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Our reference:
Your reference:
Date: Wednesday, 24 November 2021

To all Members of the Council

Dear Councillor

A Meeting of the Council will be held on Thursday, 2 December 2021 at 7.00 pm in the Council Chamber, Ruscliffe Arena, Rugby Road, West Bridgford to consider the following items of business.

This meeting will be accessible and open to the public via the live stream on YouTube and viewed via the link: <https://www.youtube.com/user/RushcliffeBC>
Please be aware that until the meeting starts the live stream video will not be showing on the home page. For this reason, please keep refreshing the home page until you see the video appear.

Yours sincerely



Sanjit Sull
Monitoring Officer

AGENDA

Moment of Reflection

1. Apologies for absence
2. Declarations of Interest
3. Minutes of the meeting held on 30 September 2021 (Pages 1 - 18)
To receive as a correct record the minutes of the Meeting of the Council held on 30 September 2021.
4. Mayor's Announcements
5. Leader's Announcements
6. Chief Executive's Announcements

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8.30am - 5pm
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9.30am - 5pm
Friday
8.30am - 4.30pm

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7. Petitions

To receive any petitions in accordance with Standing Order No.10 and the Council's Petitions Scheme.

8. Citizens' Questions

To answer questions submitted by Citizens on the Council or its services.

9. Local Government Boundary Commission for England Draft Proposals for Rushcliffe (Pages 19 - 36)

The report of the Chief Executive is attached.

10. Community Infrastructure Levy Allocation and Spend Process (Pages 37 - 52)

The report of the Director of Development and Economic Growth is attached.

11. Gambling Act 2005 - Draft Statement of Licensing Principles 2022-2025 (Pages 53 - 86)

The report of the Director of Neighbourhoods is attached.

12. PSAA External Audit Contract 2023/24 Re-Tender 2023/24 to 2027/28 (Pages 87 - 98)

The report of the Director of Finance and Corporate Services is attached.

13. Bingham Improvement Board (Pages 99 - 106)

The report of the Chief Executive is attached.

14. Committees Membership Update (Pages 107 - 124)

The report of the Director – Finance and Corporate Services is attached.

15. Notices of Motion

To receive Notices of Motion submitted under Standing Order No.12

- a) Two years ago, this Council recognised the Climate Crisis and put in place measures, and finance, to help address this. The Ecological Crisis is the other side of the same coin.

Ecosystems are the Earth's 'life support system': they provide the oxygen we breathe; they are a crucial part of the carbon cycle and they help maintain a stable climate. Climate change is the consequence of humans exceeding the

capacity of the planet's ecosystems to take in CO2.

The UK Government's Environment Act 2021 recognises the need to reconstruct ecosystems and gives Councils the legal responsibility to maintain a Nature Recovery Strategy.

The majority of Council activities affect natural systems at some level and therefore we need to review our activities to identify and end or minimise any negative impact upon ecosystems, and to bring about a 'net gain' in biodiversity.

This motion proposes that Council adopts a parallel approach to addressing the ecological emergency to that we adopted to address the climate emergency.

Full Council agrees to:

1. Declare an 'Ecological Emergency'.
2. Conduct a cross service review to identify opportunities for service modernisation that will benefit biodiversity.
3. Work with partners and stakeholders to identify opportunities to benefit biodiversity.
4. Report to Communities Scrutiny Group within six months with details of potential actions the Council may implement considering their costs and broader implications associated with implementation.
5. Present an Ecological Emergency Response Plan to Cabinet within one year.

Councillor R Mallender

- b) Threats from avoidable Climate Change to the future are all too real and Council has a leadership role in promoting action to reduce the local carbon footprint. Council believes that the voice of young people in Rushcliffe should be enhanced through the implementation of a structure for considering and advocating carbon reducing behaviour within Rushcliffe. This will be best achieved by establishing a 'Rushcliffe Youth Council for Action on Climate Change' involving representatives of young people in Secondary Schools. This Council commits to investigating the establishment of a youth council through engagement with each of the eight local schools and YOUNG with a view to implementing this Rushcliffe initiative in early 2022. The Communities Scrutiny Group will consider progress to achieve Youth Council, its remit and the interaction with the Council and the Community.

Councillor R Jones

16. Questions from Councillors

To answer questions submitted by Councillors under Standing Order No. 11(2)

Membership

Chairman: Councillor S Mallender

Vice-Chairman: Councillor T Combellack

Councillors: R Adair, S Bailey, B Bansal, M Barney, K Beardsall, N Begum, A Brennan, B Buschman, R Butler, N Clarke, J Cottee, G Dickman, A Edyvean, M Gaunt, P Gowland, B Gray, L Healy, L Howitt, R Inglis, Mrs C Jeffreys, R Jones, R Mallender, D Mason, G Moore, J Murray, A Phillips, V Price, F Purdue-Horan, S J Robinson, K Shaw, D Simms, J Stockwood, Mrs M Stockwood, C Thomas, R Upton, D Viridi, J Walker, R Walker, L Way, G Wheeler, J Wheeler and G Williams

Meeting Room Guidance

Fire Alarm Evacuation: In the event of an alarm sounding please evacuate the building using the nearest fire exit, normally through the Council Chamber. You should assemble at the far side of the plaza outside the main entrance to the building.

Toilets: Are located to the rear of the building near the lift and stairs to the first floor.

Mobile Phones: For the benefit of others please ensure that your mobile phone is switched off whilst you are in the meeting.

Microphones: When you are invited to speak please press the button on your microphone, a red light will appear on the stem. Please ensure that you switch this off after you have spoken.

Recording at Meetings

The Openness of Local Government Bodies Regulations 2014 allows filming and recording by anyone attending a meeting. This is not within the Council's control.

Rushcliffe Borough Council is committed to being open and transparent in its decision making. As such, the Council will undertake audio recording of meetings which are open to the public, except where it is resolved that the public be excluded, as the information being discussed is confidential or otherwise exempt



MINUTES OF THE MEETING OF THE COUNCIL

THURSDAY, 30 SEPTEMBER 2021

Held at 7.00 pm in the Council Chamber, Rushcliffe Arena, Rugby Road, West
Bridgford
and live streamed on the Rushcliffe Borough Council YouTube channel

PRESENT:

Councillors S Mallender (Chairman), T Combella (Vice-Chairman), R Adair, S Bailey, B Bansal, M Barney, N Begum, A Brennan, B Buschman, R Butler, N Clarke, G Dickman, A Edyvean, M Gaunt, P Gowland, B Gray, L Healy, R Inglis, Mrs C Jeffreys, R Jones, R Mallender, D Mason, G Moore, J Murray, A Phillips, F Purdue-Horan, S J Robinson, K Shaw, D Simms, J Stockwood, Mrs M Stockwood, C Thomas, R Upton, D Viridi, J Walker, R Walker, L Way, G Wheeler and G Williams

OFFICERS IN ATTENDANCE:

L Ashmore	Director of Development and Economic Growth
D Banks	Director of Neighbourhoods
T Coop	Democratic Services Officer
P Linfield	Director of Finance and Corporate Services
K Marriott	Chief Executive
S Sull	Service Manager - Legal Services
H Tambini	Democratic Services Manager
L Webb	Democratic Services Officer

APOLOGIES:

Councillors K Beardsall, J Cottee, L Howitt and J Wheeler

22 Declarations of Interest

The Mayor invited declarations of interest. A number of Councillors declared an interest in Item 9 – Petition: Community Governance Review (Bingham Town Council) as follows:

Councillor Purdue-Horan stated that he is a member of Bingham Town Council and would be leaving the room during the debate.

Councillor J Stockwood declared a non-pecuniary interest and stated that he would leave the room during the debate.

Councillor M Stockwood declared an interest and stated that she would not take part in the debate but intended to remain in the room.

Councillor Williams declared an interest as a member of Bingham Town Council and stated that he would leave the room during the debate.

Councillor R Walker declared an interest as Chairman of the Standards Committee, and the recent Hearings Committee, that heard complaints that could be considered to relate to matters in the petition. He went on to state that he had not considered the recommendations included in the report in either role. In addition, the report focuses on the community governance review provisions in the Local Government Involvement and Public Health Act and Councillor R Walker reported to Council that he did not feel this was a standards matter nor one that he could not approach with an open mind and without predetermination. Therefore, he did not intend to stand down from Council for the item.

Councillor Mason declared an interest as a member of the Standards Committee, and the recent Hearings Committee. She informed Council that the recommendations in the report, and the report content, related to matters that she had not considered in those roles and, therefore, she felt that she could approach the debate with an open mind and without predetermination, and did not intend to stand down from Council for the item.

Councillor Phillips declared an interest as a member of the Standards Committee, and the recent Hearings Committee, that heard complaints that could be considered to relate to matters in the petition. He went on to state that he had not considered the recommendations included in the report in either role. Therefore, he did not intend to stand down from Council for the item.

Councillor R Mallender declared an interest as a member of the Standards Committee, and the recent Hearings Committee, that heard complaints that could be considered to relate to matters in the petition. He went on to say that the recommendations included in the report, and the report content, relate to a community governance review and had not been considered by him in either role so he felt he could approach the debate with an open mind and without predetermination, and did not intend to stand down from Council for the item.

Councillor Simms declared an interest as his wife is a Bingham Town Councillor. He informed Council that he felt he could approach the debate with an open mind and in an unprejudiced manner, and therefore intended to take an active role in the debate.

Councillor Brennan declared an interest as a former member of the Standards Committee where complaints were heard that may be deemed to relate to the content of the report under consideration this evening. She stated that the complaints dealt with did not relate to the complaints outlined in the petition and therefore did not intend to stand down for the discussion of the item.

Councillor Clarke declared an interest as the County Councillor for Bingham West but informed Council that he had no direct involvement with Bingham Town Council. He also made Council aware that he was a former member of the Standards Committee but had not considered any items in either role that were relevant to the report or its recommendation so did not intend to stand down from Council for the item.

Councillor Combellack informed Council that she is a former member of the Standards Committee but had no interest to declare in relation to tonight's

matters.

Councillor Gray declared an interest as a member of the Standards Committee and informed Council that the recommendations in the report, and the report content, related to matters that he had not considered in that role and, therefore, he felt that he could approach the debate with an open mind and without predetermination, and did not intend to stand down from Council for the item.

Councillor Bailey declared an interest as the former Chairman of the Standards Committee where complaints which could be considered as relating to the petition were discussed. She assured Council that she had not considered the recommendations in the report, or the report content, in that role and therefore did not consider this to be prejudicial to the item under discussion this evening. Councillors Bailey informed Council that she would not be standing down from Council for the debate.

No other declarations of interest were made.

23 Minutes of the meeting held on 1 July 2021

The minutes of the meeting held on Thursday, 1 July 2021 were approved as a correct record and signed by the Mayor.

24 Mayor's Announcements

The Mayor informed Council that she had attended 17 engagements since the last Council meeting. These events included the Taste of Rushcliffe event, the opening of Busy Bees nursery in Edwalton. The Mayor noted that she enjoyed attending the Kite Festival at Rushcliffe Country Park, the Hickling Scarecrow Festival and the Proms in the Park event at Bridgford Park. The Mayor was pleased to inform the Council that she had completed her 98 mile walk around the Borough to raise money for her chosen charities and had also made her 100th blood donation and encouraged residents and councillors to donate blood if they were able to do so.

25 Leader's Announcements

The Leader was pleased to inform the Council that the Freeport outline business case had been submitted and hoped that the project would be up and running by March 2022. The Leader stated that Rushcliffe Country Park had been awarded green flag status for the 15th time and that the Council was investing in facilities at the country park including a café and were also applying for funding for a changing places facility which would improve accessibility to the park.

26 Chief Executive's Announcements

There were no Chief Executive's announcements.

The Mayor informed Council that it was her intention to switch items 7 and 8 to allow the presentation of the Petition to be followed immediately by the report

relating to the petition.

27 **Citizens' Questions**

The Mayor invited Mr Tony Wallace to read his Citizen's Question as submitted:

“Oppressive behaviour and harassment of employees is unlawful. It impacts negatively on the working environment and on the work that the organisation strives to deliver. Does Rushcliffe Borough Council agree that there's no place in the modern workplace for behaviours that could be described as harassment or oppressive in the treatment of any member of staff by an elected Councillor?”

Councillor Moore thanked Mr Wallace for his question and stated that Rushcliffe Borough Council agree that there is no place in the modern workplace for this kind of behaviour.

28 **Petitions**

Under Standing Order 10, the Mayor invited Mr Fox to present the petition entitled 'Bingham Deserves Better':

Mr Fox introduced himself as a member of the 'Bingham Deserves Better' group formed of ex-town councillors and concerned residents seeking the Borough Council's intervention to bring about reform at Bingham Town Council.

Mr Fox explained that it was the view of the 'Bingham Deserves Better' group that some town councillors had repeatedly broken the Nolan Principles of ethical standards in public life and that this was indicative of widespread and longstanding concerns about the leadership of Bingham Town Council. Mr Fox highlighted that multiple complaints had been made to the Monitoring Officer over the last two years about concerning behaviour and dubious decision making at the town council. He referenced the recent Borough Council Standards Committee investigation into allegations of bullying and harassment of the town council Clerk by two town councillors and informed Council that as far as the residents of Bingham were concerned the findings of the Standards Committee, which had been widely publicised, had not been acted upon by those concerned.

Mr Fox went on to say that the petition, which was submitted in advance of the previously mentioned Standards Committee Hearing, met the requirements contained within the legislation to trigger a Community Governance Review despite being conducted during a national lockdown. The strength of feeling within the Bingham community should be clear to Councillors. The petition calls for Bingham Town Council to be temporarily dissolved pending new elections in order to create a collaborative and cohesive town council moving forward. Mr Fox suggested that a toxic environment at Bingham Town Council was damaging to the reputation and credibility of both councils and called upon Borough Councillors to take the robust action required to resolve the situation.

29 **Petition: Community Governance Review (Bingham Town Council)**

Councillors Purdue-Horan, J Stockwood and Williams stepped out of the chamber for the consideration of this item.

The Leader and Portfolio Holder for Strategic and Borough Wide Leadership, Councillor Robinson, commended Mr Fox, and his team, for their hard work and dedication in putting the petition together and thanked him for the passion with which he presented it.

Councillor Robinson stated that the Nolan Principles to which Mr Fox had referred were a fundamental part of all tiers of government and that he felt there was no valid excuse to not abide by these or to seek support when these principles were not adhered to. He mentioned the Local Government Association and the National Association of Local Councils, both of whom offered support and guidance when local authorities were faced with challenges and they did not feel equipped to deal with.

Councillor Robinson highlighted the two actions called for by the 'Bingham Deserves Better' petition: firstly, that the Borough Council dissolves Bingham Town Council and takes over its operation until new elections can be held; and secondly, that the Borough Council takes action to reset the culture and strengthen the procedures at Bingham Town Council. He reminded Councillors that the petition was not about the Standards Committee, not about the behaviour of two councillors, not about the budget and finances at the town council; it is about this Council considering the two calls for action contained within the petition.

The Leader referenced the Local Government and Public Involvement in Health Act 2007 and the specific guidance relating to Community Governance Reviews published in 2010. He informed Council that this was the legislative lens through which the petition had to be viewed. The petition is effectively asking the Borough Council to trigger new elections in Bingham; the Council's legal advisors, both internal and external, have advised that this is not something the Borough Council can do within the aforementioned legislation. Elections and the electoral cycle are pillars of local democracy.

Councillor Robinson drew Council's attention to the Chief Executive's report and the five recommendations that she had proposed. He outlined his intention to strengthen the final recommendation to ensure that robust and tangible action is taken to address the situation highlighted in the 'Bingham Deserves Better' petition. The revised recommendation offers to establish an improvement board to provide support and oversee changes at Bingham Town Council, and also calls upon the Council's Monitoring Officer to make changes to the Council's Constitution in order for this to happen.

The Leader outlined the key features of the proposed improvement board, such as an independent chairman, appropriate sector-focused support, and individuals committed to driving the improvements outlined as necessary by the petition to ensure Bingham Town Council is more efficient, effective, fit for purpose and serves the needs of the local community. Councillor Robinson also committed to write to the new Secretary of State for Levelling Up, Housing and Communities requesting that the Community Governance legislation is

updated to ensure it is also fit for purpose. In addition, he will write to both local Members of Parliament to outline the situation and seek their support in moving forward.

Councillor Robinson concluded the presentation of the Community Governance Review (Bingham Town Council) report by urging Bingham Town Council officers and councillors to listen to their residents and take on board the views expressed via the petition. He asked the town council work with the Borough Council and to take up the offer of an improvement board to address the concerns expressed by the community, to improve local democracy, and to resolve the governance issues perceived to be damaging the town council. He concluded by stating his desire to make Bingham a better place to live and work.

Councillor Edyvean seconded the recommendations contained within the report, including the revised recommendation e), and reserved the right to speak.

Under Standing Order 13, Councillor Gowland called for an adjournment to the debate. This was seconded by Councillor Gray and agreed by the Mayor.

The meeting was adjourned for 7 minutes.

On reconvening the meeting, the Mayor invited Councillor J Walker to speak. Councillor Walker thanked Council for the adjournment and asked Councillor Gaunt to speak on this item.

Councillor Gaunt shared his experience of sitting on Ruddington Parish Council where the meetings were polite, inclusive and focused on serving the needs of the local community. He recognised that this was very different from the situation that appeared to be present in Bingham as highlighted in the petition and in the local press. Councillor Gaunt welcomed the stronger final recommendation proposed by Councillor Robinson and asked for confirmation regarding who would be on the improvement board, and whether it would include anyone from Bingham, and if progress would be reported at the next Council meeting.

Councillor Jones informed Council that in his view Bingham Town Council requires a reset but recognised that the legal position in this matter limits the Borough Council to just a few actions. He stated that it is not within the gift of the Borough Council to dissolve Bingham Town Council as requested and drew Council's attention to paragraph 4.28 of the report which highlights that an offer of support was made over a year ago but was never taken up. He recognised the strength of feeling displayed by the local community through the petition and expressed his support for the Leader's revised recommendation.

Councillor R Mallender expressed sympathy to the residents of Bingham and disappointment in the town council. He recognised that Bingham is a growing community with significant levels of investment in both housing and infrastructure and that something clearly needed to be done to improve the governance of Bingham Town Council. He highlighted that it is difficult to disassociate the petition and the report under consideration from the

investigation and conclusion of the Standards Committee and expressed disappointment that the recommendations of that Committee had not been acted upon. He thanked Mr Fox and the 'Bingham Deserves Better' group for bringing the petition to the meeting and hoped that a better way forward could be found for all members of the community.

Councillor Thomas recognised that a Community Governance Review is not the correct method for dealing with the current situation in Bingham but wished to support what action could be taken to improve the situation. Therefore, she suggested a further change to the revised recommendation and asked for the inclusion of a commitment to bring terms of reference and the board's membership back to Council for approval.

Councillor Robinson apologised for not making his intentions clear. He stated that he was committed to bringing a report back to the next Council meeting, in December, detailing the membership and terms of reference of the improvement board which would broadly be based on the model adopted by Nottingham City Council recently. Councillor Thomas withdrew her amendment to the revised recommendation.

Councillor Clarke informed Council that in his view Councillor Robinson had clearly and succinctly set out the current situation and proposed a solution within the bounds of the legislation as it stands. The report outlines an extremely complex position and the addition of the offer of an improvement board strengthens the recommendations of the report. He urged Bingham Town Council to accept this offer of assistance. He hoped that the petition has acted as a catalyst for transformational change and improvement within Bingham Town Council. As a location, Bingham is a fantastic place to live and a significant amount of investment is being made by a number of partners to improve the town even more.

Councillor Butler expressed his concern for the people of Bingham and reminded Council that the town had been voted the best place to raise a family in a recent national survey. It was, therefore, even more distressing that the people of Bingham felt that their views were not being listened to by the councillors they elected to represent them. He welcomed the petition and the recommendations in the report designed to address the concerns raised by the petition and hoped that Bingham Town Council saw this as an opportunity to resolve the unfortunate situation.

Councillor Gowland supported the actions outlined in the recommendations to the report to avoid the situation in Bingham bringing local democracy into disrepute. Councillor Simms thanked those behind the petition for bringing the situation to the Council's attention and recognised that Bingham does indeed deserve better.

In reflecting on the debate, Councillor Edyvean highlighted that there wasn't anyone within the Council Chamber that did not recognise the hard work that had gone into bringing this petition forward or anyone that would disagree with the importance of good governance in local government. In conclusion, Councillor Robinson spoke directly to Mr Fox in the public gallery. He pointed out that the entire Council seemed to be in agreement that the situation needed

to be addressed and was committed to doing what it could within the bounds of the current legislation to resolve the situation. He stated that the Borough Council wants what is best for the residents of Bingham. He wished he could have come with a fully formed plan of action for the improvement board so that it could be set up immediately following the meeting; however, the situation is very fluid, and the recommendation had only been formed the previous day. Finally, Councillor Robinson implored Bingham Town Council to accept the offer of support in the form of the improvement board and commit to addressing residents' concerns as highlighted in the petition submitted by Mr Fox on behalf of the 'Bingham Deserves Better' group.

It was proposed by Councillor Robinson and seconded by Councillor Edyvean and **RESOLVED** that:

- a) the Council does not accept the Petition;
- b) the Council does not proceed to conduct a Community Governance Review of Bingham Town Council;
- c) the Council provides a written response to the Petition organisers, indicating its reasons for rejection of the Petition;
- d) the Chief Executive writes to Bingham Town Council and Nottinghamshire County Council sharing the contents of this report and setting out what is agreed by Council; and
- e) the Council supports a commitment to working collaboratively with Bingham Town Council and will write to offer to set up an improvement board to review governance and improvement issues at the Town Council and asks the Monitoring Officer to make any necessary changes to the constitution to allow Council to establish such a group.

Councillors Purdue-Horan, J Stockwood and Williams returned to their seats.

30 **Appointment of Independent Persons**

The Leader and Portfolio Holder for Strategic and Borough Wide Leadership, Councillor Robinson presented the report of the Monitoring Officer which recommended the appointment of Mr Christopher Richards and Ms Helen Richardson as the Council's Independent Persons for standards as required by the Localism Act 2011 (the Act). It was noted that on 11 July 2019, Council adopted the Best Practice Principals and recommendations of the Committee on Standards in Public Life (CSPL). Best Practice 7 states: "Local authorities should have access to at least two Independent Persons." Therefore, the Portfolio Holder asked the Council to support the recommendations in the report to meet its statutory obligations as prescribed by the Act and thanked Mr Baggaley for his work as the Council's independent person since 2013.

Councillor Moore seconded the recommendations of the report and reserved the right to speak.

Councillor J Walker supported the recommendations in the report and thanked

Mr Baggaley for his work as the Council's independent person since 2013.

Councillor Jones, Mallender and Thomas all supported the recommendations in the report.

It was proposed by Councillor Robinson and seconded by Councillor Moore and **RESOLVED** that the Council appoint Mr Christopher Richards and Ms Helen Richardson as its Independent Persons for standards under section 28(7) of the Act for a fixed period of two years.

