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Our reference:
Your reference:
Date: Wednesday, 29 November 2023

To all Members of the Council

Dear Councillor

A Meeting of the Council will be held on Thursday, 7 December 2023 at 7.00 pm in the Council Chamber, Rushcliffe 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



Gemma Dennis
Monitoring Officer

AGENDA

Moment of Reflection

1. Apologies for absence
2. Declarations of Interest

[Link to further information in the Council's Constitution](#)

3. Minutes of the meeting held on 21 September 2023 (Pages 1 - 24)

To receive as a correct record the minutes of the Meeting of the Council held on Thursday, 21 September 2023.

4. Mayor's Announcements
5. Leader's Announcements
6. Chief Executive's Announcements

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Opening hours:
Monday, Tuesday and Thursday
8.30am - 5pm
Wednesday
9.30am - 5pm
Friday
8.30am - 4.30pm

Postal address
Rushcliffe Borough
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Rushcliffe Arena
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7. Citizens' Questions

[To answer questions submitted by Citizens on the Council or its services.](#)

8. Petitions

9. East Midlands Devolution Deal (Pages 25 - 32)

The report of the Chief Executive is attached.

10. Corporate Strategy (Pages 33 - 82)

The report of the Chief Executive is attached.

11. Statement of Licensing Policy (Pages 83 - 134)

The report of the Director – Neighbourhoods is attached.

12. Changes to the Constitution

The report has been withdrawn.

13. Notices of Motion

[To receive Notices of Motion](#)

a) **Councillor Brennan**

This Council agrees to use policy 38 of Local Plan Part 2 to apply a planning condition that will see Swift Boxes incorporated in the vast majority of new commercial and residential developments in the Borough, *in addition* to any biodiversity mitigation or enhancements normally requested through the planning process.

This will:

1. require a minimum of two swift bricks per suitable dwelling in at least 50% of any proposed new development
2. require commercial and industrial developments to have a minimum of three swift bricks installed per appropriate unit
3. be attached to all relevant planning permissions for new buildings granted in the Borough from the earliest opportunity.

b) **Councillor Calvert**

The Council will include an annual quantitative audit of all its activities undertaken related to the reduction of Domestic Violence and Violence against Women and Girls and report it to Community Scrutiny Group.

14. Questions from Councillors

[To answer questions submitted by Councillors](#)

Membership

Chair: Councillor D Mason

Vice-Chair: Councillor A Brown

Councillors: M Barney, J Billin, T Birch, R Bird, A Brennan, R Butler, S Calvert, J Chaplain, K Chewings, N Clarke, T Combellack, J Cottee, S Dellar, A Edyvean, S Ellis, G Fletcher, M Gaunt, E Georgiou, P Gowland, C Grocock, R Inglis, R Mallender, S Mallender, P Matthews, H Om, H Parekh, A Phillips, L Plant, D Polenta, N Regan, D Simms, D Soloman, C Thomas, R Upton, D Viridi, J Walker, R Walker, L Way, T Wells, 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

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MINUTES OF THE MEETING OF THE COUNCIL

THURSDAY, 21 SEPTEMBER 2023

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

PRESENT:

Councillors D Mason (Chair), A Brown (Vice-Chair), M Barney, J Billin, T Birch, R Bird, A Brennan, R Butler, J Chaplain, K Chewings, N Clarke, T Combellack, J Cottee, S Dellar, A Edyvean, S Ellis, G Fletcher, M Gaunt, E Georgiou, P Gowland, C Grocock, R Inglis, R Mallender, S Mallender, P Matthews, H Om, H Parekh, A Phillips, L Plant, D Polenta, N Regan, D Simms, D Soloman, C Thomas, R Upton, D Viridi, J Walker, R Walker, L Way, T Wells, G Wheeler, J Wheeler and G Williams

OFFICERS IN ATTENDANCE:

L Ashmore	Director of Development and Economic Growth
D Banks	Director of Neighbourhoods
G Dennis	Monitoring Officer
P Linfield	Director of Finance and Corporate Services
K Marriott	Chief Executive
E Richardson	Democratic Services Officer
H Tambini	Democratic Services Manager

APOLOGIES:

Councillors S Calvert

26 Declarations of Interest

Councillor Parekh declared an interest in Item 11a.

27 Minutes of the meeting held on 13 July 2023

The minutes of the meeting held on Thursday, 13 July 2023, were approved as a correct record and signed by the Mayor.

