively and are no longer consultees on development plan documents or planning applications.

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The County Council keeps a full list of all consultees for the minerals and waste development plan documents which is regularly updated and can be provided, or made available to view, on request. It should be noted that this list is not exhaustive and also relates to successor bodies where reorganisations occur.

Details on which bodies and organisations the County Council must consult are set out in Article 16 of the Town and Country Planning (Development Management Procedure) (England) Order 2010 Full details of the content of Article 16 can be provided by the County Council on request.

## **Annex 2 – Definition of ‘major development’**

This is as defined in the Town and Country Planning (Development Management Procedure) (England) Order 2010

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Major development means development involving any one or more of the following:

- (a) the winning and working of minerals or the use of land for mineral-working deposits;
  - (b) waste development, such as any operational development designed to be used wholly or mainly for the purpose of, or a material change of use to, treating, storing, processing or disposing of refuse or waste materials;
  - (c) the provision of dwelling houses where:
    - (i) the number of dwelling houses to be provided is 10 or more; or
    - (ii) the development is to be carried out on a site having an area of 0.5 hectare or more and it is not known whether the development falls within paragraph (c) (i);
  - (d) the provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more; or
  - (e) development carried out on a site having an area of 1 hectare or more.
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## **Annex 3 – Legislative and policy background to the preparation of the SCI and other sources of information**

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### **Legal background**

The SCI has been prepared in accordance with the following Government legislation and regulations.

#### **Localism Act 2011**

#### **Planning and Compulsory Purchase Act 2004 as amended**

Main Government legislation implementing the new Minerals and Waste Development Framework arrangements.

#### **Town and Country Planning (Local Planning) (England) Regulations 2012**

Sets out the procedures for the preparation of the SCI and other documents forming the Minerals and Waste Development Framework.

#### **Town and Country Planning (Development Management Procedure) (England) Order 2010**

Sets out procedures to be followed when determining planning applications.

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### **National planning guidance and other Government publications**

The following Government planning policy guidance has been considered during the preparation of the SCI

#### ***National Planning Policy Framework 2012***

Government planning policy for plan making and development management.

#### **Community Involvement in Planning – The Government’s Objectives (ODPM, 2004)**

Government paper setting out the importance of greater community involvement and the principles underpinning the Government’s approach to it.

## **Statements of Community Involvement and Planning Applications (ODPM, 2004)**

Government report detailing the different community involvement approaches available during the planning application process.

## **Framework for Assessing Soundness and Focussing Representations on Development Plan Documents/Statements of Community Involvement – Consultation Draft, February 2005 (Planning Inspectorate)**

Draft guidance on making representations and the independent examination process for the new Local Development Framework arrangements.

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## **Nottinghamshire County Council publications**

### **Nottinghamshire's Sustainable Community Strategy 2010- 2020**

Aims to improve the economic, social and environmental wellbeing of the county through local partnerships.

Details of this document can be found on the County Council's website at [www.nottinghamshire.gov.uk](http://www.nottinghamshire.gov.uk)

### **Public Engagement Policy**

Sets out a number of standards which the County Council should meet whenever it carries out a public consultation exercise.

### **Guidance Note on Public Speaking at Planning and Licensing Committee**

Explains how people can voice issues regarding a particular planning application at committee before a decision on the application is taken.

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## **Other legislation relevant to the preparation of the SCI**

### **Equality Act 2010**

### **Freedom of Information Act 2000**

### **Data Protection Act 1998**

The following websites provide additional useful information on the SCI and the planning system in general

**Department of Communities and Local Government  
( [www.communities.gov.uk](http://www.communities.gov.uk) )**

Provides information on Government guidelines and initiatives.

**Planning Portal ([www.planningportal.gov.uk](http://www.planningportal.gov.uk))**

User friendly internet guide to the planning system set up by the Government.