31 **Devolution and "Levelling Up" in Nottinghamshire**

The Leader and Portfolio Holder for Strategic and Borough Wide Leadership, Councillor Robinson presented the report of the Chief Executive which recommended that Council support and endorse the Leader and Chief Executive's involvement in continued discussions about a "County Deal" in Nottinghamshire with any arrangements affecting Rushcliffe Borough Council to be brought back to Council for full discussion and approval prior to adoption. It was explained that the Prime Minister had set out a vision for new devolution deals across the country in his "Levelling Up" speech offering counties the ability to have devolved powers like some of the cities. On the same day, the Secretary State for Housing, Communities and Local Government wrote to Local Authority Leaders and Chief Executive setting out a commitment to "devolving power to local places and closer to citizens." It was hoped that the Council's involvement in the devolution and "Levelling Up" in Nottinghamshire would provide efficiency and effectiveness to local government authorities in Nottinghamshire.

It was expected that deals would include significant reform proposals, including ways to achieve greater financial efficiency, administrative streamlining and / or more joined up services in an area. It was explained that this would not mean that unitary status for the county of Nottinghamshire would be required but that it would include partnership working with Nottingham City Council. The Portfolio Holder was pleased to report that Nottinghamshire District Leaders and Chief Executives were invited to meet with the Leader and Chief Executive of Nottinghamshire County Council to discuss working closely together with the City Council to support a bid to be a "pathfinder" area for County Deals and that more details will be provided in the Government's Levelling Up white paper in the autumn.

It was proposed that the starting point for the governance for any devolution deal based on a County Deal is the Economic Prosperity Committee which was originally set up in 2015. The Council were informed that legal advice will be sought on any amendments that would need to be made and any sub groups/committees that would be set up.

The Leader assured the Council that any formal agreements that would impact on the Borough Council would be brought back to Council for full discussion and debate prior to an agreement and adoption.

Councillor Edyvean seconded the recommendations and was pleased to note that a "County Deal" was widely supported across political parties.

Councillor Gowland noted that the Labour group supported the recommendations outlined in the report. She suggested that a town council in West Bridgford be appointed to deal with planning applications, West Bridgford High Street and the schedules of grass cutting. Councillor Gowland stated that it was essential for powers to be devolved to local authorities in order to tackle austerity. It was noted that the number of employees of central government had increased by 23% whereas the number of employees of local government had decreased by 30%. Additionally, spending fell by 18% in the East Midlands compared to 13% nationally. Councillor Gowland suggested that the County Deal should focus on reducing inequality and tackling the climate crisis, economic development, and transport. It was welcomed that any formal decisions that would affect the Borough would be debated at Council before their implementation.

Councillor Jones was pleased that local authorities would receive more funding. Councillor Jones stated that he opposed Nottinghamshire becoming a unitary authority as he believed it was a waste of time and resources. He also noted that he understood the Leader's commitment to maintain local democracy.

Councillor R Mallender was pleased to see that local authorities would be working together in order to make improvements to Nottinghamshire's governance. Councillor Mallender stated that the East Midlands currently received low investment from central government to tackle issues such as the environment and therefore, expressed his support for the recommendations in the report.

Councillor Thomas suggested that the Councils currently willing to be involved in the levelling up agreement should do all they can to ensure that all Councils in Nottinghamshire be involved.

Councillor Upton was pleased with the implementation of a County Deal as he had always campaigned against a unitary authority for Nottinghamshire. Councillor Upton said that the levelling up of Nottinghamshire had the potential of economies of scale in areas such as waste and planning.

In response to the comments above, Councillor Robinson stated that the ambitions of the county deal would include levelling up in areas such as wealth inequality, health and social care and strategies for tackling the climate crisis. Councillor Robinson informed the Council that it had been discussed that one of the areas which could be levelled up would be the standard of houses built across the county.

It was proposed by Councillor Robinson and seconded by Councillor Edyvean and **RESOLVED** that the Council supports and endorses the Leader and Chief Executive's involvement in continued discussions about a "County Deal" in Nottinghamshire with any arrangements affecting Rushcliffe Borough Council to be brought back to Council for full discussion and approval prior to adoption.

- a) The following Notice of Motion was proposed by Councillor Jones and seconded by Councillor Begum.

Prior to presenting his motion Councillor Jones informed the Mayor that he wished to make a small alteration under Standing Order 14 (highlighted in italics below). After outlining the alteration, consent was given by Council and Councillor Jones proceeded to move the motion.

“This Council calls on the Government to provide funding over five years to local authorities accommodating vulnerable Afghan Refugees so that practical and social support can be provided and in the case of large families, considers deferring the application of benefit caps to families as they are comprised on arrival to avoid recreating poverty and homelessness.”

Councillor Jones informed Council, in moving the motion, that this was a call for the government to extend its current three-year funding model to five years in recognition of the long-term support and stability needed by refugee families. Evidence from the Syrian Resettlement Programme should be sufficient to demonstrate that longer term funding is needed for the following reasons: funding is required to set up homes including basic furniture and provisions, it is required to fund the refugee workers to support families to register with GPs, apply for jobs or benefits, set up a bank account or find a gas and electricity supplier; and this is before addressing the emotional distress caused by trauma, resettlement and building an entirely new life. Councillor Jones informed Council that resettlement takes time and requires stable funding which is why he has brought forward this motion to seek five-years' worth of funding instead of three as well as requesting the deferment of the application of the benefits cap for refugees from Afghanistan to avoid creating further hardship and homelessness.

Councillor Begum seconded the motion and reserved the right to speak.

Councillor Brennan proposed an amendment to the motion. She stressed that no one can have failed to be shocked by how quickly the situation in Afghanistan deteriorated after the withdrawal of western troops or to fear deeply for the safety of the women and girls left behind. It was noted that simply the use of social media would not secure their freedoms and safety. The UK government has been at the forefront of humanitarian aid with relocation and resettlement schemes already operational such as “Operation Warm Welcome” and the Afghan Relocation and Assistance Scheme. It was explained that under these schemes that £200 million of government funding would enable the UK to welcome 20,000 Afghan citizens. Additionally, it was announced by the Home Office that that everyone arriving under these schemes would be given indefinite leave to remain. Granting Indefinite Leave to remain provides certainty and stability to those resettling in the UK. It provides the right to work and recourse to public funds, including social housing and homelessness assistance. Whilst this Council would like to offer as much support to displaced families as possible, it seems a little premature to suggest that longer term funding is required to schemes that are only weeks old. The Conservative Group cannot support the motion as it stands and proposes the following amended motion:

“This Council calls on the Government to provide funding over five years to local authorities accommodating vulnerable Afghan Refugees so that practical and social support can be provided and This Council welcomes the Government’s comprehensive plans to support the relocation of vulnerable Afghan refugees into the UK but calls on the Government to keep under review the decision to provide funding over three years to local authorities to support these plans, with a view to a possible extension if necessary and, in the case of large families, considers deferring, if necessary and for a limited period, the application of benefit caps to avoid recreating poverty and homelessness to further support their integration into local communities.”

Councillor Barney seconded the amendment and reserved the right to speak.

The Mayor asked Councillor Jones if he supported the amendment. He informed Council that he did not as he felt the amendment diluted the original motion.

Councillor J Walker informed Council that she felt sufficient evidence existed from the resettlement programme for Syrian refuge families to support an initial five years of funding and that the motion should not be amended, and Councillor Thomas agreed that the amendment changed both the meaning and sentiment of the original motion so she would not be supporting it. Councillor Begum reported to Council that she had experience of supporting Syrian refuge families and the current programme for Afghan refugees did not offer the right level of support as it stands.

Councillor Barney reminded Council of the Moment of Reflection at the beginning of the evening where the Tamil community stressed the value of doing things for others. He informed Council that he was personally very moved by the TV footage of the recent events in Afghanistan and would be seeking to do everything he could to help families that were resettled locally. He reported that he had been honoured to be involved in conversations at County Hall which started with the premise, ‘how can we help?’ Therefore, he felt it was important to get behind the scheme as it stands now to take practical action to help those families in need, and improve the scheme later, if it is required.

Councillor Brennan thanked Councillor Barney for his heartfelt comments and reminded Council that she felt that it was a distraction to focus on extending the scheme at this point when people had worked very hard to put it in place quickly, and that displaced families needed the Council to focus on the practical ways in which they could help not argue about what more could be done in the future with greater levels of funding.

On being put to the vote the amendment was carried. There was no further debate and the motion, as amended was carried.

- b) The following Notice of Motion was proposed by Councillor Thomas and seconded by Councillor Jones.

“This Council recognises that food waste contributes hugely to climate change and appreciates the carbon benefits that could be realised if Rushcliffe's household food waste was collected separately and

processed via Anaerobic Digestion or In-Vessel Composting. Council will seek to influence relevant partners and agencies to bring this forward as soon as is practically possible.”

Councillor Thomas informed Council, in moving the motion, that sending food waste to landfill produced methane gas and incinerating food waste produced carbon monoxide, both of which contributed significantly to global warming. If food waste is processed via Anaerobic Digestion or In-Vessel Composting to produce compost, biofuel and fertiliser then it makes a positive contribution to climate change. Councillor Thomas also informed Council that separating food waste at source increases resident awareness of food wastage, which may in itself help to reduce waste, and keeps bins cleaner. The Environment Bill is expected to require the separate collection of food waste from 2023/24, and whilst funding might be available later, Councillor Thomas informed Council that this was not a situation she felt the Council should be dragged into kicking and screaming but one they should choose to do as quickly as possible. Councillor Thomas informed Council that 37% of local authorities already provided a separate food waste collection service with an additional 11% collecting food waste with garden waste and 3% of local authorities provided both services. She felt that it was shameful that Rushcliffe fell into the category with 49% of local authorities providing no separate food waste collection service. Councillor Thomas recognised that the Borough Council was not the waste disposal authority but felt that more could be being done to influence the County Council.

Councillor Jones seconded the motion and reserved the right to speak.

Councillor Inglis proposed an amendment to the motion informing Council that no one disagrees with the need for and environmental impact of separate food waste collection; however, he felt that the move was premature as the Environmental Bill had not yet reached Royal Assent and large areas of the Bill were still being worked upon. This authority did not have control over the end-to-end process and therefore has to work with a number of partners to ensure the environmental benefits can be realised. In addition, Councillor Inglis informed Council that the separate collection of food waste was just one part of the Environmental Bill and that it would not be prudent or pragmatic to focus on one area in advance of the whole picture being understood. In proposing the following amended motion, Councillor Inglis also made it clear that officers were already drawing up preliminary plans so that once the Bill had been agreed actions could be taken swiftly:

“This Council recognises that food waste contributes hugely to climate change and appreciates the carbon benefits that could be realised if Rushcliffe's household food waste was collected separately and processed via Anaerobic Digestion or In-Vessel Composting. Council will continue working with relevant partners and agencies to bring this forward as soon as is practically possible following any national guidelines set by Government in the forthcoming Environmental Bill.”

Councillor Clarke seconded the amendment and reserved the right to speak.

The Mayor asked Councillor Thomas if she supported the amendment.

Councillor Thomas was willing to accept the amendment if the second sentence of the motion was removed altogether. She believed that the Borough Council should be working on the draft of the Bill that has already been published so that swift action could be taken and that removing the second sentence of the motion indicates that intention. Councillor Gowland seconded the amendment to the amendment and Councillor Inglis agreed to accept the change. The amended motion now reads:

“This Council recognises that food waste contributes hugely to climate change and appreciates the carbon benefits that could be realised if Rushcliffe's household food waste was collected separately and processed via Anaerobic Digestion or In-Vessel Composting.”

Councillor Jones informed Council that the purpose of the motion was to encourage the Council to get a move on and not wait for legislation because the separate collection of food waste was clearly the right thing to do for the environment. Councillor R Mallender echoed that view and stressed that we should be reducing carbon emissions by any means possible to address the climate emergency.

Councillor Barney informed Council that the process of anaerobic digestion was getting much better and that he saw this as a very exciting time for the Council.

Councillor Gaunt asked whether this motion would in effect commit the Council to separate food waste collections regardless of whether the requirement remained in the final version of the Environment Bill.

Councillor Clarke informed Council that the County Council transport and environment committee were already in discussions about these matters including how it can be done, where the money will come from, how much of the Bill will be law and how much will be guidance. He stated that any change of this scale needs to be practically achievable and well thought through to avoid unintended and unpalatable consequences.

Councillor Thomas, in her right of reply, stated that the amendments had taken the teeth out of the motion but that it needed to happen because it's the right thing to do.

On being put to the vote, the amended motion was carried.

- c) The following Notice of Motion was proposed by Councillor J Walker and seconded by Councillor Gowland.

“This Council calls on the government to halt the destructive programme of so called "planning reform" set out in the "Planning for the Future" White Paper, particularly the zoning proposals, and keep local councillors, communities and democracy at the heart of the planning process.”

Councillor J Walker informed Council, in moving the motion, that changes to planning legislation had repeatedly restricted the number of ways in which

local people can have a say in planning matters in their local area, the main one now being their involvement in the creation of a local plan. She recognised that change is definitely required, with the last significant policy review being the 1947 Town and County Planning Act. The Labour Group would like to see increased transparency, in particular the basis of assessment for housing need; improved and more effective engagement with existing residents; truly sustainable building; wildlife recovery and easy access to nature for residents; increased funds and resources to make it easier for residents to get involved in planning. Councillor J Walker summed up by explaining that the current planning reforms under consideration fall short of the five goals outlined above.

Councillor Gowland seconded the motion and reserved the right to speak.

Councillor Upton informed Council that as Chairman of the Council's Planning Committee, a member of the County Council planning Committee and having worked with planning throughout his working life, it is clear that the planning system does need reforming. Put simply, some current planning rules are overly prescriptive, some are not strong enough and some are no longer relevant to the challenges communities face. However, it is vital that any reforms are carefully considered with input from all of those that participate in good and effective planning. This Council responded to all 24 proposals contained within the white paper and on the basis that it is vital that planning reform is grounded in local democracy, the Conservative Party will not be calling on the Government to halt local planning reform as requested in this motion. Councillor Upton did recognise that the reform paper was currently paused to ensure that all comments arising from the consultation exercise were taken into account and, whilst this was taking place, Rushcliffe would continue to build more houses because that is what the Borough needs.

Councillor Jones wondered if future consultation responses could be made available to Councillors as he felt that could have informed the debate. He went on to outline the many concerns he had with the white paper and in particular the plans to established zones that would, in effect, not require further planning permission. He stated that local residents and the council's that represent them should have more involvement and more local control not less.

Councillor R Mallender recognised that zoning is very popular and successful elsewhere but that it does not enhance local democracy and lead to a greater feeling of community control. He went on to note that some kind of planning reform is needed but that the current iteration of the white paper does not appear to hit the mark.

Councillor Thomas noted that the planning white paper would reduce democratic engagement and that there is considerable evidence to suggest that local residents care deeply about planning matters. Local knowledge is key to strategic development, but residents are not planners and this lack of knowledge and expertise often precludes their involvement. However, on a local level, planning consultation does work, direct mail and notices on lampposts, and it would seem detrimental to remove this stage of public consultation. She expressed concern about other changes already happening in advance of the publication of new legislation and called upon the Council to make its concerns heard.

Councillor R Walker outlined that many councillors had spoken about fundamental flaws in the planning process but were also calling for a halt to reforms designed to address many of those concerns. He recognised that no one wanted new houses built near them, but that they had to go somewhere and that the best way to be able to influence a process is to be part of the process – in this case ensuring that suitable infrastructure was in place to support the development for example.

Councillor Edyvean reminded Council that the opportunity to contribute to the consultation had passed and that reform was desperately needed; we might not agree with every detail, but the overall change is welcomed.

Councillor Gaunt reminded Council that the motion called for a halt to reform as outlined in white paper, not reform overall; there has to be a better way. Councillor Gowland supported this view and also stressed that local residents need to be able to participate in the planning process both strategic development and piecemeal changes such as home extensions.

Councillor J Walker expressed her disappointment with the debate which seemed to suggest the wholesale acceptance of the planning reforms outlined in the white paper including those which would decrease local democracy, and she called for a recorded vote.

FOR: Councillors B Bansal, N Begum, M Gaunt, P Gowland, B Gray, R Mallender, J Murray, K Shaw, C Thomas, J Walker and L Way

AGAINST: Councillors R Adair, S Bailey, M Barney, A Brennan, B Buschman, R Butler, N Clarke, T Combellack, G Dickman, A Edyvean, L Healy, R Inglis, C Jeffreys, R Jones, D Mason, G Moore, A Phillips, F Purdue-Horan, S Robinson, D Simms, J Stockwood, M Stockwood, R Upton, D Viridi, R Walker, D Wheeler, and G Williams

ABSTAIN: S Mallender

On being put to the vote, the motion was lost.

33 **Questions from Councillors**

a) Question from Councillor Jones to Councillor Inglis

“Precisely when will the Council get on top of the planning issues arising from the building on Sharphill and the several breaches of environmental requirements?”

Councillor Inglis responded that the Council acknowledges the environmental issues raised by Councillor Jones and takes the implementation and enforcement of the Supplementary Planning Framework very seriously. As such, the Council has recently restructured the Planning Service to create a new dedicated Planning Monitoring and Implementation role at Principal level in order to take a proactive lead on the Sharphill enforcement and others across the Borough.

Councillor Inglis also informed Council that the Planning Service Manager met with a Director from the housebuilder last week to raise the concerns about the potential environmental breaches and is expecting a response in the near future. In addition, a dedicated Officer in the Economic Growth team has been appointed to facilitate a resolution and liaise with the developer and local stakeholders.

Supplementary question

Councillor Jones asked:

“Given that the builders on Sharphill have not conformed to the Council’s Supplementary Planning Framework document, and that buildings have been and are being erected much closer to the Council’s nature reserve than that specified by this Council, what assurance can you give that the so-called developers will be made to apply them?”.

Councillor Inglis reported that the Council is investigating this issue and where breaches have occurred, the Council will seek to negotiate compliance with the developer. Although it is hoped it won’t be necessary, the Council can use appropriate enforcement powers where necessary.

b) Question from Councillor Gowland to Councillor Robinson

“Please can the Council tell me how much Voter ID will cost Rushcliffe Borough Council when running a General Election.”

Councillor Robinson notified Councillor Gowland that it is currently unclear exactly what will be involved and, therefore, he cannot answer the question at this time. However, most costs of delivering the general election can be reclaimed from the government. If there are extra duties that take up staff time and resources prior to the elections, then there may be a new burdens payment from Government.

Supplementary question

Councillor Gowland asked:

“How many cases of voter fraud were there in Rushcliffe at the last general election?”

Councillor Robinson informed Councillor Gowland that he did not have that information to hand but would ensure that it was circulated to Councillors within the next seven days.

The meeting closed at 9.45 pm.

CHAIRMAN

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Council

Thursday, 2 December 2021

Electoral Review of Rushcliffe – Draft Recommendations

Report of the Chief Executive

**Cabinet Portfolio Holder for Strategic and Borough Wide Leadership,
Councillor S J Robinson**

1. Purpose of report

- 1.1. The Council is participating in a periodic review requested by the Local Government Boundary Commission for England (LGBCE). In March 2021, Council approved the Review of Council Size before its submission to the LGBCE.
- 1.2. The LGBCE decided that Rushcliffe should retain 44 Councillors and undertook its first stage of consultation between 11 May to 19 July. They asked for feedback on where the Borough's ward boundaries should be drawn.
- 1.3. The second stage of the consultation commenced on 5 October, with the publication of Draft Recommendations setting out where the LGBCE considers the Borough's ward boundaries should be drawn and how many Councillors should be elected by each ward. Councillors have had the opportunity to consider these recommendations and Appendix One presents the Council's draft response ("draft response") to the second stage of the consultation.
- 1.4. Council is asked to consider the comments made by Councillors and contained in the draft response to the LGBCE consultation at Appendix One and approve the document before it is presented to the LGBCE.

2. Recommendation

It is RECOMMENDED that Council approves the draft response to the second stage of the LGBCE consultation and instructs officers to submit the document on the Council's behalf.

3. Reasons for Recommendation

The draft response document contained at Appendix One draws together the views of Councillors to form the Council's response to the LGBCE consultation on its draft recommendations for the electoral arrangements in Rushcliffe. It is important that given the nature of the changes proposed that the Council presents the local perspective to ensure that the decisions made by the LGBCE reflect Rushcliffe's local communities.

4. Supporting Information

- 4.1. The LGBCE published its Draft Recommendations for Rushcliffe on 5 October. This outlined where the Commission believes the ward boundaries for Rushcliffe should be and how many Councillors should be elected to represent each ward. The publication of the Draft Recommendations triggered a second stage of consultation which runs until 13 December.
- 4.2. In summary, the LGBCE recommends:
- Council to stay at 44 Councillors
 - 21 new wards – four fewer than there are now
 - More multi-member wards than currently
 - Boundaries of most wards changing (three stay the same)
 - Names of some wards changing
 - Two town / parish councils affected (Bingham and Radcliffe).
- 4.3. Councillors were invited to submit comments and observations to officers on the Draft Recommendations before 22 October. This feedback was then discussed by Group Leaders on 25 October, before being compiled into the draft response from the Council contained at Appendix One.
- 4.4. Councillors were keen to communicate the following key points to the LGBCE:
- 4.4.1. There is clear agreement with the recommended ward boundaries for Ruddington, Leake, Radcliffe on Trent, Cotgrave, Abbey, Compton Acres, Musters, and Edwalton.
- 4.4.2. There is broad agreement (minor alterations suggested) with the recommended ward boundaries for Keyworth and Wolds, Neville and Langar, Tollerton, and Gamston.
- 4.4.3. A new name has been proposed for the reduced Lutterell ward – Wilford Hill.
- 4.4.4. Minor concerns relating to the change from an East/West split of Bingham to a North/South division.
- 4.4.5. The draft response raises significant concerns about the three geographically large multi-member rural wards proposed for Soar Valley, East Bridgford, and Aslockton and Cropwell. These concerns relate to the perception that all elected Councillors are responsible for and accountable to the whole ward and the implication therefore that all have to attend all parish council meetings, respond to all planning consultations, and attend to all resident related casework. This spreads the elected members very thinly, causes confusion within the ward in relation to effective governance and leads to further disengagement in local democracy. The Council

believes that single member wards in large rural areas will result in more effective local governance.

4.4.6. The draft response further disagrees with the proposals for the new Barton in Fabis ward and Bunny ward and makes alternative suggestions for the LGBCE to consider. The Council is concerned about the creation of a new ward for Barton in Fabis which is significantly in advance of the population of the new Fairham community and does not take account of the emerging identity of that community which is likely (by the nature of the development) to be very different to other areas of the ward – instead it proposes the retention of the current Gotham ward for this area. In terms of the proposals for Bunny ward, the Council does not agree that Plumtree should move into the ward and proposes the inclusion of Widmerpool and Willoughby on the Wolds instead which have much stronger community ties to the existing ward.

4.4.7. Furthermore, the draft response disagrees with the recommended ward boundaries for the Trent Bridge ward as proposed by the LGBCE. The grouping of the primarily transient Trent Bridge student population and city-bound professionals with the close-knit and established academic and artistic Lady Bay community demonstrates a lack of local knowledge and understanding. This is not the fault of the LGBCE who, the Council accepts, have undertaken this exercise from a distance due to Covid-19 restrictions but given the local nuances the LGBCE are urged to reconsider this area of their recommendations. The Council suggests that the existing two wards are retained (but accepts that some internal boundaries may have to change).