28 Mayor's Announcements

The Mayor informed Council that she had been a lot busier than she thought she would be over the last few months, and she was thoroughly enjoying it. The Mayor mentioned that she had hosted afternoon tea for some local Korean War veterans, enjoyed the summer sunshine at the Cinema in the Park event and at a number of cricket matches. She stated that she had particularly enjoyed the Hickling Scarecrow Festival, and thanked Councillor Combellack for showing her around. Councillor Mason informed Council about her successful Civic Dinner last week, which had 180 community volunteers

coming together to celebrate the contribution they made within the Borough and highlighted her charity fund raising afternoon tea next Thursday, to which there were still a small number of tickets available.

29 Leader's Announcements

Councillor Clarke announced that the Council had recently won a collaborative working initiative along with neighbouring authorities from the Association of Public Service Excellence, for the Green Rewards scheme, which incentivised residents to take action to reduce their impact on their environment as part of the Council's Carbon Clever initiatives.

Councillor Clarke also brought Council's attention to the recently awarded Green Flag award for Rushcliffe Country Park, its seventeenth consecutive award, and the first Green Flag award for Sharphill Wood. He congratulated the two 'Friends of' groups for all of their hard work in achieving those nationally recognised awards.

Finally, Councillor Clarke highlighted that nominations were now open for the Rushcliffe Community Awards and encouraged Councillors to put forward suggestions from their communities in the many award categories before the 15 October deadline.

30 Chief Executive's Announcements

The Chief Executive brought Council's attention to the two paper slips on each desk this evening and asked Councillors to complete these before leaving the Council Chamber this evening.

31 Citizens' Questions

A Citizens' Question had been submitted by Mr Terry Galloway. Mr Galloway attended the meeting to provide Council with insight into his very personal and traumatic experience of the care system before directing his Citizens' Question to the Leader of the Council:

"Do you accept that the voice of care experienced people should be heard in all policy decisions and service design?"

Councillor J Wheeler thanked Mr Galloway for his question and for sharing his experience and reassured Mr Galloway that the Council had a robust process for undertaking Equality Impact Assessments when undertaking significant policy shifts or reforms to service provision. Councillor Wheeler also brought the motion under agenda Item 11 to the attention of Mr Galloway and Council, where he expected further debate on this important issue.

32 Petitions

No petitions had been submitted.

33 **Business from the last Council meeting**

Question from Councillor Birch to Councillor Clarke.

“Rushcliffe Borough Council has spent £9,597 of taxpayer money applying for, and attending, the MJ Achievement Awards in London. Do you consider this to be an appropriate use of taxpayer money during a cost of living crisis?”

Councillor Clarke responded by saying that it was five years since Rushcliffe Borough Council had last attended the MJ Achievement Awards in London. The Council was the only district council to be shortlisted as a finalist for the Local Authority of the Year alongside five unitaries and counties, and as the only shortlisted district council it was possible to infer that Rushcliffe was indeed the best district council in the sector at this time, which was a magnificent achievement. The Awards were part of the sector’s work to promote best practice and continuous improvement and the shortlisting reflected well on Councillors of all parties and the officers who delivered the Council’s priorities. There was a cost to entering and attending such events; however, Councillor Clarke considered that the benefit to workforce morale and recruitment was immeasurable, and the benefits to the profile and high esteem in which the Council was held was the reward.

The Council did not budget to enter such awards and it was due to the excellent running of the Council, that it was in a position to be able to afford this from in-year budget efficiencies. In the context of the Council’s gross budget of £39.7m that amounted to 0.02% and Council was reminded that Rushcliffe had the lowest Band D Council Tax in Nottinghamshire and was within the lowest 25% in the country. Thus, the Council played its part to assist those struggling with the challenge of living costs, keeping Rushcliffe taxes low and continuing to provide excellent services to its residents.

The Mayor asked if Councillor Birch had a supplementary question.

Councillor Birch asked the Leader to justify to tax payers why it was necessary to spend £954 on an overnight stay for three people before giving a presentation at the shortlisting stage of the process.

Councillor Clarke informed Council that the expenses were incurred as this was the best way of attending to ensure that the presentation was delivered in the best possible way and that had resulted in the shortlisting and to the benefits already highlighted.

Question from Councillor J Walker to Councillor Brennan.

“Considering the new appointment of this Council's Leader and his relationship with the Chair of scrutiny, how will this Council ensure there is transparency and rigour around our scrutiny process?”

Councillor Brennan informed Council that the governance of the authority was dependent upon the integrity and robustness of processes it used to deliver its services, including its scrutiny process.