EP5371





**18<sup>th</sup> June 2013**

**Agenda Item: 7**

**REPORT OF THE SERVICE DIRECTOR FOR PROMOTING INDEPENDENCE  
AND PUBLIC PROTECTION**

**ANNUAL REPORT TO PLANNING AND LICENSING COMMITTEE OF THE  
LICENSING WORK CARRIED OUT BY TRADING STANDARDS**

**Purpose of the Report**

1. To firstly update the Committee on the relevant recent licensing work carried out by Trading Standards Service on behalf of the Committee, and secondly to agree the levels of charges made for the issue of performing animal and poisons licences for 2013/14.

**Information and Advice**

2. The Service has an involvement in a number of licensing and registration schemes designed to ensure the safety of our communities. In some cases, the authority is responsible for issuing licences and ensuring safety standards are met through inspections and other activity. Each of the licence types and associated activity carried out by Trading Standards are covered in more detail below.

***A) Explosives Storage***

3. The Service is generally responsible for issuing licences for explosives such as fireworks, safety cartridges and airbag detonators, for quantities of up to 2000kg of 'net explosive quantity'. The Health & Safety Executive are responsible for quantities above 2000kg.
4. There are two bands of 'licences' issued, determined by the net explosive quantity of explosives being stored:
  - 5kg and 250kg - Explosives Registration Certificate, or
  - 251kg to 2000kg - Explosives Storage Licence.

**Activity for 2012-13**

5. The following is a breakdown of the types and numbers of each category that were issued to the 31 March 2013

- Registration Certificates : 128
- Storage Licences: 18

6. In addition to the above there are all year round licences for businesses that wish to supply fireworks all year round or outside the restricted periods corresponding to certain festivals or celebrations, namely Chinese New Year, Diwali, Bonfire Night, and New Year. In this category, there were 4 issued to 31<sup>st</sup> March 2013.
7. Trading Standards carry out fireworks enforcement during the 3 week period running up to 5<sup>th</sup> November. The Service's role is to ensure explosives are being stored in a safe manner. We are always looking for new ways to undertake our enforcement role more effectively and efficiently.
8. In 2011/12, rather than carrying out inspections of every premises, we experimented with sending out self-assessment checklists to some of the lower risk premises. Officers then inspected all of the 27% of premises that didn't respond, and a sample (12) of the premises that did.
9. In 2012/13 we decided to inspect all registered and licensed premises so that we could compare the data with the previous year, compare the officer resource involved with the previous year and get a clearer picture of the types of premises where we are finding problems in order to inform 2013/14's fireworks enforcement.
10. The Service categorises premises as either High, Medium or Low risk depending on the level of compliance with the legislative storage requirements, and the level of confidence that the officer has in the businesses management systems. Our aim in 2012/13 was also to undertake a thorough review of the risk category for each premise to ensure it accurately reflected the level of risk.
11. Fireworks are an inherently dangerous product and so in the past there has been a tendency to give the premises a higher risk because of this. However recent changes to the national risk assessment scheme for Trading Standards Service encourage services to place more weight upon the management systems operating within a business. By doing so the risk category can be reduced if premises can demonstrate a high level of diligence in their procedures to manage the risk.
12. Compared with 2011/12, we found a higher level of compliance in 2012/13. Of the 133 premises visited 80 were compliant at the time of inspection. A further 45 were brought into compliance at the time of the visit, with 4 being found compliant after a re-visit. Four premises could not be brought into full compliance at the end of the inspecting period, but these were only minor issues which we will address with the traders should they elect to sell fireworks in 2013/14. We found no major problems, the most common minor problems found were:
  - Combustible materials (cardboard boxes, disposable barbecues etc) stored adjacent to shop floor cabinets or the reserve firework stock
  - Live fireworks on open display, mixed in with dummy fireworks
  - Reserve fireworks stock stored in a potentially damp environment
  - Cabinets left unlocked.

13. As a result of the review of risk categories for each business, the number of High risk premises has significantly reduced, which will inform our work in 2013/14. In comparison with 2011, the number of premises risked High for explosives storage has now reduced from 67% to 17%. The main reason for this change is that we have been able to reduce the risk category for the supermarkets and other national retailers. Very few problems were found at these premises due to the procedures in place that have been agreed at a national level by their Primary Authority (i.e. the Trading Standards Authority where a national company is based).