4.4.8. As well as the observations summarised above, and contained in more detail in Appendix One, the draft response strongly recommends the LGBCE visit both Bingham and the existing Trent Bridge and Lady Bay wards in light of the comments made by Councillors regarding their proposals. Covid-19 made it difficult for the LGBCE to undertake onsite visits during the earlier stages of consultation; however, visits are recommended to support the LGBCE's understanding of the diversity of community identity between very different but geographically coterminous areas.

5. Alternative options considered and reasons for rejection

The Council could choose not to respond to the consultation which would result in ward boundaries being imposed in the Borough that were electorally equitable but did not correlate with the communities Rushcliffe's Councillors represent.

6. Risks and Uncertainties

Failure to ensure electoral representation is fair and equitable restricts the Council's ability to deliver services reflective of local need, demand and choice. Disproportionate electorate to Councillor numbers reduces capacity to ensure

understanding of local representation and ensure it properly reflects community identity.

7. Implications

7.1. Financial Implications

There are no financial implications related to the recommendations of this report.

7.2. Legal Implications

If approved by the Commission, the electoral arrangements for Rushcliffe will be laid by draft order before Parliament in Summer 2022. If made, the order will come into force in 2023. Until such date, the existing ward boundaries and Councillor numbers will continue in their current format.

7.3. Equalities Implications

Adequate representation of the electorate is one of the primary drivers behind this review. A sense of 'community identity' is one of the LGBCE's key considerations when proposing a change of ward boundary.

7.4. Section 17 of the Crime and Disorder Act 1998 Implications

There are no Section 17 implications related to the recommendations of this report.

8. Link to Corporate Priorities

Quality of Life	Fair, equitable, and responsive democratic representation is a key element of quality of life for our residents.
Efficient Services	By ensuring that each Councillor represents a fairly equal number of electors, each Councillor will have the best opportunity to deliver efficient and effective representation for their ward.
Sustainable Growth	Whilst the Borough is expanding it is important to maintain fair, equitable, and responsive democratic representation
The Environment	

9. Recommendation

It is RECOMMENDED that Council approves the draft response to the second stage of the LGBCE consultation and instructs officers to submit the document on the Council's behalf.

For more information contact:	Charlotte Caven-Atack Service Manager – Corporate Services 0115 914 8278 ccaven-attack@rushcliffe.gov.uk
Background papers available for Inspection:	
List of appendices:	Appendix One – LGBCE Draft Proposals for Rushcliffe

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Draft Response to LGBCE Draft Recommendations

Introduction

The Council welcomes the opportunity to comment upon the recommended ward boundaries as proposed by the Local Government Boundary Commission (LGBCE) for England in October 2021. The following observations have been drawn together from comments made by Councillors in an internal consultation exercise that was open to all. Councillors also have the option of responding to the LGBCE directly by the 13 December deadline.

The observations have been structured in line with the LGBCE Draft Recommendations to ensure the Council's comments reflect the proposals made by the LGBCE in this stage of the consultation. Comments from Councillors aim to highlight where the proposals do and do not reflect local community identities as well as practical geography on the ground as well as taking account of the LGBCE three main considerations when carrying out a review:

- Improving electoral equality by equalising the number of electors that each councillor represents
- Ensuring that the recommendations reflect community identity
- Providing arrangements that support effective and convenient local government.

South Western Rushcliffe

Barton in Fabis

Current: part of the existing Gotham ward

Proposed: 1 councillor

Anticipated number of electors 2027: 2,276

Variance from the average 2027: -6%

The Council recognises that this new ward has been created to accommodate the large development at Fairham that is due to be started in the next few years. However, it has concerns on two accounts. Firstly, that the new development at Fairham is likely to be very different in terms of community identity to the existing and established settlements that would also fall into this ward. There is no doubt that due to the scale of development at Fairham that, once built, this will be a suburban settlement, contrasting vastly with the much smaller rural villages nearby. Secondly, the pace of development is difficult to predict and there may be far fewer electors resident in the ward at the time of the next two elections than predicted. Councillors have expressed concerns about the electoral equality in this area should development progress at a slower pace than expected.

However, the existing ward member for this area is in support of these proposals which recognise the additional workload in terms of community leadership managing the settlement of a new residential area for both new residents and those who already live in the area.

The Council would encourage the LGBCE to consider retaining the existing single-member Gotham ward (though perhaps a smaller geographical area would balance the new housing that does get built in Fairham before 2027) alongside a combined Sutton Bonnington / part Leake ward (following the lines of the proposed Soar Valley ward below) at this Electoral Review. This would allow time for the new development at Fairham to be built and establish its own sense of identity as well as satisfying the needs of the smaller rural areas in the shorter term. In the future, a separate ward for the suburban Fairham area would be welcomed; although the Council feels that the more rural existing villages in this area would continue to have more commonality with similar villages through the existing Sutton Bonnington and Leake wards. An alternative would be to combine the whole of the west of the Borough into one single three-member ward although the Council has serious reservations about the democratic equality and effectiveness of three-member wards in rural areas spanning large geographical areas (see note at the end of this document).

Soar Valley

Current: combination of the existing Sutton Bonnington ward with parts of Gotham and Leake wards

Proposed: 2 councillors

Anticipated number of electors 2027: 4,169

Variance from the average 2027: -14%

The Council is very concerned about the large geographical area that this proposed ward covers and the impact of this on effective local governance. Rushcliffe's Councillors are generally very active within their communities attending as many community events and parish council meetings as they can. This proposed area covers 7 parishes and meetings tend to be on a monthly basis. Councillors have reported that in multi-member wards there is an expectation that all elected members respond to planning application consultations, attend parish council meetings and respond to resident enquiries. Although some are able to

divide the workload, others, especially where the councillors are not from the same political party, find this more difficult if they are to represent the community adequately.

The Council also encourages the LGBCE to take into account the comments made above in relation to the proposed Barton in Fabis ward.

Ruddington

Current: 3 councillors

Proposed: 3 councillors

Anticipated number of electors 2027: 7,100

Variance from the average 2027: -3%

The Council is satisfied that the proposals for Ruddington ward represent good electoral equality, community identity and effective and convenient local governance.

Bunny

Current: 1 councillor

Proposed: 1 councillor

Anticipated number of electors 2027: 2,324

Variance from the average 2027: -4%

The Council is supportive of the retention of Bunny as a single-member ward. However, Councillors were agreed that Plumtree has close community links with Tollerton and should remain within the Tollerton ward. If it is not possible to balance electoral equality by keeping Plumtree in the Tollerton ward, then the Council would suggest it has closer links with Keyworth with many Plumtree residents using health and education facilities as well as shopping and social groups within Keyworth. A main bus route also connects Plumtree and Keyworth.

The Council would encourage the LGBCE to consider the inclusion of rural villages such as Widmerpool and Willoughby on the Wolds currently in the Keyworth and Wolds ward instead of Plumtree as these villages have more in common with Wysall (in the Bunny ward) and the communities of all three villages identify better with each other (known locally as the W's) than either Bunny or Keyworth.

Leake

Current: 3 councillors

Proposed: 3 councillors

Anticipated number of electors 2027: 7,611

Variance from the average 2027: +4%

The Council is satisfied that the proposals for Leake ward represent good electoral equality, community identity and effective and convenient local governance.

South Eastern Rushcliffe

Keyworth and Wolds

Current: 3 councillors

Proposed: 3 councillors

Anticipated number of electors 2027: 8,027

Variance from the average 2027: +10%

The Council encourages the LGBCE to take into account the comments made above in relation to the Bunny ward and suggests that this may help to rebalance the electoral equality (reducing the +10% the current proposals suggest) as new housing developments within Keyworth grow the village during the next electoral cycle.

There is a strong feeling from one of the current ward councillors that the southern parts of the Keyworth and Wolds ward including Willoughby and Widmerpool should be incorporated into the Bunny ward rather than remaining in Keyworth and Wolds.

Neville and Langar

Current: 1 councillor

Proposed: 1 councillor

Anticipated number of electors 2027: 2,386

Variance from the average 2027: -2%

The Council is satisfied that the proposals for the Neville and Langar ward represent good electoral equality, community identity and effective and convenient local governance.

However, the Council would like the LGBCE to reconsider the situation regarding Langar and Barnstone Parish Council. These two villages share a church, village hall and parish council, they have a clear shared community identity demonstrated in their strapline of 'two villages – one community', but straddle a Borough ward boundary; in reality, councillors from two wards service the needs of this parish unnecessarily duplicating work and creating ineffective local governance. The Council would recommend moving the whole parish into the Neville and Langar ward.

North Eastern Rushcliffe

East Bridgford

Current: expanded East Bridgford ward to include areas currently covered by Cramner, Thoroton and Bingham West

Proposed: 2 councillors

Anticipated number of electors 2027: 5,227

Variance from the average 2027: +7%

The Council is very concerned about the large geographical area that this proposed ward covers and the impact of this on effective local governance. Rushcliffe's Councillors are generally very active within their communities attending as many community events and parish council meetings as they can. This proposed area covers 15 parishes and meetings tend to be on a monthly basis. Councillors have reported that in multi-member wards there is an expectation that all elected members respond to planning application consultations, attend parish council meetings and respond to resident enquiries. Although some are able to divide the workload, others, especially where the councillors are not from the same political party, find this more difficult if they are to represent the community adequately.

The Council asks the LGBCE to consider two single-member wards to cover this geographical area to ensure effective and convenient local government is maintained. It would further suggest that these two wards should retain the names of East Bridgford and Thoroton albeit with slight changes to the outer ward boundary as proposed.

Bingham North

Current: redrawing of the boundaries within Bingham to reach more equitable electoral representation

Proposed: 2 councillors

Anticipated number of electors 2027: 4,568

Variance from the average 2027: -6%

Whilst the Council understands the redrawing of the internal Bingham boundary from East/West to North/South represents better electoral equality following development within the Town, it encourages the LGBCE to visit the area in person before finalising this decision. Councillors from this area feel that the arbitrary drawing of the line dissects the communities with which they have formed strong links over time. It also splits the centre of the Town, including the main school, for purely administrative purposes. The current East/West split is far more logical when visited 'on the ground'.

Bingham South

Current: redrawing of the boundaries within Bingham to reach more equitable electoral representation

Proposed: 2 councillors

Anticipated number of electors 2027: 4,745

Variance from the average 2027: -2%

See comments above in relation to the proposed Bingham North ward.

Aslockton and Cropwell

Current: newly created rural ward encompassing part of Thoroton, part of Cramner, part of Radcliffe on Trent and all of Cropwell ward

Proposed: 2 councillors

Anticipated number of electors 2027: 5,342

Variance from the average 2027: +10%

The Council is very concerned about the large geographical area that this proposed ward covers and the impact of this on effective local governance. Rushcliffe's Councillors are generally very active within their communities attending as many community events and parish council meetings as they can. This proposed area covers 8 parishes (plus 2-part parishes) and meetings tend to be on a monthly basis. Councillors have reported that in multi-member wards there is an expectation that all elected members respond to planning application consultations, attend parish council meetings and respond to resident enquiries. Although some are able to divide the workload, others, especially where the councillors are not from the same political party, find this more difficult if they are to represent the community adequately.

The Council asks the LGBCE to consider two single-member wards to cover this geographical area to ensure effective and convenient local government is maintained. It would further suggest that these two wards should retain the names of Cropwell and Aslockton albeit with slight changes to the outer ward boundary as proposed. If the LGBCE wishes to implement the current proposal, the Council would recommend the name of the ward should be Cropwell and Aslockton instead.

Upper Saxondale residents' association are happy their suggestions have been accepted

The Council would encourage the LGBCE to consider its earlier comments in relation to the warding of Barnstone village under Neville and Langar above.

Northern and Central Rushcliffe

Radcliffe on Trent

Current: reduction of current Radcliffe on Trent ward to exclude Upper Saxondale

Proposed: 3 councillors

Anticipated number of electors 2027: 7,471

Variance from the average 2027: +2%

The Council is satisfied that the proposals for the Radcliffe on Trent ward represent good electoral equality, community identity and effective and convenient local governance.

Tollerton

Current: reduction of existing ward losing Plumtree Parish to Bunny ward and Clipston and Normanton on the Wolds move to Cotgrave ward

Proposed: 1 councillor

Anticipated number of electors 2027: 2,636

Variance from the average 2027: +8%

The Council would encourage the LGBCE to consider the comments made above under 'Bunny' which suggest that Plumtree has significant community ties to Tollerton and should be retained within this ward if at all possible. The same applies to Clipston and Normanton on the Wolds - both communities look to Tollerton for social activity, schools, and shops. However, the Council understands that there is significant development planned in the Tollerton area and that electoral equality may not be achievable without change to the existing ward boundaries.

Cotgrave

Current: expansion of existing Cotgrave ward

Proposed: 3 councillors

Anticipated number of electors 2027: 7,329

Variance from the average 2027: 0%

The Council is satisfied that the proposals for the Cotgrave ward represent good electoral equality, community identity and effective and convenient local governance. The Council would, however, encourage the LGBCE to consider comments made above in relation to Clipston on the Wolds and Normanton on the Wolds.

North Eastern West Bridgford

Trent Bridge

Current: Combination of existing Trent Bridge and Lady Bay wards minus the homes between Rectory Road / Albert Road and Abbey Road, Abbey Circus, Exchange Road and the rear of Manvers Road which all now fall into Abbey ward.

Proposed: 3 councillors

Anticipated number of electors 2027: 6,699

Variance from the average 2027: -8%

The Council is strongly opposed to the proposals for the Trent Bridge ward. Several Councillors have expressed the view that the area currently considered as Lady Bay ward has a distinct and separate community identity to other areas of West Bridgford even though those areas may be geographically close. It is closely bounded by the canal and a major road, and it has a close-knit urban community that is distinctly different to its surrounding area. In contrast, the current Trent Bridge ward has a significant student population due to its proximity to the main route into the city (and its two universities) and easily accessible public transportation links. The Council would strongly encourage the LGBCE to visit the area in person before finalising this decision.

The Council accepts that community identity is only one of its considerations when deciding where ward boundaries should be drawn and understands that electoral equality and effective governance must also be taken into account. The Council would be interested to understand more about the implications of different warding patterns for this area and is keen to work with the LGBCE to find a solution which best meets the aims of the review.

In addition, the Council would like to draw the LGBCE's attention to a parish split created by this warding pattern. This would seem an opportune time to move the Adbolton ward of Holme Pierrepont parish into the new Gamston ward so that the whole of the parish is now in this ward rather than still being split between Gamston and Trent Bridge wards

Gamston

Current: Combination of existing Gamston North and Gamston South wards with a small additional area from the existing Edwalton ward.

Proposed: 2 councillors

Anticipated number of electors 2027: 4,836

Variance from the average 2027: -1%

The Council is satisfied that the proposals for the Gamston ward represent good electoral equality, community identity and effective and convenient local governance. However, the Council would like to draw the LGBCE's attention to the fact that this proposed ward straddles both parished and non-parished areas, and the comments above under 'Trent Bridge' in reference to the Adbolton ward of Holme Pierrepont parish.

Abbey

Current expansion of existing ward to the north, taking in part of the existing Trent Bridge ward south of Rectory Road / Albert Road, and a small area of the existing Edwalton ward in the Leahurst Gardens area.

Proposed: 3 councillors

Anticipated number of electors 2027: 6,718

Variance from the average 2027: -8%

The Council is satisfied that the proposals for the Abbey ward represent good electoral equality and effective and convenient local governance. Councillors have noted that there is no particular community identity or focus in this area and that there are distinct differences between the north and south of the ward. These concerns are not significant enough for the Council to propose any changes to this proposal.

One councillor had reservations about the changes proposed and suggested a different boundary arrangement. As an individual view, this will be put forward to the LGBCE separately.

South Western West Bridgford

Compton Acres

Current: small expansion of existing ward to gain land from the south of Northwold Avenue to Rugby Road from the existing Lutterell ward

Proposed: 2 councillors

Anticipated number of electors 2027: 4,839

Variance from the average 2027: -1%

The Council is satisfied that the proposals for the Compton Acres ward represent good electoral equality, community identity and effective and convenient local governance.

One Councillor suggested that due to the geography and close alignment of both the Compton Acres and Lutterell wards that the two should be combined into one three-member ward. In an urban and non-parished area, the Council's reservations about three-member wards do not stand and there is very little between the two areas in terms of community identity.

Lutterell

Current: contraction of existing ward of the same name losing all land from Rugby road northwards

Proposed: 1 councillor

Anticipated number of electors 2027: 2,567

Variance from the average 2027: +6%

The LGBCE are encouraged to consider the suggestion made above under 'Compton Acres'. If, however, the LGBCE is minded to keep Lutterell as a separate ward, the Council feels that the name 'Wilford Hill' is more representative of the smaller ward. The reduction in size does better represent community identity in the area – there is a Wilford Hill residents association, facebook page and running club with essentially the same boundaries.

Musters

Current: expansion of the current ward to include properties north of South Road / Musters Road to the rear of Loughborough Road from the current Lutterell ward

Proposed: 2 councillors

Anticipated number of electors 2027: 5,369

Variance from the average 2027: +10%

The Council is satisfied that the proposals for the Musters ward represent good electoral equality, community identity and effective and convenient local governance.

One councillor noted that there are distinct differences between the north and south of the ward, but the balance of views expressed were in support of the changes.

Edwalton

Current: slight reduction of existing ward to lose properties to the east of Alford Road to the new Gamston ward

Proposed: 2 councillors

Anticipated number of electors 2027: 4,774

Variance from the average 2027: -2%

The Council is satisfied that the proposals for the Edwalton ward represent good electoral equality, community identity and effective and convenient local governance. The Council is mindful that in any future review this arrangement may change as the new Edwalton community, which is currently only part built and occupied, will have established its own identity which may or may not link with that of the existing and established areas of this ward.

Comments related to Multi Member Wards

The Council received many comments from Councillors relating to the increased number of multi-member wards. There was general consensus that whilst multi-member wards worked well in non-parished or suburban areas, they were entirely unsuitable for large rural areas and that this seriously impacted upon the democratic representation and good governance of these areas.

Larger multi-member wards work well in our key settlements such as Leake, Ruddington, Keyworth, Cotgrave, Radcliffe and Bingham. Councillors are able to work together within a relatively compact geographical area, there is generally only one town or parish council to attend and support, resident concerns are similar in nature, and it is easier to attend community events and surgeries. In some of the larger rural areas proposed in the LGBCE Draft Recommendations, multiple councillors could be expected by their communities to attend up to 15 parish council meetings a month, as well as commenting on planning applications from a number of different and diverse communities, travelling over significant distances to be present at community events or talk to residents directly. This makes it very difficult for residents to form any kind of connection with their local representative, effective local governance becomes distant, and the community leadership that councillors provide is spread so thin it is almost non-existent.

There is no doubt that 'buddying-up' does provide resilience in case individual councillors are indisposed or on holiday. However, Rushcliffe has significant evidence to demonstrate that if these circumstances do transpire then swift action is taken to ensure that community leadership and representation is maintained.

Whilst the mathematics may suggest that multi-member wards are a good idea, the reality is that in some cases they are an impediment to effective and convenient local governance as well as seriously undermining the community's ability to access and influence local representatives.



Council

Thursday, 2 December 2021

Community Infrastructure Levy Allocation and Spend Process

Report of the Director – Development and Economic Growth

Cabinet Portfolio Holder for Business and Growth, Councillor A Edyvean

1. Purpose of report

- 1.1. On 7 October 2019, the Borough Council brought its Community Infrastructure Levy (CIL) into force. The levy is a charge applied to certain types of development to support funding infrastructure across the Borough, as set out in the Borough Council's published Infrastructure List.
- 1.2. Whilst calculation and collection of the levy is dictated by processes outlined in legislation, its application to infrastructure is less prescriptive. There are still some restrictions on how funds are used however much of the governance is left to be decided by the charging authority.
- 1.3. Proposals for the method of managing the allocation and spend of CIL funds has been considered by the Growth and Development Scrutiny Group on 13 October 2021 (see background papers). The Group resolved to support the referral of the allocation and spend process to Cabinet, as well as a recommendation to Cabinet to make an additional amount of Strategic CIL available to areas without a Neighbourhood Plan. Cabinet has agreed that those recommendations now be made to Council.
- 1.4. The purpose of this report is to outline the identified process for managing the allocation and spend of CIL against infrastructure projects, including the specific provisions for those areas without a Neighbourhood Plan.

2. Recommendation

It is RECOMMENDED that Council:

- a) approves adoption of the Draft CIL Framework Appraisal document and proposed allocation and spend procedure; and
- b) delegates authority to the Director – Development and Economic Growth, in consultation with the Cabinet Portfolio Holder for Business & Growth, to make minor amendments to the Framework, as necessary.

3. Reasons for Recommendation

The levy has been in place for two years and a reasonable level of levy receipts have been collected from developments within the Borough. A process for allocating and spending CIL receipts needs to be agreed before the funds can be applied towards delivering infrastructure.

4. Supporting Information

- 4.1. CIL has, in part, replaced part of the role that S106 Planning Obligations play in securing developer contributions for infrastructure. The benefit of CIL is that it can be captured from a broader range of developments and can be applied more flexibly to fund projects across the whole Borough rather than being restricted to addressing the impact of a specific development. This flexibility comes with a requirement to adopt a procedure for how to most effectively apply CIL funds.
- 4.2. A Draft CIL Framework Appraisal document to govern the spend of CIL has been produced and is included as Appendix A. The framework is intended, primarily, to identify the specific infrastructure projects the Borough Council will support through CIL, including an order of priority and an expected level of funding which will be applied towards those projects. It should also demonstrate the Borough Council's consideration of projects before committing to any CIL expenditure, as well as help forecast for longer-term infrastructure projects, which may not need immediate funding.
- 4.3. Any funds that the Borough Council collects through CIL must be used in line with the Community Infrastructure Levy Regulations 2010 (as amended). The regulations allow for 5% of CIL receipts to be retained for administrative purposes.
- 4.4. Furthermore, the regulations require that a further proportion of CIL receipts are passed to the Town/Parish Council for the area they were collected in. This Neighbourhood CIL can be used more broadly by Town/Parish Councils – it need not be used towards items in the Borough Council's Infrastructure list and can be applied to things other than infrastructure. Where there is no Town/Parish Council for an area, the Borough Council must spend the funds to support development in that area as if it were that Town/Parish Council, in consultation with the local community.
- 4.5. The remaining CIL not identified as admin or Neighbourhood CIL – the Strategic CIL – must be applied to fund the provision, improvement, replacement, operation, or maintenance of infrastructure to support the development of its area. It is this element of CIL that the Framework Document will address.
- 4.6. The Framework Appraisal has been developed based around four main areas of assessment for specific projects/infrastructure areas, as set out below:

Justification	Why the project is required (including robust evidence demonstrating need), suitability of project, due regard to alternatives
Strategic Benefits	Links to existing and emerging Plans/Strategies and Corporate Objectives, consideration of funding gaps
Funding	Amount of CIL required/requested, estimated cost of project (including costs of maintenance/operation), other available funding sources (including unlocked match funding and time-limited funding)
Deliverability	Other approvals/consents required to bring project forward, timescales for delivery (short/medium/long term), potential impediments to delivery

- 4.7. It also includes a broader consideration of the CIL pot as a whole. The amount of CIL funding that has and will be collected is limited, and it is not anticipated that the levy will completely cover the cost of new infrastructure. Whilst some broad assumptions can be made about the amount of CIL that may be collected over certain periods, agreement of the spending programme should not constitute a commitment of specific amounts of CIL. Rather, it is to establish an anticipated level of funding and order of priority for the delivery of projects.
- 4.8. Town/Parish Councils without a Neighbourhood Plan are allocated 15% of the locally collected CIL and those with a Neighbourhood Plan are allocated 25%. The Borough Council is making an additional 10% of CIL collected available to Town/Parish Councils without a Neighbourhood Plan, in order to bring the amount of CIL receipts they can benefit from in their area up to the same level as the 25% that is automatically passed to areas with a Neighbourhood Plan. It should be noted that this additional 10% will be defined at Strategic CIL not Neighbourhood CIL in terms of how the Town/Parish Council can allocate it, in accordance with legislation.
- 4.9. Where the Town/Parish Council identify a particular eligible use of funds, this can be taken into account when considering expected levels of funding for other projects. Alternatively, a Town/Parish Council may opt to support bids from other bodies where the project will support the development of their area. As any additional CIL is subject to the narrower use of funds specifically towards infrastructure on the Borough Council's infrastructure list, it is not expected to significantly affect the ability of CIL to deliver the strategic priorities of the Borough.
- 4.10. The firm allocation of funds will be subject to further, more specific information about individual projects, similar to the current process used for S106 Planning Contributions. This is to provide certainty that the Borough Council can provide funding from levy receipts it currently holds, as well as provide an audit trail for the commitment and spend of funds.
- 4.11. In the long term, CIL should be allocated broadly in accordance with the funding gaps identified as part of the viability exercise for adoption, to ensure all infrastructure types are catered for.