Proposed topics for scrutiny were put forward by Councillors or officers and the definition of scope of scrutiny as well as clear lines of enquiry and the driving factors behind the request must be clearly set out. Those were firstly considered by officers, as to whether it was a legitimate item for scrutiny, whether it would add value, and was it achievable within the available resources. Only if the proposed scrutiny request met those standards would it be submitted to the Corporate Overview Group and would be published with the agenda. The Corporate Overview Group, which met quarterly was comprised of seven members, the Chairs and Vice Chairs of three scrutiny groups and an independent Chair. Three members of the Group were from opposition parties, with the Group supported by a senior officer.

Councillor Brennan confirmed that at each meeting, the submitted matrix was discussed, with the proposer of the matrix invited to speak, and officers explaining their recommendations and those meetings were open to the public, live streamed on YouTube and minuted. The vast majority of scrutiny work was undertaken by the Council's three scrutiny groups, which were politically balanced, supported by senior managers, held in the public domain, minuted and live streamed on YouTube.

The Executive Model of Governance followed by the Council was clear that scrutiny should provide checks and balances to the Executive and hold it to account and the current Chair of the Corporate Overview Group, had held this role for several years before standing down from the role for one year to undertake the role of Mayor. The nomination of Councillor Combellack had been agreed by all members of the Cabinet and was voted on by all Councillors at Annual Council, at which point no objections had been raised. No objections were raised at this point. Councillor Brennan concluded by stating that no woman should be prevented from holding a position of responsibility that they were qualified to hold by the position of their partner.

The Mayor asked if Councillor J Walker had a supplementary question.

Councillor J Walker clarified that the objection was to the appointment of the Leader of the Council rather than the Chair of the Corporate Overview Group and asked if the Council had sought advice from the Local Government Association in relation to his appointment.

Councillor Brennan confirmed that she would respond to the supplementary question in writing as she did not have the answer to hand.

Question from Councillor Plant to Councillor J Wheeler.

“The Equality, Diversity and Inclusion Scheme Action Plan states that there is already a Rushcliffe Youth Forum. What is the remit for this group?”

Councillor J Wheeler informed Council that this Forum was led by Nottinghamshire County Council, which was responsible for its role and remit. The Youth Forum campaigned on issues relevant to young people and the communities they lived in.

The Mayor asked if Councillor Plant had a supplementary question.

Councillor Plant asked what support had taken place since the Cabinet decision in March 2023?

Councillor J Wheeler informed Council that the Service Manager – Corporate Services was leading on this project and had been building relationships with the new Chair of the Youth Forum, who had only been in post since the end of July, and Youth Services Officers at the County Council. It was early days yet, but the Cabinet was committed to engagement with the Youth Forum at the appropriate time.

34 Approval of the Scrutiny Annual Reports 2022/23

The Leader and Portfolio Holder for Strategic and Borough-wide Leadership, Councillor Clarke presented the report of the Director – Finance and Corporate Services providing a review of the work undertaken by the Council's four Scrutiny Groups during 2022/23.

In moving the recommendation, the Leader was pleased to endorse the important work undertaken by the scrutiny groups, providing challenge to the Executive, being a critical friend, whilst also undertaking equally important policy development, and he invited each of the Scrutiny Group Chairs to deliver a brief summary of the year.

Councillor Brennan seconded the recommendation and reserved the right to speak.

Councillor J Wheeler, Chair of the Corporate Overview Group for 2022/23 thanked officers for their support, in particular the Service Manager – Finance and Corporate Services, as the lead officer. Councillor Wheeler referred to a key highlight, which was the introduction of asking Councillors to come to meetings to present their scrutiny matrix, which he felt made a key difference. Councillor Wheeler reiterated how important scrutiny was and hoped that all Councillors would play their part as it could make a real difference.

Councillor Viridi, Chair of the Governance Scrutiny Group advised that the Group had responsibility for and approved the Council's finances, monitored its approach to risk, as well as other corporate issues, and its work could not be under stated. Councillor Viridi referred to the importance of having a robust governance framework in place, which ensured that the Council remained accountable. It was important that appropriate scrutiny and review was undertaken, to provide assurance to the auditors that the correct controls and processes were in place, and given the ongoing financial uncertainty nationally, it was vital that the Council effectively managed risk. The report highlighted the key areas considered by the Group throughout the year and progress made, and Councillor Viridi wished the new Chair, Councillor Edyvean and the Group, a successful year. Councillor Viridi thanked his Vice-Chair, Councillor Gowland for her support, together with other Group members, partners who had attended meetings, and officers, in particular the Director – Finance and Corporate Services and the Service Manager – Finance for their continued support.