14. In 2013/14 we will look to mainly focus our enforcement activity on providing support to the smaller independent shops, where we generally find the most problems, because they do not have the benefit of these nationally agreed systems in place.

### **B) Petroleum Licences**

15. Trading Standards licences any premises that store petrol in a tank or bowser for delivery into the fuel tank of a vehicle or other internal combustion engine. The most common premises covered are retail petrol stations that supply fuel to motorists.

16. There are four bandings of licence which are as follows:

- Petroleum under 2,500 litres;
- Exceeding 2,500 litres but not exceeding 50,000 litres;
- Exceeding 50,000 litres; and
- Liquid Nitrogen Gas (LNG) (Methane) 2500-50000 litres.

### **Activity for 2012-13**

17. The following table is a breakdown of the types and numbers of each category issued in 2012/13:

	<b>Issued</b>
Petroleum under 2500 litres	17
Petroleum 2500 – 50000 litres	45
Petroleum over 50000 litres	66
LNG (Methane) 2500-50000 litres	1
<b>TOTAL</b>	<b>129</b>

18. In addition to the above, 10 Transfer of Licences have been issued. These occur where the licence holder changes but everything else on the site remains the same. There have also been 12 requests for searches of records regarding locations of disused tanks. The Service also received 64 enquiries from business for trader advice on storage related issues.

19. The general trend is a year on year reduction in the number of smaller premises selling petrol. There were no new installations in 2012/13 and twenty refurbishments of current petroleum licensed premises. Our role with refurbishments is to oversee any aspects, such as pump and pipework replacements, or changing from a pressure system to a suction system, that might impact on the safety of the petroleum storage.

20. The Service has a partnership agreement with 3 District Councils in Nottinghamshire to carry out vapour recovery inspections on their behalf. No inspections were carried out in 2012/13 as inspections are only required once every 2 to 3 years and none were due that year.
21. As with explosives inspections a recent review of our risk assessments of petroleum sites led us to focus our enforcement activity in 2012/13 on supporting the smaller independent retailers. We identified 44 such sites for a visit in 2012/13. These independent sites don't have the benefits of the nationally agreed procedures that the larger national companies have and are generally less likely to have benefited from investment in modern technology, such as 3<sup>rd</sup> party wet stock monitoring to check for fuel leaks on petrol tanks.
22. Tanks at independent sites are also often of the older, single skin type, so it is very important that the operator is diligent in their manual dipping of the tanks to check for unusual losses of fuel that might indicate a leak. Our officers also check that the site and equipment is properly maintained and that important control systems are in place, demonstrated by documentation such as risk assessments, staff training records and equipment test certificates.

### ***C) Poisons Registrations***

23. Trading Standards issue registrations that allow premises to sell less toxic poisons such as formic acids and ammonia over 10% in concentration. There were 60 of these issued to 31 March 2013.

### ***D) Performing Animals***

24. We issued 3 licences for performing animals in 2012/13. Two were to licence the dog taking part in amateur productions of the musical "Annie" and the other was for a bird of prey used in a falconry demonstration.

### ***E) Licence Fees***

25. The fees for petroleum and explosives licensing are set nationally via the Health & Safety (Fees) Regulations 2012, which stated that the fees for 2013/14 will remain at the same level as 2010. We set the fees for poison registrations (£32.67) and performing animals licences (£17) locally. We propose that these fees for 2013/14 should also remain at the same level as previous years, as they remain in line with other authorities' charges.

## **Statutory and Policy Implications**

26. This report has been compiled after consideration of implications in respect of finance, equal opportunities, 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**

It is recommended that:

- 1) the committee notes the contents of this report and agrees the levels of activity undertaken and proposed; and
- 2) Approves the fees for poisons registrations and performing animals licences as set out at paragraph 25.

**PAUL MCKAY**

**Service Director for Promoting Independence and Public Protection**

**For any enquiries about this report please contact:**

Sarah Houlton

Trading Standards Manager

Email: [sarah.houlton@nottsc.gov.uk](mailto:sarah.houlton@nottsc.gov.uk)

### **Constitutional Comments (SHB 24/05/13)**

27. The report is for noting only and no Constitutional comments are necessary.

### **Financial Comments (CLK 01/06/13)**

28. The financial implications are contained in paragraph 25 of the report.

### **Background Papers**

None.