4.12. The process for the application of Strategic CIL funds has been drawn up and is set out below. The first stage of this process has been undertaken, with the second step to be undertaken once the Framework has been adopted.

1. Identify priority projects through consultation with infrastructure providers
2. Assess list of projects against framework appraisal document
3. Approve spending programme based on assessment outcomes
4. Notify beneficiaries of provisional funding allocations
5. Commit funding amounts once specific project details submitted
6. Release funding upon successful project completion
7. Monitor spend programme to address any change in priorities
8. Repeat full process as required (at least every five years)

4.13. The review step is to ensure there is some flexibility in how CIL funds are used. It will allow for reallocation of funding should certain projects stall or priorities change during delivery period, as well as account for changes in funding availability should CIL receipts be higher/lower than anticipated.

4.14. It may be necessary to make amendments to the Framework Document, such as where the allocation and spend process requires refining or to account for changes in legislation. Rather than referral back to Council, it is suggested that any such changes should be made under delegated authority, in consultation with the Cabinet Portfolio Holder for Business and Growth to ensure decisions can be taken in a timely manner.

5. Alternative options considered and reasons for rejection

5.1. There is the option to not adopt the Framework Appraisal. If the document is not supported, this will delay the Borough Council's ability to apply CIL funding towards relevant infrastructure and may push back or even prevent delivery of certain projects.

5.2. There is also the option to not support making the additional proportion of Strategic CIL available to areas without a Neighbourhood Plan. This would allow more of the Strategic CIL collected to be applied towards infrastructure but leave CIL funds less accessible to areas with no Neighbourhood Plan.

6. Risks and Uncertainties

6.1. The allocation and spend of CIL will form part of the Annual Infrastructure Funding Statement. This is a public document containing details of planning contributions collected through S106 and CIL, which the Borough Council is required to publish each year. There is therefore a reputational risk around how the Borough Council is seen to be spending CIL.

6.2. By identifying priorities from infrastructure providers early in the process, and feeding this information through the Infrastructure Funding Statement, the Council will be able to demonstrate a clear roadmap for the application of CIL.

7. Implications

7.1. Financial Implications

There are expected costs associated with the implementation of the allocation and spend procedure. Any costs of administering the process should be covered through the proportion of CIL receipts that the Borough Council is allowed to retain for such purposes.

7.2. Legal Implications

7.2.1. The management and spending of CIL receipts sits within a legislative framework as defined by the Planning Act 2008, the Community Infrastructure Regulations 2010, and the Community Infrastructure Levy (Amendments) (England) (No.2) Regulations 2019. Any policies or procedures for the management and spending of CIL will be in accordance with the legislative framework.

7.2.2. There is an appeal process for the allocation of CIL prescribed in the regulations. The framework documents provides clarity on considerations for allocation so that the process is clear and transparent.

7.2.3. Exemptions or relief from the levy may be subject to subsidy control and will be considered on a case by case basis.

7.3. Equalities Implications

There are considered to be no particular equality implications that need addressing from matters arising from this report.

7.4. Section 17 of the Crime and Disorder Act 1998 Implications

There are considered to be no direct community safety implications arising from matters covered in this report.

8. Link to Corporate Priorities

Quality of Life	Adoption of the allocation and spend process will facilitate the provision of education, healthcare, leisure and transport infrastructure, which will in turn benefit the quality of life of local residents.
Efficient Services	A clear and transparent process for assessing CIL projects will help Councillors and officers navigate the complexities of the CIL regime and speed up the delivery of infrastructure projects.
Sustainable Growth	The proposed process will need to be in place before CIL receipts can be applied towards the infrastructure required to support the sustainable growth of the Borough.

The Environment	Any impacts of new or improved infrastructure, such as impacts on ecology, will be considered through the Framework process when assessing infrastructure projects. Delivery of Bus Priority Measures in West Bridgford and Park & Ride facilities along the A52 corridor will also promote greener, more sustainable travel within the area.
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9. Recommendation

It is RECOMMENDED that Council:

- a) approves adoption of the Draft CIL Framework Appraisal document and proposed allocation and spend procedure; and
- b) delegates authority to the Director – Development and Economic Growth, in consultation with the Cabinet Portfolio Holder for Business & Growth, to make minor amendments to the Framework, as necessary.

For more information contact:	Andrew Pegram Service Manager – Planning 0115 914 8598 apegram@rushcliffe.gov.uk
Background papers available for Inspection:	Report to Growth and Development Scrutiny Group - 13 October 2021
List of appendices:	Appendix A: Draft CIL Framework Appraisal Document



Community Infrastructure Levy (CIL)

Framework Appraisal Document

Draft Version

November 2021

Context

The Community Infrastructure Levy (CIL) is a charge which can be levied by local authorities to raise funds from developments within their area, in order to help finance the infrastructure projects required to support new development.

The Borough Council adopted its Charging Schedule on 7 October 2019, which applies to most residential and retail development. Rates were set based on a viability assessment carried out as part of the development of the Local Plan, striking an appropriate balance between additional investment to support development and the potential effect on the viability of developments. Differential rates have been applied to residential schemes based on their location in the Borough, to account for differing land and property values.

The levy can be used to fund a wide range of infrastructure and gives local authorities the opportunity to choose what infrastructure they need to deliver their Development Plan. The Borough Council have identified the following areas of infrastructure to be wholly or partly funded by Community Infrastructure Levy funds:

- Provision of Park and Ride along the A52 corridor and bus priority measures in West Bridgford.
- Provision of or improvements to playing pitches and ancillary facilities.
- Provision of or improvements to indoor leisure provision.
- Provision of additional secondary school places across the Borough through new provision or extension to existing provision.
- Provision of health facilities across the Borough through new provision or extension to existing provision.

The above infrastructure areas have been considered the most appropriate to deliver on a strategic level. The categories are broad in scope, so a method of identifying specific projects to which CIL funds will be applied has been developed. The outcomes of this process will inform any necessary changes to the infrastructure list to ensure the infrastructure requirements of the Borough are met. Specifically identifying where CIL funds will be applied will provide more certainty to developers and infrastructure providers alike, and help inform negotiations for site-specific mitigation through S106 planning obligations.

Statutory Requirements

The management and spending of CIL receipts sits within a legislative framework as defined by the Planning Act 2008 and the Community Infrastructure Regulations 2010. Part 7 the CIL Regs sets out how different elements of the CIL receipts collected by a local authority should be applied:

- The Borough Council can apply CIL receipts towards any administrative expenses associated with the operation of the CIL regime. This amount cannot exceed 5% of the total CIL receipts collected each year.
- Each year, 15% of all levy receipts collected in areas with a Town or Parish Council, up to a cap of £100 per council-taxable dwelling in that area, must be passed to the relevant Town/Parish Council. This figure rises to 25% uncapped in areas with a Neighbourhood Plan. The Town/Parish Council can apply this Neighbourhood CIL towards a wider range of things than the rest of the levy, provided that it meets the requirement to support the development of the area.
- In other areas (West Bridgford and areas with a Parish Meeting), the Borough Council retains the levy receipts which would otherwise be passed to a Town/Parish Council for that area. These funds can be applied in the same way as other Neighbourhood CIL, with the Borough Council acting as if it were the relevant Town/Parish Council. This will be done in consultation with the local community – either through the West Bridgford Special Expenses and CIL Advisory Group, or on a case-by-case basis for areas with a Parish Meeting.
- The remaining Strategic CIL is retained by the Borough Council and must be used to fund the provision, improvement, replacement, operation or maintenance of infrastructure to support the development of its area. It is the Strategic CIL element of the levy that this Framework Appraisal concerns.

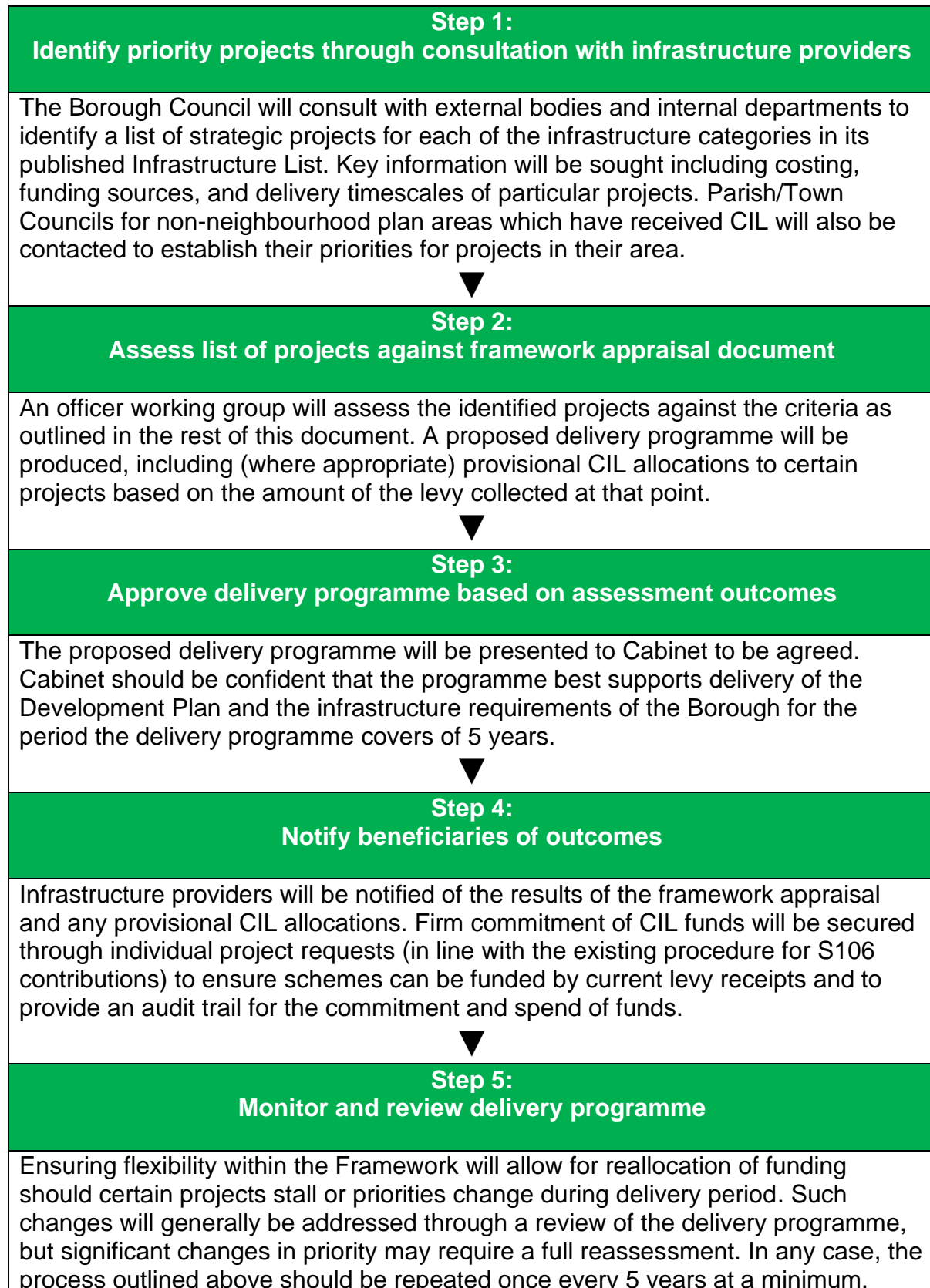
Non-Neighbourhood Plan Areas

In many areas of the Borough, it will not be feasible or desirable for Parish Councils to develop and adopt a Neighbourhood Plan. The Borough Council is therefore providing a way for Parish Councils without a Neighbourhood Plan to access a set proportion of the Strategic CIL collected from liable developments in their area. This supplementary amount will bring the amount of CIL that may be applied locally up to the same 25% proportion which Neighbourhood Plan areas automatically benefit from.

It is important to note that these supplementary funds do not qualify as additional Neighbourhood CIL. The CIL Regulations do not allow a charging authority to increase the statutory amounts of CIL passed to local councils in accordance with Reg 59A and 59B. The Borough Council will remain responsible for the allocation and spend of this CIL and will be required to report on its use through the Annual Infrastructure Funding Statement. Provisions for the allocation and spend of this additional sum have been worked into this framework to ensure compliance with the restrictions on use of Strategic CIL.

As the additional funds being made accessible can still only be applied towards items included in the Borough Council's published Infrastructure List, it is not expected to significantly affect the ability of CIL to deliver the strategic priorities of the Borough. However, the use of this supplementary CIL will be monitored closely, and the above arrangements may need to be reviewed in future.

Process Overview



Identification of Projects

Prior to carrying out the Framework Appraisal, the Brough Council will contact relevant infrastructure providers to establish the priorities within each infrastructure category. Based on the current infrastructure list, these providers consist of:

- Nottinghamshire County Council Transport and Travel
- Rushcliffe Borough Council Communities (Internal)
- Nottinghamshire County Council Education
- NHS Rushcliffe Clinical Commissioning Group

As additional CIL allocations for non-Neighbourhood Plan areas are based on the value of CIL receipts collected within that area, information about potential projects from Parish/Town Councils will be sought at the same time as any statutory Neighbourhood CIL is passed to those local councils, to be included in the next assessment or review.

A baseline level of information will be required to allow for a full assessment of projects. Infrastructure providers will be made aware that, where this information is not available or forthcoming, this may lead to other projects being prioritised through the Framework Appraisal.

Assessment of Projects

The purpose of the Framework Appraisal is to provide a clear and consistent method of assessing potential projects, and to identify where Strategic CIL funding is best applied to support the growth of the Borough and secure timely infrastructure delivery. The appraisal has been developed around four primary areas of consideration:

- **Justification** – Why the project is required (including robust evidence demonstrating need), suitability of project, and due regard to alternatives
- **Strategic Benefits** – Links to existing and emerging Plans/Strategies and Corporate Objectives, and consideration of infrastructure funding gaps
- **Funding** – Amount of CIL required/requested, estimated cost of projects (including costs of maintenance/operation), and other available funding sources (including unlocked match funding and time-limited funding)
- **Deliverability** – Other approvals/consents required to bring project forward, timescales for delivery (short/medium/long term), and potential impediments to delivery

The appraisal will be carried out by an officer working group, considering the information obtained from infrastructure providers and, where appropriate, non-Neighbourhood Plan Parish Councils. The overall outcomes will be presented as a report to Cabinet, accompanied by a proposed delivery programme detailing the key information used in the appraisal of individual projects.

Framework Appraisal Categories

Infrastructure Requirement

Details of the project/scheme to be delivered. This should identify the location, nature, and description of the proposal. Any potential alternatives or options for the scheme should be considered, particularly where there are any risks or uncertainties around delivery.

Lead Provider

Identification of the key infrastructure provider (NCC, CCG, or RBC as appropriate), as well as any supporting partners.

Supported Policies/Objectives

Information on what existing/emerging policies/strategies the proposal supports, both in terms of overall infrastructure delivery (RBC Local Plan Parts 1 and 2, Rushcliffe Infrastructure Delivery Plan (IDP), etc.) as well as those specific to individual infrastructure categories (Playing Pitch Strategy, Leisure Facilities Strategy, etc). There should be consistency in which policies/strategies are supported within each infrastructure category.

Dependencies/Constraints

Identification of any risks to or specific requirements for project delivery (Reliance on other funding bids, securing a site, obtaining planning permission, etc.) Where there are any significant constraints or barriers to delivery, details of how these will be addressed or mitigated against will be required.

Estimated Cost

The full cost of the project/proposal, including any potential maintenance/operational costs associated with the infrastructure. The Borough Council will generally not seek to apply CIL funds towards ongoing costs.

Identified Funding Sources

Where known, information on what additional funding has been secured from other sources, as well as any time-limited or match funding streams which a CIL allocation may unlock. If a certain level of CIL is sought to ensure project delivery, this should also be stated.

Strategic Importance

An identification of how important each project is to the delivery of infrastructure to support growth as identified within the Borough Council's Local Plan, the Infrastructure Delivery Plans that support the Local Plan, related policies, and other council objectives.

- **Critical** – The infrastructure proposed is critical to support delivery of the Local Plan and will need to be prioritised accordingly at the stage of implementation.
- **Important** – The infrastructure proposed is required to support development as well as overall strategy objectives but does not need to be prioritised over other projects.
- **Desirable** – The infrastructure proposed does not support significant development taking place but will facilitate the delivery of overall strategy objectives.

Project Status

Information on how far progressed a project is. This may include details of what further steps need to be taken or are planned in order for the project to be confirmed as deliverable.

- **Deliverable** – There is a strong prospect of the project being delivered – infrastructure providers are committed to delivery, other funding sources and consents are in place, and there are no significant barriers/constraints on delivery.
- **Emerging** – Work has gone into developing the project but there may still be key unknowns about the proposal that need to be addressed before securing delivery.
- **Aspirational** – Projects identified by infrastructure providers which are planned to come forward in future, but where specific details have not been established.

Delivery Timeframe

The anticipated delivery period in which the infrastructure will actually be provided. Where a project is phased, this may span multiple periods. Any more specific information on timings will be included to help inform the order of priority within timeframe brackets.

- **Short-Term** – Delivery within current delivery period (1-5 Years)
- **Medium-Term** – Delivery within next delivery period (6-10 Years)
- **Long-Term** – Delivery within future delivery periods (11+ Years)

Current Priority

Projects will be prioritised based on the categories set out above. Specific feedback from key infrastructure providers about their own service priorities will also be accounted for.

Provisional Allocation

The implementation of projects (especially short-term projects which are anticipated to come forward within the delivery period) may depend on infrastructure providers having assurance as to the amount of CIL funding that will be available. Generally, only projects where the estimated costs and other funding streams are fully identified will be considered for the provisional allocation of any CIL.

The exception would be any larger important or critical projects which may still be emerging but are reliant on further CIL funds being accrued. In this instance, it may be appropriate to reserve a level of available CIL funding in order to ensure these key projects can be delivered.

Additionally, the delivery plan will identify the supplementary amounts of Strategic CIL collected from non-Neighbourhood Plan areas. Where Parish Councils for these areas have identified an intended use for these funds, the project will be reported in the delivery plan and the amount of supplementary CIL allocated towards the project will be specified. Parish Councils will be expected to use or commit to use their statutory Neighbourhood CIL before seeking any supplemental Strategic CIL. Where no project has been identified or commenced by a Parish Council within 5 years of receipt, the supplementary CIL will be returned to the main Strategic CIL fund.

Funding Gaps

In addition to the assessment criteria, an overall consideration of how levy receipts will be applied is necessary. CIL will in part address these funding gaps, but it is not anticipated that the level of levy receipts will completely cover the cost of required infrastructure. The funding gaps for each infrastructure category, expressed as a percentage of the overall funding gap, are as follows:

Infrastructure Item	Funding Gap
Provision of additional secondary school places across the Borough through new provision or extension to existing provision	40%
Provision of Park and Ride along the A52 corridor and bus priority measures in West Bridgford	20%
Provision of or improvements to indoor leisure provision	15%
Provision of health facilities across the Borough through new provision or extension to existing provision	15%
Provision of or improvements to playing pitches and ancillary facilities	10%

Over the lifetime of CIL, the Borough Council will track a cumulative total of sums committed/spent from CIL towards different infrastructure items, both looking as a percentage of receipts to date and as a proportion of the estimated £12.8 million of CIL income for the 2019-2028 period. These figures will be reported as part of each assessment and will be used to inform the long-term spending of CIL to ensure that all infrastructure areas benefit from levy receipts broadly proportional to the identified funding gaps. This will be particularly important when considering larger infrastructure items, which may need to build up a reserve fund of CIL before they can be implemented.

Delivery Programme

The outcomes of the assessment process will be presented as a draft delivery programme (a worked example is provided at the end of this document). The programme is intended to assist in the comparison of the various projects and highlight areas of priority, as well as give an indication of a likely order of delivery and prospective levels of CIL funding towards projects.

Should the delivery programme be agreed, infrastructure providers will be informed of the outcomes including, where given, levels of provisional CIL allocation. The outcomes and programme will also be included as an appendix in the Borough Council's Annual Infrastructure Funding Statement.

Delivery Programme – Worked Example

(Note that whilst the below table lists the projects identified for CIL funding by key infrastructure providers, the information is indicative and not based on a full assessment of the various schemes.)

Project Ref	Infrastructure Requirements	Lead Provider	Supported Policies/Objectives	Dependencies/Constraints	Estimated Cost	Identified Funding Sources	Strategic Importance	Project Status	Delivery Timeframe	Current Priority	Provisional Allocation
BP1	Park & Ride along the A52 corridor and Bus Priority Measures in West Bridgford	NCC			£3,500,000	None	Critical	Aspirational	Long-Term (11+ Years)	Low	
HC1	New Medical Centre in East Leake	CCG			TBC	S106, Central Government Levelling Up Funding Bid	Critical	Emerging	Short-Term (1-5 Years)	High	
HC2	New Medical Centre in Radcliffe on Trent	CCG		Currently exploring potential sites for new Medical Centre	TBC	S106	Critical	Emerging	Short-Term (1-5 Years)	High	
IL1	Cotgrave Leisure Centre	RBC			TBC		Important	Aspirational	Short-Term (1-5 Years)	Medium	
IL2	East Leake Leisure Centre	RBC			TBC		Important	Aspirational	Short-Term (1-5 Years)	Medium	
IL3	Keyworth Leisure Centre	RBC			TBC		Important	Aspirational	Short-Term (1-5 Years)	Medium	
PP1	Costock Road Playing Fields - New and Refurbished Pavilion	Parish Council / FA			£846,000	Football Foundation (£375,000), S106 (£275,000)	Important	Deliverable	Short-Term (1-5 Years)	High	
PP2	Bingham RFC - New Community Hub and Sports Facility	Sports Club / RFU / Town Council			TBC		Desirable	Deliverable	Short-Term (1-5 Years)	Medium	
PP3	Normanton Playing Fields - Development of Platt Lane Sports Facility	Sports Club / ECB / FA			TBC	S106	Important	Deliverable	Short-Term (1-5 Years)	High	
PP4	Land off Wilford Road - New Hockey Club Facility	RBC			£8,300,000	None	Important	Emerging	Medium-Term (6-10 Years)	Medium	
PP5	Bingham Leisure Centre - New ATP and Pavilion	Toot Hill School / England Athletics			TBC		Important	Aspirational	Medium-Term (6-10 Years)	Medium	
PP6	Nottinghamshire Sports Club	Sports Club / RFU			TBC		Desirable	Aspirational	Short-Term (1-5 Years)	Low	
PP7	Arthur Ridley Sports Ground	Town Council			TBC		Desirable	Aspirational	Short-Term (1-5 Years)	Low	
PP8	Ellerslie Cricket Club, West Bridgford – Cricket Ball Strike Nets	Cricket Club / ECB		If netting issue not resolved risk that pitch may become unusable	TBC (£50,000 - £100,000)	None (potential ECB funding)	Important	Emerging	Short-Term (1-5 Years)	Medium	
SE1	New Secondary School - Lady Bay/Gamston	NCC			TBC	None	Critical	Aspirational	Long-Term (11+ Years)	Low	

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Council

Thursday, 2 December 2021

**Gambling Act 2005 - Draft Statement of Licensing Principles
2022-2025**

Report of the Director – Neighbourhoods

Cabinet Portfolio Holder for Environment and Safety, Councillor R Inglis

1. Purpose of report

- 1.1. The Council's current Statement of Principles made under the Gambling Act 2005, was approved in 2018. Rushcliffe Borough Council is a Licensing Authority under the Gambling Act 2005. As a Licensing Authority, the Council must determine and publish its statement of Licensing Principles every three years.
- 1.2. In determining the Policy, the Council must carry out the statutory consultation as provided by the Act. Once the revised policy has been approved and published it will be valid until January 2025.

2. Recommendation

It is **RECOMMENDED** that Council approves the Statement of Licensing Principles 2022 - 2025.

3. Reasons for Recommendation

The Council is required to produce a Gambling Act 2005 Statement of Principles upon which it will base its decisions. If approved the final policy will be published by no later than 3 January 2022.

4. Supporting Information

- 4.1. Each Licensing Authority is required before each successive three-year period, to prepare and publish a statement of the principles that they propose to apply in exercising their functions under the Act during that period. This document is commonly referred to as the Authority's Statement of Principles.
- 4.2. There are three licensing objectives set out in the Act, as follows:
 - Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime;
 - Ensuring that gambling is conducted in a fair and open way; and
 - Protecting children and other vulnerable people from being harmed or exploited by gambling.

- 4.3. The Statement of Licensing Principles is prescribed by central government in its guidance to Local Authorities and this latest revision is compatible with all such advice and guidance.
- 4.4. The current policy document, prepared in 2018, reflected the legislation and Government Guidance at that time. Since that date, there have been some minor changes to the legislation, along with updated versions of the Government Guidance, which have been issued, the latest being in April 2021.
- 4.5. The Draft Statement of Principles has been subject to an extensive consultation with members of the trade, responsible authorities, current licence holders and Councillors.
- 4.6. The Draft Statement of Principles has been fully considered and endorsed by the Council's Licensing Committee at its meeting on the 4 November 2021.
- 4.7. A list of amendments and responses to the consultation on the draft Statement of Principles is attached at Appendix B to this report.

5. Risks and Uncertainties

The Council will be at risk of legal challenge if a properly consulted and adopted Statement of Principles 2022-2025 is not in place by January 2022.

6. Implications

6.1. Financial Implications

There are no financial implications arising from this report. The costs of the service are broadly met by the fees received from licences.

6.2. Legal Implications

Our current statement expires on 3 January 2022, and it is necessary that the Council adopts and publishes a revised Statement of Principles by this date. If the Council fails to do this, then it will be unable to fulfil its statutory duties, with possible additional financial and legal consequences arising as a result.

6.3. Equalities Implications

In its consideration of this report and its recommendations, the Council must have due regard to the need to eliminate unlawful conduct under the Equality Act 2010, the need to advance equality of opportunity and the need to foster good relations between persons who share a protected characteristic and those who do not (the public sector equality duty).

6.4. Section 17 of the Crime and Disorder Act 1998 Implications

One of the key licensing objectives is to prevent licensed premises from being a source of crime and disorder. The policy supports and assists with crime and

disorder reduction by controlling those who manage premises open to members of the public and imposing conditions on relevant premises licences.

7. Link to Corporate Priorities

Quality of Life	Ensuring the safety of residents and supporting the reduction of crime and disorder
Efficient Services	None
Sustainable Growth	None
The Environment	None

8. Recommendation

It is RECOMMENDED that Council approves the Statement of Licensing Principles 2022 - 2025.

For more information contact:	Geoff Carpenter Service Manager - Public Protection Tel: 0115 9148438, gcarpenter@rushcliffe.gov.uk
Background papers available for Inspection:	Report to Full Council 6 December 2018 'Statement of Licensing Principles' Report to Licensing Committee 4 November 2021
List of appendices:	Appendix A: Statement of Principles 2022-2025 Appendix B: List of changes following consultation

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Gambling Act 2005

Draft Statement of Licensing Principles 2022 - 2025

Rushcliffe Borough Council

Version History

Version No:	Period to which policy applies:	Review date:
1	2007-09	2009
2	2010-12	2012
3	2013-16	2015
4	2016-19	2017
5	2017-19	2018
6	2019-22	2021
7	2022-25	2024

DRAFT

Statement of Gambling Policy

Gambling Act 2005

Preface

Under the Gambling Act 2005, a new regime for regulating gambling and betting was introduced throughout the United Kingdom from 1 September 2007. Apart from the National Lottery and spread betting, gambling and betting will be regulated by the Gambling Commission, whose duties include licensing the operators and individuals involved in providing gambling and betting facilities.

Rushcliffe Borough Council, along with other local licensing authorities, has a duty under the Act to license premises where gambling is to take place, and to license other activities (such as registering small society lotteries). This document sets out how we intend to approach this task.

The Council has consulted various bodies and organisations upon this statement (see Appendix One). The consultation period ran from 16th August 2021 to 20th September 2021.

Table of Contents

1. Introduction and Scope	6
Introduction.....	6
Licensing Objectives.....	6
Declaration	7
Consultation.....	7
2. Approval of policy	7
Local Area Profile	7
Authorised activities.....	8
Relationship with other legislation	9
“Demand” for gaming premises	9
Rights of applicants and third parties.....	9
Data sharing, data security	10
Equality.....	10
3. Local Risk Assessments	10
4. Making Representations.....	11
Who can make a representation?.....	11
Interested parties.....	12
Policy One	12
Form and content of representation.....	13
Policy Two	14
Irrelevant considerations	15
Reviews.....	15
5. Licensing Objectives	16
Preventing gambling from being a source of Crime and Disorder	16
Policy Three	17
Ensuring gambling is conducted in a Fair and Open Way	17
Protection of children and other vulnerable persons.....	18
Access to licensed premises	18
Vulnerable persons	18
6. Premises Licences	19
General Principles	19
Betting Premises and Tracks.....	19
B2 & B3 Machines	20

Adult Gaming Centres (AGCs)	21
Club Gaming Permits and Club Machine Permits.....	21
Alcohol Licensed Premises	22
Family Entertainment Centres	22
Prize Gaming Permits.....	23
Travelling Fairs	23
Small Society Lotteries	23
Temporary Use Notices	23
Occasional Use Notices	24
No Casino Resolution.....	24
Bingo	24
Provisional Statements.....	25
7. Inspection And Enforcement	25
General Statement	25
Inspections	25
Policy Four.....	25
Enforcement.....	26
8. Glossary of terms	27
9. Appendix One – List of bodies and organisations consulted.....	28

1. Introduction and Scope

Introduction

- 1.1 Section 349(1) of the Gambling Act 2005 [“the Act”] imposes a statutory requirement upon Rushcliffe Borough Council as the statutory Licensing Authority [“the Authority”] to prepare a Statement of Principles [“the Statement”], and to review it every three years. However, should the need arise, the Authority may review and alter the policy within that period

Licensing Objectives

- 1.2 In exercising their functions under the Gambling Act 2005, licensing authorities must have regard to the licensing objectives as set out in section 1 of the Act. The three objectives are as follows:**

- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime;
- Ensuring that gambling is conducted in a fair and open way; and
- Protecting children and other vulnerable persons from being harmed or exploited by gambling.

- 1.3 The aim of the Authority in this Statement is to address the impact of licensed premises in terms of crime and disorder arising from gambling and to ensure that their location and internal layout are appropriate with a view to protecting children and vulnerable persons. The Authority is committed to partnership with all stakeholders with a view to the promotion of this aim. The Authority recognises the impact that unregulated gambling may have on its community and sustainability as a viable local economy and in delivering the gambling regime will, with regard to the principles set out in this Statement, seek to support its local economy and protect vulnerable people. In doing so it will consider each application on its own merits within the context of this Statement, the legislation and guidance and codes of practice issued by the Gambling Commission.

- 1.4 The Authority will in the statutory discharge of its functions have regard to the principles to be applied in exercising its powers:

- under Section 157 of the Act to designate in writing a body competent to advise the Authority about the protection of children from harm;
- under Section 158 of the Act to determine whether a person is an interested party in relation to a premises licence or in relation to an application for or in respect of a premises licence.

- 1.5 Subject to statutory provision, a review of this Statement will take place periodically and in any event every three years. Any revisions to the Statement will be made taking into account information collated over a period of time; the outcomes of related initiatives at central and local government level and following appropriate consultation.

This Policy takes effect on 3 January 2022 and replaces the policy previously in force.

- 1.6 Nothing in this Statement should be regarded or interpreted as any indication that any statutory requirement of gambling or other law is to be overridden.

Declaration

- 1.7 The Authority in preparation of this Statement have had due regard to;
- The Gambling Act 2005
 - The Gambling Act 2005 (Licensing Authority Policy Statement) (England and Wales) Regulations 2006
 - Current guidance issued by the Gambling Commission and by the Secretary of State under Section 25 of the Act.
 - Responses from those consulted on the Statement, and the reviews thereof.

Consultation

- The Gambling Act requires the licensing authority to consult the following on the Licensing Authority Statement of Policy or any subsequent revision:
- In England and Wales, the chief officer of police for the Authority's area
- One or more persons who appear to the Authority to represent the interests of persons carrying on gambling businesses in the Authority's area
- One or more persons who appear to the Authority to represent the interests of persons who are likely to be affected by the exercise of the Authority's functions under this Act.

A full list of consultees is shown in appendix 1

2. Approval of policy

- 2.1 This Policy was approved at a meeting of the full Council on xxx 2021 and is available on the Councils website. Copies are available on request.

It should be noted that this Policy does not override the right of any person to make an application, to make representations about an application, or to apply for a review of a licence, as each case will be considered on its own merit and according to the requirements of the Act.

Local Area Profile

- 2.2 Rushcliffe lies immediately south of the City of Nottingham and the River Trent and extends towards Newark in the North East and Loughborough in the South West.

The Borough is a pleasant, prosperous district, characterised by attractive villages, tree-lined suburbs, rich farmland and rolling countryside. The prosperity of Rushcliffe is closely linked to the wider economy of the Greater Nottingham area. This is recognised through good working relationships with all Nottinghamshire Councils, the County, City and Districts, partnerships with the Greater Nottingham Partnership, and at regional level, through representation on the Regional Local Government Association and Regional Assembly.

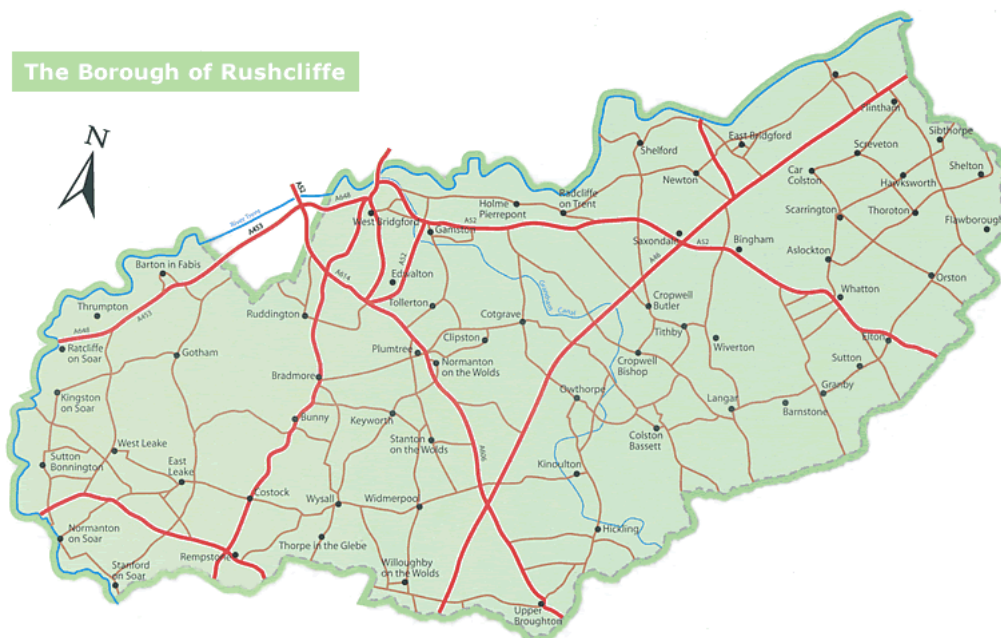
Although parts of Rushcliffe lie close to Nottingham, the Borough has a strong identity of its own. The main centre of population is West Bridgford, where 45,509¹ of the Borough's population live. The rest of the district is largely rural, with the centres of

¹ 2011 census

population split between small towns and villages. Rushcliffe is a popular residential area, and its location adds to its attraction as a place to live. The Borough population is 111,129 it has an area of 40,924 hectares and a population density of 2.7 people per hectare. 76.7% of homes are owner occupied. 9.7% of residents are from diverse ethnic backgrounds. Rushcliffe is relatively affluent and ranks 331 out of 354 on the national index of deprivation scale, however there are small pockets of deprivation. Unemployment levels at 2.2% are lower than both the county and national averages and there are significantly more people who are self-employed than the national and county averages. The area is designated as having 'Moderate to Low' crime.²

A local area profile will be prepared based on local knowledge and taking into account a wide range of factors, data and information held by the licensing authority and its partners. It is anticipated that the local area profile will give operators and a better awareness of the local area and the risks, which includes both potential and actual risks. This will be available on the Councils Website.

2.3 A map showing the administrative boundaries of the borough.



Authorised activities

2.4 The Act gives licensing authorities a number of important regulatory functions in relation to gambling. Their main functions are to:

- license premises for gambling activities;
- issue provisional statements for premises
- consider notices given for the temporary use of premises for gambling;

² UK Crime Stats 2015

- grant permits for gaming and gaming machines in clubs and miners' welfare institutes;
- regulate gaming and gaming machines in alcohol licensed premises;
- grant permits to Family Entertainment Centre's for the use of certain lower stake gaming machines;
- grant permits for prize gaming;
- consider occasional use notices for betting at tracks; and
- register small societies' lotteries.

Note

Operator licences, Personal Licences and Remote Gambling are all dealt with by the Gambling Commission.

The National Lottery is now regulated by the Gambling Commission. Spread betting is regulated by the Financial Services Authority.

In carrying out its licensing functions within the framework established by this Statement, the Authority will have particular regard to:

- Maintaining a close working relationship with the responsible authorities;
- Taking necessary and appropriate steps for the protection of children and other vulnerable persons;
- The need to treat each application on its own merits taking into account the individual circumstances at each premise.

Relationship with other legislation

- 2.5 In complying with the provisions of the Gambling Act 2005, whilst the Authority recognises the requirements of legislation, this Statement is not intended to duplicate the existing legislation and regulatory orders which incur statutory obligations.
- 2.6 In particular, in making a determination in respect of any application, the Authority will not take into account irrelevant matters, such as the likelihood of the application receiving planning permission or building regulation approval. It will though, listen to, and consider carefully, any concerns about conditions which are not able to be met by licensees due to planning restrictions, should such a situation arise.

“Demand” for gaming premises

- 2.7 The Authority will not consider the demand for gaming premises when making decisions about applications for a premises licence under the Act.

Rights of applicants and third parties

- 2.8 This Statement does not override the right of any person to make an application under the Act and have that application considered on its individual merits.
- 2.9 Similarly, this Statement does not undermine the right of any third party to make representations on an application or to seek a review of a licence where provision has been made for them to do so.

Data sharing, data security

- 2.10 The Authority will act in accordance with the provisions of the Gambling Act 2005 in its exchange of information which includes the provision that the Data Protection Act 1998 will not be contravened. The Authority will also have regard to any Guidance issued by the Gambling Commission on this matter, as well as any relevant regulations issued by the Secretary of State under the powers provided in the Gambling Act 2005. The Council processes all of the personal information you provide in accordance with this regulation. For further details please see our [Privacy Policy](#).

Equality

- 2.11 Rushcliffe Borough Council is committed to promoting equality and diversity. The Equality Act 2010 imposes statutory duties on the Council and our Corporate Equality Scheme demonstrates how we are meeting them and our commitment to ensuring that diversity issues are at the heart of our policy making and our service delivery.

3. Local Risk Assessments

- 3.1 The Gambling Commission's Licence Conditions and Codes of Practice (LCCP) which are effective from 31 October 2020 (available at [Online LCCP](#)), formalise the need for operators to consider local risks. Local risk assessment apply to all non-remote casino, adult gaming centre, bingo, family entertainment centre, betting and remote betting intermediary (trading room only) licences, except non-remote general betting (limited) and betting intermediary licences. This provision comes into force on 6 April 2016
- 3.2 Licensees must assess the local risks to the licensing objectives posed by the provision of gambling facilities at each of their premises, and have policies, procedures and control measures to mitigate those risks. In making their risk assessments, licenses must take into account relevant matters identified in the licensing authority statement of licensing principles.
- 3.3 Licensees must review (and update as necessary) their local risk assessments:
- a) to take account of significant changes in local circumstances, including those identified in a licensing authority's statement of licensing policy;
 - b) when there are significant changes at a licensee's premises that may affect their mitigation of local risks;
 - c) when applying for a variation of a premises licence; and
 - d) in any case, undertake a local risk assessment when applying for a new premises licence.
- 3.4 Licensees are required to undertake a local risk assessment when applying for a new premises licence. Risk assessment must also be reviewed:
- when applying for a variation of a premises licence
 - to take account of significant changes in local circumstances, including those identified in a licensing authority's policy statement
 - when there are significant changes at a licensee's premises that may affect their mitigation of local risks.

- 3.5 The new social responsibility provision is supplemented by an ordinary code provision recommending good practice that licensees to share their risk assessment with licensing authorities when applying for a premises licence or applying for a variation to existing licensed premises, or otherwise at the request of the licensing authority. Both provisions take effect from 6 April 2016.
- 3.6 Where concerns do exist, perhaps prompted by new or existing risks, a licensing authority may request that the licensee share a copy of its own risk assessment which will set out the measures the licensee has in place to address specific concerns. This practice should reduce the occasions on which a premises review and the imposition of license conditions is required.
- 3.7 The licensing authority has an expectation that all local risk assessments will take into account the local area profile of the area

Where an area has a high proportion of people who do not have English as their first language, the Licensing Authority will expect this to be reflected in the local area risk assessment. The provision of gamble awareness literature in languages other than English should be considered.

Nottinghamshire Health Statement of Policy (Gambling)

- 3.8 The three statutory licensing objectives for gambling include protecting children and other vulnerable persons from harm and exploitation. Licensing policies are not currently required to address public health concerns and Public Health are not a responsible authority, as in the case of alcohol. However, the Gambling Commission has recognised the benefits of a public health whole population approach (February 2018). The Commission has identified specific groups of people who are particularly at risk:
- Ethnic groups
 - Youth
 - Low IQ
 - Substance abuse/misuse
 - Poor mental health.

It is estimated that there are over 370,000 problem gamblers in England. There are no local level estimates available. Gambling harm includes poor physical and mental ill-health and is associated with substance misuse problems especially alcohol and with smoking. It also contributes to debt problems, relationship breakdown and criminality.

- 3.9 There is less evidence available to support gambling SOLPs at a local level. Nationally there is a significant amount of gambling that takes place on the internet which reduces barriers to where people can gamble. Problem gambling is linked with areas of socio-economic deprivation, so identifying areas with potentially higher levels of gambling harm can therefore be informed by the alcohol licensing maps.

4. Making Representations

Who can make a representation?

- 4.1 The Gambling Act allows “responsible authorities” (identified in section 157 of the Act) and “interested parties” to make representations to applications relating to **premises licences and provisional statements**. In the case of reviews that right is also given

to the licensee. With regard to other forms of notification and permit, the right to object is restricted to specified bodies. The following section therefore only relates to representations in respect of **premises licences and provisional statements**.

4.2 Premises licences are only necessary for the types of gambling listed below and interested parties may therefore only make representations in respect of:

- Casino premises
- Bingo premises
- Betting premises (including tracks)
- Adult gaming centres
- Licensed family entertainment centres

Interested parties

4.3 Interested parties are defined as persons who **in the licensing Authority's opinion**

- Live sufficiently close to the premises to be likely to be affected by the authorised activities
- Have business interests that might be affected by the authorised activities, or
- Represent either of the above, this could include, e.g. democratically elected persons such as Councillors or members of parliament.

Policy One

4.4 **In determining if someone lives sufficiently close to the premises to be likely to be affected by the authorised activities or have business interests that are likely to be affected, the Authority may take any or all of the following into account:**

- **The proximity of their home or business to the application premises**
- **The nature of their residency (e.g. private resident, resident in home for the vulnerable etc)**
- **The nature of the business making the representation**
- **The nature of the authorised activities to be conducted on the application premises**
- **The size and capacity of the application premises**
- **The likely catchment area for the application premises**
- **The routes likely to be taken to and from the application premises**
- **The character of the area**
- **The density of the built up area**
- **The topography of the area**
- **Local area profile**
- **Mitigating measures contained within the applicant's risk assessments**

Reason: To ensure that those who are likely to be directly affected by the proposed activities can exercise their right to be heard.