### **Electoral Division(s) and Member(s) Affected**

All.

PL2



**18 June 2013****Agenda Item: 9****REPORT OF CORPORATE DIRECTOR POLICY, PLANNING AND  
CORPORATE SERVICES****WORK PROGRAMME****Purpose of the Report**

1. To consider the Committee's work programme for 2013.

**Information and Advice**

2. A work programme has been established for Planning and Licensing Committee to help in the scheduling of the committee's business and forward planning. It aims to give indicative timescales as to when applications are likely to come to Committee. It also highlights future applications for which it is not possible to give a likely timescale at this stage.
3. Members will be aware that issues arising during the planning application process can significantly impact upon targeted Committee dates. Hence the work programme work will be updated and reviewed at each pre-agenda meeting and will be submitted to each Committee meeting for information.

**Other Options Considered**

4. To continue with existing scheduling arrangements but this would prevent all Members of the Committee from being fully informed about projected timescales of future business.

**Reason/s for Recommendation/s**

5. To keep Members of the Committee informed about future business of the Committee.

**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**

That the committee's work programme be noted.

**Jayne Francis-Ward**  
**Corporate Director- Policy, Planning and Corporate Services**

**For any enquiries about this report please contact: David Forster, Democratic Services Officer**

### **Constitutional Comments (HD)**

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

### **Financial Comments (PS)**

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

### **Background Papers**

Relevant case files for the items included in Appendix A.

### **Electoral Division(s) and Member(s) Affected**

All



## Committee Work Programme

<u>Date to Committee</u>	<u>Reference</u>	<u>Location</u>	<u>Brief Description</u>
18 <sup>th</sup> July 2013	5/12/00268/CCM	Land off Cossall Road between the villages of Cossall and Trowell, referred to as the Shortwood Site	Extraction of coal and fireclay by surface mining methods with restoration to agriculture, woodland, nature conservation and public amenity.
17 <sup>th</sup> Sept 2013	4/V/2013/028	Hucknall Town Centre	Construction of new relief road.
17 <sup>th</sup> Sept 2013	1/18/10/00008	R Plevin & Sons Limited, Crookford Hill. Elkesley, Retford	Construction and operation of a biomass fuelled combined heat and power plant
17 <sup>th</sup> Sept 2013		Lodge Farm, Scrooby Top	Development and use of land for two angling lakes, with access and landscaping with associated excavation and exportation of mineral and surplus soils during construction
17 <sup>th</sup> Sept 2013		Styrrup Quarry, Main Street, Styrrup	Variation of condition 16 of planning permission 1/66/02/00015 allow more time for the restoration of the sand quarry by importation of recovered inert material to provide engineered fill against the quarry faces and on the quarry floor to provide restoration to open space and bio diverse habitat of acid grassland and lowland heath.
15 <sup>th</sup> Oct 2013	4/V2012/0570 & 7/2012/1493	Newstead and Annesley Country Park, Newstead Village	Importation of circa. 40,000m <sup>3</sup> of inert material to reduce the depth of fishing lakes, to improve safety requirement for members of the public and including the creation of two islands for nesting birds and the landscaping of areas around the lakes
15 <sup>th</sup> Oct 2013	3/13/00709/CMA	Rufford Sand Pit, Rufford Colliery Lane, Rainworth	Change of use to allow for the operation of an off road motor facility

**Other Key Applications/Submissions in system but not timetabled to be reported to committee after October 2013:-**

<b>Reference</b>	<b>Location</b>	<b>Brief Description</b>
3/11/00202/CMA	Briggs Metals Limited, Great North Road, Newark	Regularisation of use of additional land in connection with scrapyards, erection of buildings for use in connection with scrapyards, erection of additional buildings and plant/machinery including extension to existing offices.
		Scheme submitted by Severn Trent Water Limited for the restoration of the former Gravel Workings at Gunthorpe
5/13/00070/CM	Shilo Park, Shilo Way, Cossall	Change of use to waste timber recycling centre including the demolition of existing building and construction of new buildings.