- 4.5 The Authority will interpret the phrase “business interest” widely and not merely confine the phrase to meaning those engaged in trade and commerce. It may therefore include charities, churches, medical practices, schools and other establishments and institutions.
- 4.6 Similarly, a wide interpretation will be given to those categories of persons and organisations that represent residents and businesses. These may include residents and tenants’ associations, trade unions and other associations, as well as individuals whose role is to represent the interests of one or more residents or businesses such as a councillor, MP, or legal representative.
- 4.7 If an existing gambling business makes a representation that it is going to be affected by another gambling business starting up in the area, then without further evidence relating to the licensing objectives supporting the representation, the Authority would not consider this to be a relevant representation because it relates to “demand” or competition.
- 4.8 It is for the Licensing Authority to determine on a case by case basis whether or not a person making a representation is an “interested party”. The Authority may ask for evidence to identify who is being represented and show that they have given Authority for representations to be made on their behalf. In cases which are not clear-cut the benefit of the doubt will usually be exercised in favour of the person making the representation.

Form and content of representation

- 4.9 The Act places a duty on the Authority to aim to permit the use of premises for gambling in so far as the Authority thinks the application is in accordance with:
- this Policy Statement,
 - the Commission’s Guidance,
 - the Codes of Practice, and;
 - local area profile and applicants local risk assessments
 - where the application is reasonably in accordance with the licensing objectives.
- 4.10 As these are the criteria against which an application is to be assessed representations which address these issues are more likely to be accepted and given weight.
- 4.11 All representations must be made in writing and must be received by the Licensing Authority within the time limits set by the relevant regulations. For a representation to be relevant it should:
- be positively tied or linked by a causal connection to particular premises, and;
 - relate to the licensing objectives, or;
 - raise issues under this policy, the Commission’s Guidance or Codes of Practice.
- 4.12 Representations received outside the statutory period for making such representations or which otherwise does not comply with the Regulations will be invalid and will not be taken into consideration when the application is determined. In addition the Authority expects representations to be made in accordance with Policy Two.

Policy Two

4.13 A representation should indicate the following:

- (i) The name, address and a contact number for the person making the representation.
- (ii) The capacity in which the representation is made (e.g. interested party, responsible Authority, licensee) and if made as a representative should indicate who is being represented.
- (iii) The name and address of the premises in respect of which the representation is being made.
- (iv) The licensing objective(s) relevant to the representation.
- (v) Why it is felt that the application;
 - is not reasonably consistent with the licensing objectives or;
 - is not in accordance with this Policy, the Commission's Guidance or the relevant Codes of Practice or;
 - otherwise should not be granted or;
 - should only be granted subject to certain specified conditions
 - the local risk assessments are not considered suitable and sufficient; or
- (vi) Details of the evidence supporting the opinion in (v).

Reason: To ensure the representation is made by a responsible Authority or interested party and that it is relevant and directly related to the application premises.

- 4.14 A preferred form of representation is available. A copy of the form can be downloaded from the [Rushcliffe Borough Council website](#) or requested directly from the **Licensing** service. Whilst representations which are not in the preferred form or which do not fully comply with Policy Two will not automatically be rejected, they may be less likely to comply with the law relating to representations resulting in them ultimately being rejected or given little or no weight.
- 4.15 Ordinarily where representations are received the Authority will hold a hearing, however, a hearing does not have to be held where the Authority thinks that a representation is frivolous, vexatious, or will certainly not influence the Authority's determination of the matter. It is for the licensing Authority to determine whether a representation falls within these categories, however, representations which comply with Policy Two are unlikely to do so.
- 4.16 It is in the interest of those making representations that they include as much detail and evidence as possible at the time the representation is made. The Authority will determine whether a representation should be excluded as frivolous or vexatious based on the normal interpretation of the words. A representation may therefore be excluded if it obviously lacks seriousness or merit or is designed to be antagonistic. An example may be a representation received from a rival operator which is based solely on the fact that the new premises would compete with their own.

Irrelevant considerations

- 4.17 Whilst not intended to provide an exhaustive list the following matters cannot be taken into account and representations relating to them are likely to be discounted:
- Need and demand for the relevant premises
 - Issues relating to nuisance
 - Traffic congestion and parking
 - Likelihood of the premises receiving planning permission, or building regulation approval
 - Moral objections
- 4.18 Any person seeking to operate gambling premises must first have applied for or obtained an operating licence from the Gambling Commission. The Commission will therefore have made a judgement as to the applicant's suitability to operate the proposed form of gambling and therefore this issue is not relevant to the subsequent assessment of the premises licence application. The only exception is in relation to track premises licences. In this case an operator's licence is not required and the suitability of the applicant may, in appropriate cases, be taken into consideration.

Reviews

- 4.19 A premises licence may be reviewed by the licensing Authority of its own volition or following the receipt of an application for a review from a responsible Authority or interested party. Reviews cannot be delegated to an officer of the licensing Authority – the lowest level of delegation permitted is to a licensing subcommittee (licensing panel).
- 4.20 The Act provides that licensing Authorities may initiate a review in relation to a particular class of premises licence or in relation to particular premises. Officers of the Council or of a responsible authority may be involved in the initial investigations of complaints leading to a review, or may try informal mediation or dispute resolution techniques prior to a full scale review being conducted.
- 4.21 If at any time the Authority considers it necessary in their scheme of delegation they will establish a system that determines who initiates reviews, and that may include a 'filter' system to prevent unwarranted reviews from being conducted.
- 4.22 In relation to a class of premises, the Authority may review the use made of premises and, in particular, the arrangements that premises licence holders have made to comply with licence conditions. In relation to these general reviews, the Authority would most likely be acting as a result of specific concerns or complaints about particular types of premises, which would cause it to want, for example, to look at the default conditions that apply to that category of licence. In relation to particular premises, the Authority may review any matter connected to the use made of the premises if it has reason to suspect that licence conditions are not being observed, or for any other reason (such as a complaint from a third party) which gives it cause to believe that a review may be appropriate.
- 4.23 Representations and review applications will be considered by the Authority in accordance with the relevant legislation, guidance issued by the Commission, this Statement and Codes of Practice local area profile and the premises licence holders local risk assessments.

5. Licensing Objectives

Preventing gambling from being a source of Crime and Disorder

- 5.1 The Gambling Commission will play a leading role in preventing gambling from becoming a source of crime and will maintain rigorous licensing procedures that aim to prevent inappropriate people from providing facilities for gambling.
- 5.2 The Authority places considerable importance on the prevention of crime and disorder, and will fulfil its duty under section 17 of the Crime and Disorder Act 1998 to do all it reasonably can to prevent crime and disorder in its area. A high standard of control is therefore expected to be exercised over licensed premises. The Authority will not generally be concerned with the suitability of an applicant and where concerns about a person's suitability arise the Authority will bring those concerns to the attention of the Commission.
- 5.3 The Authority will, when determining applications, consider whether the grant of a premises licence will result in an increase in crime and disorder. In considering licence applications, the Authority will particularly take into account the following:
- The design and layout of the premises;
 - The training given to staff in crime prevention measures appropriate to those premises;
 - Physical security features installed in the premises. This may include matters such as the position of cash registers or the standard of CCTV that is installed;
 - Where premises are subject to age restrictions, the procedures in place to conduct age verification checks;
 - The likelihood of any violence, public order or policing problem if the licence is granted.
- 5.4 Where an application is received in relation to premises in an area noted for particular problems with crime, part of this determination will include consultation with the police and other relevant authorities. The Authority may then consider whether specific controls, such as a requirement for the provision of door supervisors, need to be applied in order to prevent those premises being a source of crime. In respect of betting offices the Authority will make door supervision requirement only if there is clear evidence from the history of trading at the premises that the premises cannot be adequately supervised from the counter and that door supervision is both necessary and proportionate.
- 5.5 As far as disorder is concerned, there are already powers in existing anti-social behaviour and other legislation to deal with measures designed to prevent nuisance, whether it arises as a result of noise from a building or from general disturbance once people have left a building. The Authority does not therefore intend to use the Act to deal with general nuisance issues, for example, parking problems, which can easily be dealt with using alternative powers. The Authority has no jurisdiction under the Act to deal with general nuisance issues.
- 5.6 In accordance with the Guidance, the Authority will only seek to address issues of disorder under the Act if the disorder amounts to activity which is more serious and disruptive than mere nuisance. A disturbance could be serious enough to constitute disorder if police assistance were required to deal with it. Another factor the Authority

is likely to take into account is how threatening the behaviour was to those who could see or hear it, whether those people live sufficiently close to be affected or have business interests that might be affected.

- 5.7 The Authority will consult with the police and other relevant authorities when making decisions in this regard and will give due weight to any comments made by the police or other relevant authorities

Policy Three

- 5.8 **The Authority will have particular regard to the likely impact of licensing on related crime and disorder in the district particularly when considering the location, impact, operation and management of all proposed licence applications**

Reason: Under the Crime and Disorder Act 1998 local authorities must have regard to the likely effect of the exercise of their functions on, and do all they can to prevent, crime and disorder in their area

Ensuring gambling is conducted in a Fair and Open Way

- 5.9 The Gambling Commission does not expect local authorities to become concerned with ensuring that gambling is conducted in a fair and open way as this will either be a matter for the management of the gambling business (and therefore relevant to the Operating Licence), or will be in relation to the suitability and actions of an individual (and therefore relevant to the Personal Licence).
- 5.10 Both issues will be addressed by the Commission through the operating and personal licensing regime. This is achieved by:
- operating and personal licences are issued only to those who are suitable to offer gambling facilities or work in the industry;
 - easily understandable information is made available by operators to players about, for example: the rules of the game, the probability of losing or winning, and the terms and conditions on which business is conducted;
 - the rules are fair;
 - advertising is not misleading;
 - the results of events and competitions on which commercial gambling takes place are made public; and
 - machines, equipment and software used to produce the outcome of games meet standards set by the Commission and operate as advertised.
- 5.11 Because betting track operators do not need an operating licence from the Commission, the Authority may, in certain circumstances attach conditions to a licence to ensure that the betting is conducted in a fair and open way. The authority may in these circumstances also consider the suitability of the applicant to hold a track premises licence. Such factors which the authority may take into consideration are set out below:
- References to adduce good character
 - Criminal record of the applicant
 - Previous experience of operating a track betting licence

- Any other relevant information

Protection of children and other vulnerable persons

Access to licensed premises

- 5.12 The access of children and young persons to those gambling premises which are adult only environments will not be permitted.

The Authority will consult with the Nottinghamshire Safeguarding **Children Partnership** and the Nottinghamshire Safeguarding Adults Board on any application that indicates there may be concerns over access for children or vulnerable persons. **Please see link [About \(nottinghamshire.gov.uk\)](https://www.nottinghamshire.gov.uk)**

5.13

- 5.14 The Authority will judge the merits of each separate application before deciding whether to impose conditions to protect children or vulnerable persons on particular categories of premises. This may include such requirements as:

- Supervision of entrances;
- Segregation of gambling areas from areas frequented by children;
- Supervision of gaming machines in non-adult gambling specific premises.
- Measures/training covering how staff would deal with unsupervised young children being on the premises
- Appropriate measures/training for staff as regards suspected truant school children on the premises.

- 5.15 The Act provides for a Code of Practice on access to casino premises by children and young persons and the Authority will work closely with the Police to ensure the appropriate enforcement of the law in these types of premises.

Vulnerable persons

- 5.16 The Authority does not seek to prohibit particular groups of adults from gambling in the same way that it seeks to prohibit children, but it will assume for regulatory purposes, that “vulnerable persons” include:

- People who gamble more than they want to;
- People who gamble beyond their means;
- People who may not be able to make an informed or balanced decision about gambling due to a mental impairment, alcohol or drugs.

The Authority will follow this guidance when considering whether, in relation to particular premises, any special considerations apply in relation to the protection of vulnerable persons.

- 5.17 The Authority encourages Applicants to offer controls that limit access by customers to gambling or further access to alcohol where the customer shows signs of inebriation.

- 5.18 Where the legislation allows, the Authority will look particularly closely at applications that are made for premises close to sensitive areas or developments, for example;

- Residential areas

- Schools and other educational establishments
- Residential hostels for vulnerable adults
- Premises licensed for alcohol or gambling

6. Premises Licences

General Principles

6.1 In the Act, “premises” is defined as including “any place”. Section 152 therefore prevents more than one premises licence applying to any place. But a single building could be subject to more than one premises licence, provided they are for different parts of the building and different parts of the building can be reasonably regarded as being different premises. This approach has been taken to allow large, multiple unit premises such as a pleasure park, pier, track or shopping mall to obtain discrete premises licence, where safeguards are in place. However, licensing authorities should pay particular attention if there are issues about sub-divisions of a single building or plot and ensure that mandatory conditions relating to access between premises are observed.

In relation to an application to split existing licensed premises thereby creating multiple premises, the Authority will expect the primary use of each premise to be the main business in accordance with the type of licence held. Any activities other than the primary use will be considered ancillary to the main business.

6.2 The procedure for obtaining Premises Licences is set by regulations. Should a licence be granted it will be made subject to mandatory and/or default conditions set by the Secretary of State. The Authority may choose to exclude default conditions if it thinks it appropriate and may also impose other specific conditions which are appropriate to the application. Additional conditions can only be imposed when there is evidence.

6.3 The Gambling Commission plays a leading role in preventing gambling from being a source of crime and will maintain rigorous licensing procedures that aim to prevent criminals from providing facilities for gambling. With the exception of applicants for track premises anyone applying to the Authority for a premises licence will have to hold an operating licence from the Commission before a licence can be issued. The Authority will not generally therefore be concerned with the suitability of an applicant. Where concerns arise about a person’s suitability, the Authority will bring those concerns to the attention of the Commission.

6.4 The Authority will however be concerned with issues such as the impact of the licensed premises in terms of crime and disorder and matters such as the location of the premises and their internal layout in terms of protecting children and vulnerable persons. Such issues are discussed in more detail in the paragraphs below relating to the specific types of gambling premises. See local risk assessments at section 2.

Betting Premises and Tracks

6.5 Betting premises relates to those premises operating off-course betting. That is other than at a track.

6.6 Tracks are sites where races or other sporting events take place. Betting operators may operate self-contained betting premises within track premises although they would normally only open on event days. There may be several licensed premises at any track.

- 6.7 Permitted activities include:
- off-course betting;
 - on-course betting for tracks;
 - betting by way of betting machines, and;
 - gaming machines as stipulated by regulations
- 6.8 Factors for consideration when determining the application will be:
- location, particularly in relation to vulnerable persons;
 - suitability of the premises;
 - size of premises in relation to the number of betting machines;
 - the ability of staff to monitor the use or abuse of such machines and;
 - the provision for licence holders to ensure appropriate age limits are adhered to.
- 6.9 This is not an exhaustive list and each application will be judged on its merits. Any effective measures to support the licensing objectives will be taken into account.
- 6.10 In addition to the mandatory and default conditions attached by the Secretary of State by regulations from time to time, conditions may also be applied in support of the licensing objectives. Additional conditions can only be imposed when there is evidence.
- 6.11 The Authority shall require an appropriately defined plan of the premises to accompany each application.

B2 & B3 Machines

- 6.12 In respect to nationally expressed concerns that exist in relation to the potential adverse impact of B2 (often called Fixed Odds Betting Terminals or FOBT's) and B3 machines may have on vulnerable groups of adults, The Licensing Authority will give due consideration to the need to apply conditions to betting shop premises licences including, but not limited to, setting out minimum staffing levels to ensure sufficient staff are on the premises to ensure the promotion of responsible gambling; to adequately protect players particularly those who are deemed to be vulnerable and to prevent under 18 year olds accessing gambling facilities.
- 6.13 The Licensing Authority expects B2 & B3 machines to be positioned in such a way that they can be appropriately monitored by staff particularly where those staff are positioned at a counter away from the machines. In general, the Authority is of the view that 'privacy screens' will hamper this and will expect the local area risk assessment to take this into account where applicants intend to construct such screens. Particular attention should be paid to the Gambling Commission's Social Responsibility Codes in this regard. ([LCCP 9.1.1](#)) Where an existing licensee adds 'privacy screens' a variation application will be required. the minimum stakes on a FOBT has been reduced from £100 to £2, but there are no statistics available to support that the FOBT play has reduced.
- 6.14 In relation to the licensing of tracks the Authority may require certain conditions to be imposed in support of the licensing objections and in particular, to ensure that the environment in which the betting takes place is suitable, especially in circumstances

where the track operator does not have an operating licence. Mandatory or default conditions may be attached by regulations issued by the Secretary of State.

Adult Gaming Centres (AGCs)

- 6.15 These premises must be operated by the holder of a gaming machine general operating licence from the Gambling Commission as well as a premises licence from the Authority.
- 6.16 Permitted activities include:
- the provision of gaming machines as stipulated by regulations
- 6.17 Factors for consideration when determining the application for an AGC will include:
- the location;
 - the ability of operators to minimise illegal access by under 18's to the premises.
- 6.18 This is not an exhaustive list and each application will be judged on its merits. Any effective measures to support the licensing objectives will be taken into account.
- 6.19 Conditions may be applied by the Authority in support of the licensing objectives if it is felt necessary. Mandatory or default conditions may be attached by regulations issued by the Secretary of State. No one under the age of 18 is permitted to enter an AGC.

Club Gaming Permits and Club Machine Permits

- 6.20 Club gaming permits authorise qualifying clubs to provide gaming machines as well as equal chance gaming and games of chance as prescribed in regulations.
- 6.21 Club machine permits allow the provision of higher category gaming machines.
- 6.22 Commercial clubs may in some circumstances operate with club machine permits but not club gaming permits.
- 6.23 The Authority may only refuse an application on the following grounds:
- (a) the applicant does not fulfill the requirements for a members' or commercial club or miners' welfare institute and therefore is not entitled to receive the type of permit for which it has applied;
 - (b) the applicant's premises are used wholly or mainly by children and/or young persons;
 - (c) an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities;
 - (d) a permit held by the applicant has been cancelled in the previous ten years; or
 - (e) an objection has been lodged by the Commission or the police; and in the case of (a) or (b) must refuse the permit.
- 6.24 The Authority may grant or refuse a permit, but it may not attach conditions to a permit.

Alcohol Licensed Premises

- 6.25 The Act provides an automatic entitlement to provide two gaming machines of category C or D. The premises licence holder must notify the Authority of his or her intention and pay the prescribed fee. Although the Authority has no discretion to refuse the notification, the authorisation may be removed if gaming has taken place on the premises that breaches a condition of section 282 of the Act.
- 6.26 The Authority may also issue “licensed premises gaming machine permits” to premises in this category on application for any additional number of category C and/or D machines. This would replace any automatic entitlement under section 282 of the Act.
- 6.27 The Authority must have regard to the licensing objectives and the Gambling Commission Guidance when granting these permits. Factors for consideration will include:
- location, particularly in relation to vulnerable persons;
 - suitability of the premises, size of premises in relation to the number of betting machines;
 - the ability of staff to monitor the use or abuse of such machines, and;
 - the provision for licence holders to ensure appropriate age limits are adhered to.
 - To enable the Licensing Authority to come to an appropriate decision, applicants are expected to submit a plan to show the proposed positioning of machines with their application.
- 6.28 This is not an exhaustive list and each application will be judged on its merits. Any effective measures to support the licensing objectives will be taken into account.
- 6.29 It is a condition of the automatic entitlement to make available two gaming machines (of category C or D), that any relevant provision of a code of practice under section 24 about the location and operation of a gaming machine is complied with. The Authority will take account of these provisions; the relevant codes of practice are available on the [Gambling Commissions website](#)

Family Entertainment Centres

- 6.30 There are two classes of Family Entertainment Centres (FECs) dependent upon the type of gaming machines provided on the premises:
- FECs with category C and D machines require a Premises Licence.
 - Unlicensed FECs provide only category D machines and are regulated through FEC gaming machine permits.
- 6.31 In determining the suitability of the location, consideration will be given to the following factors:
- Proximity of premises to schools and vulnerable adult centres (e.g. a centre for gambling addicts);
 - Proximity to residential areas where there may be a high concentration of families with children;
 - Town Centre or edge of Town Centre locations.

- hours of operation
- proposed operational management to regulate entry by children and vulnerable persons.

6.32 It should be noted that a permit cannot be issued in respect of a vessel or a vehicle.

6.33 An applicant must be 18 years of age or over. Relevant convictions will be taken into account, especially with respect to child protection issues.

Prize Gaming Permits

6.34 These permits cover gaming where the nature and size of the prize is not determined by the number of people playing or the amount paid for or raised by the gaming - the prize is determined by the operator before play commences.

6.35 Consideration will be given to the following factors:

- Proximity of premises to schools and vulnerable adult centres (e.g. a centre for gambling addicts);
- Proximity to residential areas where there may be a high concentration of families with children;
- Town Centre or edge of Town Centre locations.

6.36 It should be noted that a permit cannot be issued in respect of a vessel or a vehicle.

6.37 The applicant must be 18 years of age or over. Relevant convictions will be taken into account especially with respect to child protection issues

Travelling Fairs

6.38 Provided a travelling fair allows only category D gaming machines to be made available, and the facilities for gambling (whether by way of gaming machine or otherwise) amount together to no more than an ancillary amusement at the fair, then no application for a licence is required under the Act. The Authority will want to satisfy itself from time to time that gambling at a travelling fair is within the definition of section 286 of the Act. A guide for those wishing to operate gambling machines at travelling fairs is available on the Commission website.

Small Society Lotteries

6.39 Small Society lotteries are distinguished from large society lotteries by the amount of the proceeds that they generate. A lottery is small if the total value of tickets put on sale in a single lottery is £20,000 or less and the aggregate value of the tickets put on sale in a calendar year is £250,000 or less. Other lotteries are dealt with by the Gambling Commission.

6.40 Small society lotteries are required to be registered with the local Authority in the area where their principal office is located.

Temporary Use Notices

6.41 Premises which are not licensed for gambling may be used by a licensed operator for an aggregate period of 21 days in 12 months for prescribed types of gambling. In order to do so, the operator must serve a temporary use notice (or notices) on the Authority, the Commission and the Police. These are the only bodies who may object to such a notice. There are a number of statutory limits as regards Temporary Use

Notices. It is noted that it falls to the Authority to decide what constitutes a “set of premises” where Temporary Use Notices are received relating to the same building/site (see Gambling Commission’s Guidance to Licensing Authorities).

Occasional Use Notices

- 6.42 Betting on unlicensed tracks may be authorised for up to 8 days in a calendar year by the service of occasional use notices by the occupier of the track or the person responsible for the administration of the event. The Authority has very little discretion as regards these notices aside from ensuring that the statutory limit of eight days in a calendar year is not exceeded. The Authority will need to consider whether a Notice in respect of premises can be dealt with under the definition of a “Track”. It will also need to consider whether the Applicant is permitted to avail him/herself of the notice, however, there is no provision for objections to be made to this type of activity or for it to be prohibited.

No Casino Resolution

- 6.43 The Authority has **not** passed a “no Casino resolution” under Section 166 of the Gambling Act 2005, but is aware that it has the power to do so. Should the Authority decide in the future to pass such a resolution, it will update this Policy Statement with details of that resolution.

Bingo

- 6.44 The holder of a bingo operating licence will be able to apply for a bingo premises licence to provide any type of bingo game including cash and prize bingo. Commercial bingo halls will also require a bingo premises licence from the Authority. If the only type of bingo to be provided is prize bingo then this may be authorised by way of a permit.
- 6.45 If children are allowed to enter premises licensed for bingo, then controls must be in place to prevent them from participating in gambling, other than on category D machines. Where category C or above machines are available in premises to which children are admitted the Authority will expect to see that:
- all such machines are located in an area of the premises separate from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance;
 - only adults (over 18s) are admitted to the area where the machines are located;
 - access to the area where the machines are located is supervised;
 - where the machines are located is arranged so that it can be observed by staff of the operator or the licence holder; and
 - at the entrance to, and inside any such an area, there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.
- 6.46 The Gambling Commission has issued guidance about the need for licensing authorities take into account the suitability and layout of bingo premises. Therefore, plans should make clear what is being sought for authorisation under the bingo premises licence and what, if any, other areas are to be subject to a separate application for a different type of premises licence.

- 6.47 A limited number of gaming machines may also be made available at bingo licensed premises.
- 6.48 Bingo is a class of equal chance gaming and is permitted in alcohol licensed premises and in clubs provided it remains below a certain threshold as directed by the law, otherwise it will be require a bingo operating licence which will have to be obtained from the Gambling Commission.

Provisional Statements

- 6.49 Developers may wish to apply to this Authority for provisional statements before entering into a contract to buy or lease property or land to judge whether a development is worth taking forward in light of the need to obtain a premises licence. There is no need to hold an operating licence in order to apply for a provisional statement.

7. Inspection and Enforcement

General Statement

- 7.1 The Authority will have regard to its General / Corporate Enforcement Policy, the relevant provisions of the Act, any relevant guidance and / or codes of practice when considering taking enforcement action.
- 7.2 It is the intention of the Authority to establish and maintain enforcement protocols with other enforcement agencies.

Inspections

- 7.3 The Authority will inspect gambling premises and facilities for compliance with the Act and any licence conditions through the application of a risk based inspection programme.
- 7.4 The inspection programme will in principle operate a light touch in respect of low-risk premises whilst applying greater attention to those premises which are considered to present a higher risk.
- 7.5 In addition to programmed inspections the licensing Authority will also investigate any evidence based complaints that it receives.

Policy Four

- 7.6 **The Authority will adopt a risk based assessment approach for determining the frequency of compliance inspections. The risk rating will be based broadly on the following factors:**
- **location of the premises and their impact on the surrounding area,**
 - **enforcement history of the premises,**
 - **nature of the licensed or permitted operation,**
 - **potential to have an adverse affect on the licensing objectives, and;**
 - **management record.**

Reason: To provide a targeted and cost efficient enforcement service which will encourage and improve operating practice, promote the licensing objectives,

and drive out poor practices; whilst at the same time meet accepted best practice principles of compliance inspection.

Enforcement

- 7.7 In general the Gambling Commission will take the lead on the investigation and where appropriate, the prosecution of illegal gambling. There may be occasions on which the licensing Authority is better placed to take the lead, particularly where there is illegal activity on a smaller scale confined to the Authority's area.
- 7.8 Where a licensed premise is situated in more than one administrative area then this Authority will liaise with the other Authority to determine the most appropriate course of action and who will lead any investigation or prosecution.
- 7.9 Part 15 of the Act gives "authorised persons" power of investigation and section 346 enables licensing authorities to institute criminal proceedings in respect of offences described in that section. In exercising these functions the licensing Authority will endeavour to follow the Regulators code and Hampton principles. The principles require that enforcement should be:
- **Proportionate:** regulators should only intervene when necessary: remedies should be appropriate to the risk posed, and costs identified and minimised;
 - **Accountable:** regulators must be able to justify decisions, and be subject to public scrutiny;
 - **Consistent:** rules and standards must be joined up and implemented fairly;
 - **Transparent:** regulators should be open, and keep regulations simple and user friendly; and
 - **Targeted:** regulation should be focused on the problem, and minimise side effects
- 7.10 The licensing Authority will work closely with the Gambling Commission and exchange information on suspected illegal gambling and any proposed action that the Authority considers necessary.
- 7.11 The main enforcement and compliance role for the licensing Authority in terms of the Gambling Act 2005 will be to ensure compliance with the Premises Licences and other permissions which it authorises. The Gambling Commission will be the enforcement body for Operator and Personal Licences. It is also worth noting that concerns about manufacture, supply or repair of gaming machines will not be dealt with by the licensing Authority but will be notified to the Gambling Commission.
- 7.12 The Authority may institute proceedings in respect of a number of offences as identified in section 346 of the Act.
- 7.13 The Authority will avoid duplication with other regulatory regimes.

8. Glossary of terms

Many of the terms used in this statement of licensing policy are defined in the appropriate section of the Act. Section 353 identifies various terminologies and directs the reader to the relevant section of the Act, where appropriate, for a full and complete meaning of the term.

In the interests of clarity the following terms, which are used in this statement of licensing policy, are defined below.

Terminology	Definition
“the Act”	The Gambling Act 2005 (c19)
“Authority”	This refers to the “licensing Authority” as defined by section 2 of the Act
“authorised person”	An officer of a licensing Authority, and an officer of an Authority other than a licensing Authority, both of whom have been authorised for a purpose relating to premises in that Authority’s area
“authorised local Authority officer”	An officer of a licensing Authority who is an authorised person for a purpose relating to premises in that Authority’s area
“gambling commission”	An organisation established under section 20 of the Act that is responsible for regulating gambling in Great Britain
“guidance”	“Guidance to licensing authorities”, , issued by the gambling commission under section 25 of the Gambling Act 2005
“interested parties”	Defined at paragraph 2.3 of this statement of licensing principles
“mandatory condition”	A condition that must be placed on a licence by virtue of regulations
“regulations”	Refers to regulations made under the Gambling Act 2005
“responsible authorities”	Public bodies that must be notified of applications for premises licences and they also have the right to make representations in relation to those applications. They are listed in full in section 157 of the Act.

9. Appendix One – List of bodies and organisations consulted

Association of British Bookmakers

Licensing Solicitors

British Beer and Pub Association

Gambling Commission

HM Revenue and Customs

Nottinghamshire Police

Nottinghamshire Police and Crime Commissioner

Nottinghamshire Fire and Rescue

Nottinghamshire Safeguarding Children Partnership.

Nottinghamshire Safeguarding Adults Board

Parish and Town Councils

West Bridgford Local Area Forum

Rushcliffe Borough Councillors

Rushcliffe Borough Council Environmental Health Service

Rushcliffe Borough Council Development Control

Representatives of the various licences and permits for premises within the area who will be affected by this policy including premises licensed under the Gambling Act 2005 and

Licensing Act 2003.

Bingo Association

Gamcare

BACTA

Public Health England

Appendix of changes

Paragraph 1.2

Changes to the first paragraph placed in bold and wording of 'Must have regard' placed into paragraph.

Paragraph 2.1

Full Council Date to be entered.

Paragraph 2.1

GDPR statement added web link to council web page.

Paragraph 3.7

Local risk assessment Paragraph 2 added, Gambling establishments must look at the ethnic breakdown of the area and supply appropriate literature for persons where English is not the first language.

Paragraph 4.14

Change to add Licensing Service and link to web page.

Paragraph 5.12

Change of name of Nottinghamshire Safeguarding Children's Board is now Nottinghamshire Safeguarding Children's Partnership, the web link has been added.

Paragraph 6.12

Added changes to Class B2 (FOBT) and B3 Machines (B2 machines minimum stakes reduced to £2 from £100. (Betting Shops mainly and Bingo))

Paragraph 5.25

Added point 5 plan of premises showing position of machines.

Paragraph 6.39

Small Lotteries – changes to prize money in a single lottery and yearly figure

Consultation

Replies from

Nottinghamshire police (No changes asked for)

Gosschalks Solicitors on behalf of the Betting and Gaming Council.

Nottinghamshire Safeguarding Children's Partnership.

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Council

Thursday, 2 December 2021

PSAA External Audit Contract re-tender 2023/24 to 2027/28

Report of the Director – Finance and Corporate Services

Portfolio Holder for Finance and Customer Access, Councillor G Moore

1. Purpose of report

This report sets out proposals for appointing the external auditor to Rushcliffe Borough Council for the accounts for the five-year period from 2023/24.

2. Recommendation

It is RECOMMENDED that the Council accepts the Public Sector Audit Appointments' invitation to opt into the sector-led option for the appointment of external auditors from 1 April 2023 until 31 March 2028.

3. Reasons for Recommendation

To comply with the Local Audit and Accountability Act 2014, and as a means to ensure value for money in the procurement of external auditors.

4. Supporting Information

- 4.1 The current auditor appointment arrangements cover the period up to and including the audit of the 2022/23 accounts. The Council opted into the 'appointing person' national auditor appointment arrangements established by Public Sector Audit Appointments (PSAA) for the period covering the accounts for 2018/19 to 2022/23.
- 4.2 PSAA is now undertaking a procurement for the next appointing period, covering audits for 2023/24 to 2027/28. During Autumn 2021, all local government bodies need to make important decisions about their external audit arrangements from 2023/24. They have options to arrange their own procurement and make the appointment themselves or in conjunction with other bodies, or they can join and take advantage of the national collective scheme administered by PSAA.
- 4.3 This report concludes that the sector-wide procurement conducted by PSAA will produce better outcomes and will be less burdensome for the Council/Authority than a procurement undertaken locally because:

- a) collective procurement reduces costs for the sector and for individual authorities compared to a multiplicity of smaller local procurements;
- b) if it does not use the national appointment arrangements, the Council/Authority will need to establish its own auditor panel with an independent chair and independent members to oversee a local auditor procurement and ongoing management of an audit contract;
- c) it is the best opportunity to secure the appointment of a qualified, registered auditor - there are only nine accredited local audit firms, and a local procurement would be drawing from the same limited supply of auditor resources as PSAA's national procurement; and
- d) supporting the sector-led body offers the best way of ensuring there is a continuing and sustainable public audit market into the medium and long term.

4.4 If the Council wishes to take advantage of the national auditor appointment arrangements, it is required under the local audit regulations to make the decision at Full Council. The opt-in period starts on 22 September 2021 and closes on 11 March 2022. To opt into the national scheme from 2023/24, the Council needs to return completed opt-in documents to PSAA by 11 March 2022. Hence this report.

4.5 Further details and background are contained at Appendix A. Appendix B is the 'opt-in' invitation issued by the PSAA on 22 September 2021.

5. Alternative options considered and reasons for rejection

The Council could undertake its own procurement process for the external audit contract but given the reasons highlighted in the report this would not be in the best of interests of the taxpayer. Appendix A details the challenges in setting-up an Independent Auditor Panel.

6. Risks and Uncertainties

6.1 The principal risks are that the Council:

- fails to appoint an auditor in accordance with the requirements and timing specified in local audit legislation; or
- does not achieve value for money in the appointment process.

These risks are considered best mitigated by opting into the sector-led approach through PSAA.

7. Implications

7.1. Financial Implications

7.1.1 There is a risk that current external audit fee levels could increase when the current contracts end. It is clear that the scope of audit has increased, requiring more audit work. Whilst fees have been increasing in recent years it is hoped this trend does not continue. There are also concerns about capacity and sustainability in the local audit market, placing an upward pressure on labour cost.

7.1.2 Opting into a national scheme provides maximum opportunity to ensure fees are as realistic as possible, whilst ensuring that the quality of audit is maintained, by entering into a large-scale collective procurement arrangement.

7.1.3 If the national scheme is not used some additional resource will be needed to establish an auditor panel and conduct a local procurement exercise. Until a procurement exercise is completed it is not possible to state what, if any, additional resource may be required for audit fees from 2023/24.

7.2. Legal Implications

7.2.1 Section 7 of the Local Audit and Accountability Act 2014 requires the Council to appoint a local auditor to audit its accounts for a financial year, not later than 31 December in the preceding year.

7.2.2 Section 8 governs the procedure for appointment including that the Council must consult and take account of the advice of its auditor panel on the selection and appointment of a local auditor. Section 8 provides that where a relevant Council is a local Council operating executive arrangements, the function of appointing a local auditor to audit its accounts is not the responsibility of an executive of the Council under those arrangements.

7.2.3 Section 12 makes provision for the failure to appoint a local auditor. The Council must immediately inform the Secretary of State, who may direct the Council to appoint the auditor named in the direction or appoint a local auditor on behalf of the Council.

7.2.4 Section 17 gives the Secretary of State the power to make regulations in relation to an 'appointing person' specified by the Secretary of State. This power has been exercised in the Local Audit (Appointing Person) Regulations 2015 (SI 192) and this gives the Secretary of State the ability to enable a sector-led body to become the appointing person. In July 2016, the Secretary of State specified PSAA as the appointing person.

7.3. Equalities Implications

None

7.4. Section 17 of the Crime and Disorder Act 1998 Implications

None

8. Link to Corporate Priorities

Quality of Life	A high quality external audit function is critical in terms of good governance which transcends all corporate objectives.
Efficient Services	
Sustainable Growth	
The Environment	

9. Recommendation

It is RECOMMENDED that the Council accepts Public Sector Audit Appointments' invitation to opt into the sector-led option for the appointment of external auditors from 1 April 2023 until 31 March 2028.

For more information contact:	Peter Linfield Director – Finance and Corporate Services 0115 914 8439 plinfield@rushcliffe.gov.uk
Background papers available for Inspection:	PSAA website.
List of appendices:	Appendix A –Procurement of External Audit for th period 2023/24 to 2027/28 Appendix B – PSAA External Audit Procurement Opt-in Letter

Procurement of External Audit for the period 2023/24 to 2027/28

1. Under the Local Government Audit & Accountability Act 2014 (“the Act”), the council is required to appoint an auditor to audit its accounts for each financial year. The council has three options;
 - To appoint its own auditor, which requires it to follow the procedure set out in the Act.
 - To act jointly with other authorities to procure an auditor following the procedures in the Act.
 - To opt in to the national auditor appointment scheme administered by a body designated by the Secretary of State as the ‘appointing person’. The body currently designated for this role is Public Sector Audit Appointments Limited (PSAA).
2. In order to opt-in to the national scheme, a council must make a decision at a meeting of the Full Council.

The Appointed Auditor

3. The auditor appointed at the end of the procurement process will undertake the statutory audit of accounts and Best Value assessment of the council in each financial year, in accordance with all relevant codes of practice and guidance. The appointed auditor is also responsible for investigating questions raised by electors and has powers and responsibilities in relation to Public Interest Reports and statutory recommendations.
4. The auditor must act independently of the council and the main purpose of the procurement legislation is to ensure that the appointed auditor is sufficiently qualified and independent.
5. The auditor must be registered to undertake local audits by the Financial Reporting Council (FRC) employ authorised Key Audit Partners to oversee the work. As the report below sets out there is a currently a shortage of registered firms and Key Audit Partners.
6. Auditors are regulated by the FRC, which will be replaced by a new body with wider powers, the Audit, Reporting and Governance Authority (ARGA) during the course of the next audit contract.
7. Councils therefore have very limited influence over the nature of the audit services they are procuring, the nature and quality of which are determined or overseen by third parties.

Appointment by the Council

8. The Council may elect to appoint its own external auditor under the Act, which would require the Council to;
 - Establish an independent auditor panel to make a stand-alone appointment. The auditor panel would need to be set up by the Council itself, and the members of the panel must be wholly or a majority of independent members as defined by the Act. Independent members for this purpose are independent appointees, excluding current and former elected members (or officers) and their close families and friends. This means that elected members will not have a majority input to assessing bids and choosing to which audit firm to award a contract for the Council's external audit.
 - Manage the contract for its duration, overseen by the Auditor Panel.
9. Alternatively, the Act enables the Council to join with other authorities to establish a joint auditor panel. Again, this will need to be constituted of wholly or a majority of independent appointees. Further legal advice would be required on the exact constitution of such a panel having regard to the obligations of each Council under the Act and the Council would need to liaise with other local authorities to assess the appetite for such an arrangement.

The national auditor appointment scheme

10. PSAA is specified as the 'appointing person' for principal local government under the provisions of the Act and the Local Audit (Appointing Person) Regulations 2015. PSAA let five-year audit services contracts in 2017 for the first appointing period, covering audits of the accounts from 2018/19 to 2022/23. It is now undertaking the work needed to invite eligible bodies to opt in for the next appointing period, from the 2023/24 audit onwards, and to complete a procurement for audit services. PSAA is a not-for-profit organisation whose costs are around 4% of the scheme with any surplus distributed back to scheme members.
11. In summary the national opt-in scheme provides the following:
 - the appointment of a suitably qualified audit firm to conduct audits for each of the five financial years commencing 1 April 2023;
 - appointing the same auditor to other opted-in bodies that are involved in formal collaboration or joint working initiatives to the extent this is possible with other constraints;
 - managing the procurement process to ensure both quality and price criteria are satisfied. PSAA has sought views from the sector to help inform its detailed procurement strategy;
 - ensuring suitable independence of the auditors from the bodies they audit and managing any potential conflicts as they arise during the appointment period;

- minimising the scheme management costs and returning any surpluses to scheme members;
- consulting with authorities on auditor appointments, giving the Council the opportunity to influence which auditor is appointed;
- consulting with authorities on the scale of audit fees and ensuring these reflect scale, complexity, and audit risk; and
- ongoing contract and performance management of the contracts once these have been let.

Pressures in the current local audit market and delays in issuing opinions

12. Much has changed in the local audit market since audit contracts were last awarded in 2017. At that time the audit market was relatively stable, there had been few changes in audit requirements, and local audit fees had been reducing over a long period. 98% of those bodies eligible opted into the national scheme and attracted very competitive bids from audit firms. The resulting audit contracts took effect from 1 April 2018.
13. During 2018 a series of financial crises and failures in the private sector year led to questioning about the role of auditors and the focus and value of their work. Four independent reviews were commissioned by Government: Sir John Kingman's review of the Financial Reporting Council (FRC), the audit regulator; the Competition and Markets Authority review of the audit market; Sir Donald Brydon's review of the quality and effectiveness of audit; and Sir Tony Redmond's review of local authority financial reporting and external audit. The recommendations are now under consideration by Government, with the clear implication that significant reforms will follow. A new audit regulator (ARGA) is to be established, and arrangements for system leadership in local audit are to be introduced. Further change will follow as other recommendations are implemented.
14. The Kingman review has led to an urgent drive for the FRC to deliver rapid, measurable improvements in audit quality. This has created a major pressure for audit firms to ensure full compliance with regulatory requirements and expectations in every audit they undertake. By the time firms were conducting 2018/19 local audits during 2019, the measures they were putting in place to respond to a more focused regulator were clearly visible. To deliver the necessary improvements in audit quality, firms were requiring their audit teams to undertake additional work to gain deeper levels of assurance. However, additional work requires more time, posing a threat to the firms' ability to complete all their audits by the target date for publication of audited accounts. Delayed opinions are not the only consequence of the FRC's drive to improve audit quality. Additional audit work must also be paid for. As a result, many more fee variation claims have been needed than in prior years.

15. This situation has been accentuated by growing auditor recruitment and retention challenges, the complexity of local government financial statements and increasing levels of technical challenges as bodies explore innovative ways of developing new or enhanced income streams to help fund services for local people. These challenges have increased in subsequent audit years, with Covid-19 creating further significant pressure for finance and audit teams.
16. None of these problems is unique to local government audit. Similar challenges have played out in other sectors, where increased fees and disappointing responses to tender invitations have been experienced during the past two years.

The invitation

17. PSAA is now inviting the Council to opt in for the second appointing period, for 2023/24 to 2027/28, along with all other eligible authorities. Based on the level of opt-ins it will enter into contracts with appropriately qualified audit firms and appoint a suitable firm to be the Council's auditor. Details relating to PSAA's invitation are provided in Appendix B.

The next audit procurement

18. The prices submitted by bidders through the procurement will be the key determinant of the value of audit fees paid by opted-in bodies. PSAA will:
 - seek to encourage realistic fee levels and to benefit from the economies of scale associated with procuring on behalf of a significant number of bodies;
 - continue to pool scheme costs and charge fees to opted-in bodies in accordance with the published fee scale as amended following consultations with scheme members and other interested parties (pooling means that everyone within the scheme will benefit from the prices secured via a competitive procurement process – a key tenet of the national collective scheme);
 - continue to minimise its own costs, around 4% of scheme costs, and as a not-for-profit company will return any surplus funds to scheme members. In 2019 it returned a total £3.5million to relevant bodies and in 2021 a further £5.6million was returned.
19. PSAA will seek to encourage market sustainability in its procurement. Firms will be able to bid for a variety of differently sized contracts so that they can match their available resources and risk appetite to the contract for which they bid. They will be required to meet appropriate quality standards and to reflect realistic market prices in their tenders, informed by the scale fees and the supporting information provided about each audit. Where regulatory changes are in train which affect the amount of audit work suppliers must undertake, firms will be informed as to which developments should be priced into their bids.

20. The scope of a local audit is fixed. It is determined by the Code of Audit Practice (currently published by the National Audit Office)¹, the format of the financial statements (specified by CIPFA/LASAAC) and the application of auditing standards regulated by the FRC. These factors apply to all local audits irrespective of whether an eligible body decides to opt into PSAA's national scheme or chooses to make its own separate arrangements. The requirements are mandatory; they shape the work auditors undertake and have a bearing on the actual fees required.
21. There are currently nine audit providers eligible to audit local authorities and other relevant bodies under local audit legislation. This means that a local procurement exercise would seek tenders from the same firms as the national procurement exercise, subject to the need to manage any local independence issues. Local firms cannot be invited to bid. Local procurements must deliver the same audit scope and requirements as a national procurement, reflecting the auditor's statutory responsibilities.

Assessment of options and officer recommendation

22. If the Council did not opt in there would be a need to establish an independent auditor panel to make a stand-alone appointment. The auditor panel would need to be set up by the Council itself, and the members of the panel must be wholly or a majority of independent members as defined by the Act. Independent members for this purpose are independent appointees, excluding current and former elected members (or officers) and their close families and friends. This means that elected members will not have a majority input to assessing bids and choosing to which audit firm to award a contract for the Council's external audit.
23. Alternatively, the Act enables the Council to join with other authorities to establish a joint auditor panel. Again, this will need to be constituted of wholly or a majority of independent appointees. Further legal advice would be required on the exact constitution of such a panel having regard to the obligations of each Council under the Act and the Council would need to liaise with other local authorities to assess the appetite for such an arrangement.
24. These would be more resource-intensive processes to implement for the council, and without the bulk buying power of the sector-led procurement would be likely to result in a more costly service. It would also be more difficult to manage quality and independence requirements through a local appointment process. The council is unable to influence the scope of the audit and the regulatory regime inhibits the council's ability to affect quality.
25. The Council and its auditor panel would need to maintain ongoing oversight of the contract. Local contract management cannot, however, influence the scope or delivery of an audit.

¹ MHCLG's Spring statement proposes that overarching responsibility for Code will in due course transfer to the system leader, namely ARGA, the new regulator being established to replace the FRC.

26. The national offer provides the appointment of an independent auditor with limited administrative cost to the council. By joining the scheme, the council would be acting with other councils to optimise the opportunity to influence the market that a national procurement provides.
26. The recommended approach is therefore to opt-in to the national auditor appointment scheme.

The way forward

27. Regulation 19 of the Local Audit (Appointing Person) Regulations 2015 requires that a decision to opt in must be made by a meeting of the Council (meeting as a whole).
28. The Council then needs to respond formally to PSAA's invitation in the form specified by PSAA by the close of the opt-in period (11 March 2022).
29. PSAA will commence the formal procurement process in early February 2022. It expects to award contracts in August 2022 and will then consult with authorities on the appointment of auditors so that it can make appointments by the statutory deadline of 31 December 2022.

PSAA External Audit Procurement Opt-in Letter



22 September 2021

To: Ms Marriot, Chief
Executive,
Rushcliffe
Borough Council

Copied to: Mr Linfield, S151 Officer
Councillor Combellack, Chair of Audit Committee or equivalent

Dear Ms Marriot,

Invitation to opt into the national scheme for auditor appointments from April 2023

I want to ensure that you are aware the external auditor for the audit of your accounts for 2023/24 has to be appointed before the end of December 2022. That may seem a long wayaway but, as your organisation has a choice about how to make that appointment, your decision-making process needs to begin soon.

We are pleased that the Secretary of State has confirmed PSAA in the role of the appointing person for eligible principal bodies for the period commencing April 2023. Joining PSAA's national scheme for auditor appointments is one of the choices available to your organisation.

In June 2021 we issued a draft prospectus and invited your views and comments on our early thinking on the development of the national scheme for the next period. Feedback from the sector has been extremely helpful and has enabled us to refine our proposals which are now set out in the [scheme prospectus](#) and our [procurement strategy](#). Both documents can be downloaded from our website which also contains a range of useful information that you may find helpful.

The national scheme timetable for appointing auditors from 2023/24 means we now need to issue a formal invitation to you to opt into these arrangements. In order to meet the requirements of the relevant regulations, we also attach a form of acceptance of our invitation which you must use if your organisation decides to join the national scheme. We have specified the five consecutive financial years

beginning 1 April 2023 as the compulsory appointing period for the purposes of the regulations which govern the national scheme.

Given the very challenging local audit market, we believe that eligible bodies will be best served by opting to join the scheme and have attached a short summary of why we believe that is the best solution both for individual bodies and the sector as a whole.

I would like to highlight three matters to you:

1. if you opt to join the national scheme, we need to receive your formal acceptance of this invitation by Friday 11 March 2022;
2. the relevant regulations require that, except for a body that is a corporation sole (e.g. a police and crime commissioner), the decision to accept our invitation and to opt in must be made by the members of the authority meeting as a whole e.g. Full Council or equivalent. We appreciate this will need to be built into your decision-making timetable. We have deliberately set a generous timescale for bodies to make opt in decisions (24 weeks compared to the statutory minimum of 8 weeks) to ensure that all eligible bodies have sufficient time to comply with this requirement; and
3. if you decide not to accept the invitation to opt in by the closing date, you may subsequently make a request to opt in, but only after 1 April 2023. We are required to consider such requests and agree to them unless there are reasonable grounds for their refusal. PSAA must consider a request as the appointing person in accordance with the Regulations. The Regulations allow us to recover our reasonable costs for making arrangements to appoint a local auditor in these circumstances, for example if we need to embark on a further procurement or enter into further discussions with our contracted firms.

If you have any other questions not covered by our information, do not hesitate to contact us by email at ap2@psaa.co.uk. We also publish answers to [frequently asked questions](#) on our website.

If you would like to discuss a particular issue with us, please send an email also to ap2@psaa.co.uk, and we will respond to you.

Yours sincerely

Tony
Crawley
Chief
Executive



Council

Thursday, 2 December 2021

Bingham Improvement Board

Report of the Chief Executive

**Cabinet Portfolio Holder for Strategic and Borough Wide Leadership,
Councillor S R Robinson**

1. Purpose of report

- 1.1. At the September 2021 Council meeting, Council received a petition from The Bingham Deserves Better pressure group, presented by Mr Anthony Fox, calling for a community governance review of Bingham Town Council and considered whether the petition was valid.
- 1.2. Whilst Council did not accept the petition it did resolve to support a commitment to working collaboratively with Bingham Town Council and to offer to set up an Improvement Board to review governance and improvement issues at the Town Council. In addition, the Leader committed to bringing a report back to the next Council meeting, in December, detailing the membership and terms of reference of the Improvement Board.
- 1.3. This report provides an update on progress since the last Council meeting.

2. Recommendation

It is RECOMMENDED that:

- a) Council welcomes the progress made and the joint commitment by Rushcliffe Borough Council and Bingham Town Council to deliver an Improvement Board in 2022; and
- b) a further update report be received by Cabinet in Summer 2022.

3. Reasons for recommendation

There is not a policy decision for Council to take but in light of the interest in the matter shared across the Council and the desire to support Bingham Town Council and its residents, an update report was agreed at the last Council meeting.

4. Supporting information

- 4.1. Following the decision at September Council, set out in paragraph 1.2, the Chief Executive wrote to Bingham Town Council offering Rushcliffe Borough Council's support in setting up an Improvement Board. This was debated at the Bingham Town Council meeting of 19 October and agreed.
- 4.2. The Chief Executive met with Neil Taylor, former Chief Executive of Bassetlaw District Council, Jonathan Owen, Chief Executive of the National Association of Local Councils and David Pye, Advisor at the Local Government Association and parish councillor, and asked them if they would be happy to be on the Improvement Board alongside two Town Councillors. They agreed and are keen to be involved and to support the work.
- 4.3. Subsequently, the Leader and Chief Executive met with the Mayor and Clerk of Bingham Town Council and discussed draft terms of reference for the Board which are set out in Appendix A.
- 4.4. The draft terms of reference were sent on to the Town Council and they debated these, and the proposed Bingham Town Council Board appointments at an Extraordinary Council Meeting on 23 November. Bingham Town Council resolved to accept the draft terms of reference for the Improvement Board.
- 4.5. A budget of £5,000 was agreed by the Town Council and this will be placed in its reserves plan for 2022/23.
- 4.6. The Council nominated Councillor R Bird and Councillor G Williams to be the Town Council's representatives on the Board.
- 4.7. There were four people nominated to act as substitutes in the event that one of the nominated Councillors was unable to attend. The substitute members are Councillors T Wallace, J Lewis, G Simms and M Stockwood.
- 4.8. The draft terms of reference were also shared with the Rushcliffe Borough Council political group leaders whose comments (included in Appendix A) will be shared with the Improvement Board to consider when they meet and adopt the Terms of Reference at their first meeting in the new year.

5. Next steps

- 5.1. The independent board members (Mr Taylor, Mr Owen and Mr Pye) will undertake a two-day visit to Bingham in January to meet Councillors and other stakeholders.
- 5.2. The Bingham Improvement Board will be supported by Rushcliffe Borough Council's Monitoring Officer and the Bingham Town Clerk.
- 5.3. The Board will consider its work programme and arrange a series of meetings over the next few months. It will report back to Bingham Town Council and to Rushcliffe Borough Council.

6. Risks and uncertainties

- 6.1. The Improvement Board will be most effective if it has the genuine buy-in, commitment and support of Bingham Town Council.
- 6.2. It has cross-party Bingham Town Council representation, and the Council has endorsed its creation at the Extraordinary Town Council meeting of 23 November 2021. Therefore, it is believed that the Board will be respected and influential. It will work on the basis of a positive, pro-active and forward-looking approach.

7. Implications

7.1. Financial implications

A budget of £10,000, contributed 50:50 by Bingham Town Council and Rushcliffe Borough Council has been allocated to fund the setting up and administration of the Board. The £5,000 from Rushcliffe Borough Council will be allocated from in year underspends. A budget of £5,000 was agreed by the Town Council on 23 November and this will be placed in its reserves plan for 2022/23.

7.2. Legal Implications

There are no legal implications from this report. As it is not proposed that Rushcliffe Borough Councillors sit on the board, there is no requirement to amend Rushcliffe Borough Council's Constitution to include the Board.

7.3. Equalities Implications

There are no direct equalities implications arising from this report, but the Board will be asked to consider equalities in any recommendations they may make.

7.4. Section 17 of the Crime and Disorder Act 1998 Implications

There are no S17 implications arising from this report.

8. Link to Corporate Priorities

Quality of Life	As this report relates to support for Bingham Town Council, the Council's own corporate priorities are not directly applicable. The Improvement Board will be interested in supporting Bingham Town Council deliver its corporate priorities.
Efficient Services	N/A
Sustainable Growth	N/A
The Environment	N/A

9. Recommendation

It is RECOMMENDED that:

- a) Council welcomes the progress made and the joint commitment by Rushcliffe Borough Council and Bingham Town Council to deliver an Improvement Board in 2022; and
- b) a further update report be received by Cabinet in Summer 2022.

For more information contact:	Katherine Marriott Chief Executive 0115 914 8219 kmarriott@rushcliffe.gov.uk
Background papers available for Inspection:	Report to Council 30 September 2021 ("Petition: Community Governance Review (Bingham Town Council)") and associated minutes
List of appendices:	Draft Terms of Reference for Bingham Improvement Board

Bingham Improvement Board
Terms of Reference
Draft

Description

The Improvement Board is established to consider the operation of Bingham Town Council (“the Council”) and to address any governance issues at the Council in response to the Bingham Deserves Better petition received by Rushcliffe Borough Council. The board will work with the Town Council and provide short progress reports to the Town Council and Rushcliffe Borough Council on a monthly basis for a period of up to 6 months.

Upon the board concluding its review and oversight of any actions recommended (expected at the end of the 6 months), a final report will be presented to Bingham Town Council and Rushcliffe Borough Council as principal authority.

Purpose

The purpose of the Improvement Board is to:

- Deliver an action plan responding to the issues raised in the petition presented by the Bingham Deserves Better group to Rushcliffe Borough Council on 30th September 2021
- Support improvement in the Council’s wider governance arrangements
- Ensure that a range of voices, including those independent to the Council contribute to the development of governance at the Council
- Help the Council to develop a culture of respect between Councillors and between Councillors and employees

Objective

The board’s objectives are to:

- Support Bingham Town Council to:
 - Enhance public confidence in the Council
 - Demonstrate its ambitions for the local areas and its local communities
 - Ensure accountable, transparent and effective discharge of the Council’s duties [ADD IN this third point?]

It will:

- Assess the Council’s current governance arrangements and identify and make recommendations to the Council on areas for improvement
- Review the standing orders of Bingham Town Council in relation to governance improvement and recommend any amendments to the Council as considered appropriate
- Identify best practice and gather views on matters within the boards remit from relevant internal and external sources

- Steer the implementation of the action plan (to be created) and wider governance improvement
- Monitor progress on the implementation of the action plan
- Make recommendations to the Council to support improved governance.

Membership and chairing

The board will consist of 5 members:

- An independent chairman (Neil Taylor, former Bassetlaw CEX)
- 2x Bingham Town Councillors – to be appointed by Bingham Town Council
- 1 advisor from the National Association of Local Councils – Jonathan Owen, CEX
- 1 advisor from the Local Government Association – David Pye (David is also a parish councillor)

The board will be chaired by the Independent Chairman.

The board will be supported by Bingham Town Council's proper officer (the Town Clerk) and the Monitoring Officer of Rushcliffe Borough Council. Admin support will be provided by RBC.

Substitutes

Substitute members may be appointed to this board for the Bingham Town Council representatives to be agreed by Bingham Town Council.

For all other positions substitutes may not be appointed.

Quorum

The quorum for the board is three members.

Field work/Review

Prior to the commencement of board meetings, the three independent members of the board (Neil Taylor, Jonathan Owen and David Pye) will undertake two days of field work/review work in Bingham in order to meet town councillors and staff, community members and to get a sense of the ambitions and objectives of the council for the future. It is anticipated this will be in January 2022.

Frequency of meetings

It is anticipated that the board will initially meet monthly for up to 6 months from January 2022.

Duration

The board may meet periodically following the completion of its work until March 2023 to review progress.

Status

The Board is a non-statutory improvement board and will report its recommendations back to Bingham Town Council and Rushcliffe Borough Council. Its recommendations will be in the public domain. It is intended to be supported and positive. It will be for Bingham Town Council to work with the board and to adopt any recommendations of the board.

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Council

Thursday, 2 December 2021

Committees Membership Update

Report of the Director – Finance and Corporate Services

**Cabinet Portfolio Holder for Strategic and Borough Wide Leadership,
Councillor S J Robinson**

1. Purpose of report

The attached Appendix informs Council about changes to the appointments to Committees and Member Groups for 2021/22 following:

- the election of Councillor Vicky Price in October 2021; and
- changes to the membership of the Conservative Party.

The report also seeks approval to amend the name of the Bingham Chapel Lane Member Working Group so that the Group incorporates delivery of the Crematorium.

2. Recommendation

It is RECOMMENDED that Council:

- a) approves the changes to committee memberships as set out in the Appendix to the report; and
- b) approves the renaming of the Bingham Chapel Lane Member Working Group to the Bingham Chapel Lane and Crematorium Member Working Group, and delegates authority to the Monitoring Officer to revise the Terms of Reference of the Group.

3. Reasons for Recommendation

The changes are necessary following a byelection and changes to the membership of the Conservative Party and to establish a member working group to oversee the crematorium build. The changes to committee positions take into account the principles in relation to political representation and the allocation of seats where necessary.

4. Supporting Information

Changes to committee positions proposed by the Political Groups are set out in the Appendix.

5. Risks and Uncertainties

Failure to appoint to the Committee and Member Group positions would restrict the Council's ability to deliver its functions and priorities.

6. Implications

6.1. Financial Implications

There are no financial implications associated with the recommendations of this report.

6.2. Legal Implications

As the appointments are based on the principles in relation to political representation there are no other legal implications.

6.3. Equalities Implications

There are no equalities implications.

6.4. Section 17 of the Crime and Disorder Act 1998 Implications

There are no Section 17 implications.

7. Link to Corporate Priorities

Quality of Life	All Corporate Priorities are supported by the proper appointment of Councillors to Committees and Member Working groups.
Efficient Services	
Sustainable Growth	
The Environment	

8. Recommendation

It is RECOMMENDED that Council:

- a) approves the changes to committee memberships as set out in the Appendix to the report; and
- b) approves the renaming of the Bingham Chapel Lane Member Working Group to the Bingham Chapel Lane and Crematorium Member Working Group, and delegates authority to the Monitoring Officer to revise the Terms of Reference of the Group.

For more information contact:	Sanjit Sull Monitoring Officer 0115 914 8332 ssull@rushcliffe.gov.uk
Background papers available for Inspection:	None
List of appendices:	Appendix – Changes to appointments to Committees and Member Groups 2021/22

CHANGES TO APPOINTMENTS TO COMMITTEES AND MEMBER GROUPS 2021/22

Changes to the membership of committees and member groups are in **GREEN**

A SCRUTINY GROUPS

Corporate Overview Group - 7 Members.

Chairman from the Lead Group; Other positions to be filled by the Chairmen and Vice Chairmen of the Growth and Development, Governance and Communities scrutiny groups – 2 opposition group positions.

	Conservative (5)	Labour (2)	Lib Dem (0)	Green (0)	Leake Independents (0)	Independent Councillors
1.	Councillor T Combella (C)	Councillor B Gray				
2.	Councillor R Butler	Councillor B Bansal				
3.	Councillor N Clarke					
4.	Councillor D Viridi					
5.	Councillor J Wheeler					

[Constitution](#), Part 3, Appendix 5, page 37

Governance Scrutiny Group - 9 Members.

Chairman from the Lead Group; Vice Chair position currently from opposition party.

	Conservative (5)	Labour (1)	Lib Dem (1)	Green (0)	Leake Independents (1)	Independent Councillors
1.	Councillor D Virdi (C)	Councillor B Gray (VC)	Councillor L Howitt		Councillor K Shaw	Councillor J Stockwood
2.	Councillor R Adair					
3.	Councillor K Beardsall					
4.	Councillor L Healy					
5.	Councillor D Simms					

[Constitution](#), Part 3, Appendix 5, page 38

Growth and Development Scrutiny Group - 9 Members.

Chairman from the Lead Group; Vice Chair position currently from Lead Group.

	Conservative (5)	Labour (1)	Lib Dem (1)	Green (0)	Leake Independents (1)	Independent Councillors
1.	Councillor N Clarke (C)	Councillor J Murray	Councillor L Howitt		Councillor L Way	Councillor J Stockwood
2.	Councillor R Butler (VC)					
3.	Councillor M Barney					
4.	Councillor J Cottee					
5.	Councillor A Phillips					

Communities Scrutiny Group - 9 Members.

Chairman from the Lead Group; Vice Chair currently from opposition party.

	Conservative (5)	Labour (1)	Lib Dem (1)	Green (1)	Leake Independents (0)	Independent Councillors
1.	Councillor J Wheeler (C)	Councillor B Bansal (VC)	Councillor R Jones	Councillor R Mallender		Councillor F Purdue-Horan
2.	Councillor G Dickman					
3.	Councillor L Healy					
4.	Councillor R Walker					
5.	Councillor G Williams					

[Constitution](#), Part 3, Appendix 5, page 39

B COMMITTEES

Licensing Committee

15 Members – Chairman from the Lead Group

	Conservative (9)	Labour (3)	Lib Dem (1)	Green (1)	Leake Independents (0)	Independent Councillors
1.	Councillor G Williams (C)	Councillor J Walker	Councillor L Howitt	Councillor R Mallender		Councillor J Stockwood
2.	Councillor R Adair	Councillor B Bansal				
3.	Councillor S Bailey	Councillor N Begum				
4.	Councillor K Beardsall					
5.	Councillor B Bushman					
6.	Councillor G Dickman					
7.	Councillor L Healy					
8.	Councillor D Simms					
9.	Councillor G Wheeler					

Planning Committee

11 Members – Chairman from the Lead Group

	Conservative (6)	Labour (2)	Lib Dem (1)	Green (0)	Leake Independents (1)	Independent Councillors
1.	Councillor R Upton (C)	Councillor P Gowland	Councillor V Price		Councillor C Thomas	Councillor F Purdue-Horan
2.	Councillor M Stockwood (VC)	Councillor B Gray				
3.	Councillor S Bailey					
4.	Councillor N Clarke					
5.	Councillor L Healy					
6.	Councillor D Mason					

Employment Appeals Committee

5 Members – Chairman from the Lead Group

	Conservative (3)	Labour (1)	Lib Dem (1)	Green (0)	Leake Independents (0)	Independent Councillors
1.	Councillor S Robinson (C)	Councillor M Gaunt	Councillor V Price			
2.	Councillor A Edyvean					
3.	Councillor R Walker					

[Constitution](#), Part 3, Appendix 5, page 43

Interviewing Committee

5 Members – Chairman - Leader

	Conservative (3)	Labour (1)	Lib Dem (0)	Green (0)	Leake Independents (1)	Independent Councillors
1.	Councillor S Robinson (C)	Councillor N Begum			Councillor L Way	
2.	Councillor A Edyvean					
3.	Councillor G Wheeler					

[Constitution](#), Part 3, Appendix 5, page 44

Standards Committee

9 seats (6 Elected Members, 3 Co-optees (2 Parish Members and 1 Independent)) Chairman from the Lead Group

	Conservative (4)	Labour (1)	Lib Dem (0)	Green (1)	Leake Independents (0)	Independent Councillors
1.	Councillor R Walker (C)	Councillor B Gray		Councillor R Mallender		
2.	Councillor K Beardsall					
3.	Councillor D Mason					
4.	Councillor A Phillips					

S Nelken - Parish Member, A Wood - Parish Member, K White - Independent Member

[Constitution](#), Part 3, Appendix 5, page 44

C MEMBER GROUPS

Local Development Framework Group

15 Members – Chairman from the Lead Group

	Conservative (9)	Labour (2)	Lib Dem (1)	Green (1)	Leake Independents (1)	Independent Councillors
1.	Councillor A Edyvean (C)	Councillor P Gowland	Councillor V Price	Councillor R Mallender	Councillor C Thomas	Councillor F Purdue-Horan
2.	Councillor S Bailey	Councillor B Gray				
3.	Councillor M Barney					
4.	Councillor R Butler					
5.	Councillor J Cottee					
6.	Councillor D Simms					
7.	Councillor M Stockwood					
8.	Councillor R Walker					
9.	Councillor G Wheeler					

Member Development Group

9 Members, Chairman currently from an opposition group

	Conservative (6)	Labour (1)	Lib Dem (0)	Green (1)	Leake Independents (1)	Independent Councillors
1.	Councillor B Bushman	Councillor B Gray		Councillor R Mallender (C)	Councillor K Shaw	
2.	Councillor T Combella					
3.	Councillor G Dickman					
4.	Councillor D Mason					
5.	Councillor A Phillips					
6.	Councillor G Williams					

[Constitution](#), Part 3, Appendix 5

Rushcliffe Strategic Growth Board

9 Members – Chairman Leader

	Conservative (6)	Labour (1)	Lib Dem (1)	Green (0)	Leake Independents (1)	Independent Councillors
1.	Councillor S Robinson (C)	Councillor J Walker	Councillor R Jones		Councillor L Way	
2.	Councillor A Edyvean (VC)					
3.	Councillor A Brennan					
4.	Councillor R Inglis					
5.	Councillor G Moore					
6.	Councillor R Upton					

page 120

Constitution, Part 3, Appendix 5

Civic Hospitality Panel

6 Members – Chairman – Mayor – Consisting of Mayor, Deputy Mayor, Leader, Deputy Leader plus 2 others

	Conservative (3)	Labour (1)	Lib Dem (0)	Green (1)	Leake Independents (1)	Independent Councillors
1.	Councillor S Robinson	Councillor B Bansal		Councillor S Mallender (C)	Councillor K Shaw	
2.	Councillor A Edyvean					

3.	Councillor T Combella					
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[Constitution](#), Part 3, Appendix 5, page 44

Development Corporation and Freeport Member Working Group

9 Members – Chairman from the Lead Group

	Conservative (6)	Labour (2)	Lib Dem (0)	Green (0)	Leake Independents (1)	Independent Councillors
1.	Councillor A Edyvean (C)	Councillor B Gray			Councillor C Thomas	
2.	Councillor M Barney	Councillor J Walker				
3.	Councillor A Brennan					
4.	Councillor R Upton					
5.	Councillor D Viridi					
6.	Councillor R Walker					

[Constitution](#), Part 3, Appendix 5

West Bridgford Special Expenses and Community Infrastructure Levy Advisory Group

9 Members – Chairman from the Lead Group

	Conservative (6)	Labour (1)	Lib Dem (1)	Green (1)	Leake Independents (0)	Independent Councillors
1.	Councillor G Moore (C)	Councillor P Gowland	Councillor R Jones	Councillor R Mallender		
2.	Councillor B Bushman					
3.	Councillor S Robinson					
4.	Councillor D Viridi					
5.	Councillor G Wheeler					
6.	Councillor J Wheeler					

Bingham Chapel Lane Member Working Group

9 Members – Chairman from the Lead Group

	Conservative (6)	Labour (1)	Lib Dem (1)	Green (0)	Leake Independents (1)	Independent Councillors
1.	Councillor A Edyvean (C)	Councillor B Gray	Councillor L Howitt		Councillor C Thomas	
2.	Councillor G Moore (VC)					
3.	Councillor J Cottee					
4.	Councillor L Healy					
5.	Councillor D Simms					
6.	Councillor G Williams					

[Constitution](#), Part 3, Appendix 5

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