Councillor Williams, Chair of the Communities Scrutiny Group, reported that the Group had covered a wide range of issues, which touched the lives of many residents, including the Sports Development programme looking at future activity and wellbeing, and highlighted the initiatives and achievements that had been implemented. The Group had also looked at how the Council engaged with the community through the External Communications Strategy and the Customer Access Strategy, which highlighted new and improved ways to increase engagement with residents. Councillor Williams thanked his Vice-Chair, former Councillor Murray for her support, together with other Group members, for their invaluable input during meetings. Councillor Williams thanked the Service Manager – Neighbourhoods, as the lead officer, other officers who had attended meetings to present their reports and answer questions, and to Democratic Services for its support.

Councillor Clarke, Chair of the Growth and Development Group advised that the Group had scrutinised many interesting topics, covering two areas of operation in the Council related to growth and to the Council's function as the Local Planning Authority. The Group had scrutinised a follow up report on Conservation Areas and sewerage infrastructure and discharge, which had involved inviting representatives from outside organisations to the meeting. Councillor Clarke stated that the Covid-19 Business Recovery update had scrutinised the way in which the Council had supported recovery from the pandemic and had highlighted how quickly officers had responded to ensure grants were paid quickly. Councillor Clarke advised that the Group had scrutinised the UK Shared Prosperity Fund, together with other diverse topics, including hedges and hedgerows, and finally an update on the large development at Fairham. Councillor Clarke thanked officers for all their support, fellow Group members and the Vice-Chair Councillor Butler.

Councillor Gowland thanked officers, the Chairs of the Groups, and partner agencies involved and requested that in future, any issues brought forward but not accepted were listed, to provide a record.

Councillor R Mallender thanked the Chairs for their comments and officers for their hard work and agreed with Councillor Gowland that it would be helpful to log all topics that came forward. Councillor Mallender made particular reference to the work of the Communities Scrutiny Group, of which he was a member, and referred to the Access Agreement for the Canals and Rivers Trust, and the importance of keeping and extending the water in the canal. He referred to the Carbon Management Plan, and the considerable work still to be undertaken. Council noted that some fantastic work had already been done to reduce the Council's carbon footprint, and ultimately the partners that the Council worked with, and residents. Councillor Mallender referred to the Environment Policy, which included extending hedgerows across the Borough, which in turn would help with biodiversity net gain, increase, and protect wildlife and green spaces.

Councillor Thomas thanked and acknowledged the improvements that had been made to the scrutiny process over the past few years and hoped that this would continue, and the responsiveness and the work of officers was also appreciated.

Councillor Clarke thanked Councillor Thomas for her positive, supportive comments and referred to the request for a list of topics not accepted to be included, and he confirmed that this would be investigated to find the best approach going forward.

It was **RESOLVED** that the work undertaken by the four Scrutiny Groups during 2022/23 be endorsed.

35 **Notices of Motion**

Councillor Parekh left the room for consideration of the item.

- a) The following Notice of Motion was proposed by Councillor Gowland and seconded by Councillor Polenta

“This Council resolves to treat people with care experience as if they have a Protected Characteristic”

In moving the motion, Councillor Gowland referred to the thought provoking comments made by Mr Terry Galloway earlier in the meeting regarding the significant trauma often carried by care leavers, and even without that trauma, those people would most likely still be without the infrastructure and support that the majority of young people enjoyed. Councillor Gowland stated that care leavers required extra support and the purpose of the motion was to ensure that going forward the Council looked at its policies and procedures to ensure that care leavers and their needs were considered in general. The Children’s Social Care Act 2017 related to young people up to the age of 25, which meant that the Council could be considered as a Corporate Parent and Rushcliffe had a Care Leavers Offer, which should be continuously reviewed. Councillor Gowland confirmed that currently care leavers did not have a protected characteristic and if this motion was accepted it would mean that they would be included in Equality Impact Assessments (EIAs), which could then impact on how they were treated, for example, in respect of Council Tax collection and homelessness. Council was advised that 52 councils had already passed this, and it was hoped that Rushcliffe would join them today.

Councillor Polenta seconded the motion and reiterated the comments made by Councillor Gowland regarding the significant inequalities, discrimination and disadvantages faced by care leavers at every stage and in all aspects of their lives. Councillor Polenta referred to the difficulties faced by children in care, when they were placed great distances away from any support networks they did have, which further exacerbated problems for them going forward. Councillor Polenta stated that she hoped that the Equalities Act would soon be amended to include care leavers, and in the meantime over 52 councils had voted to include care leavers as a protected characteristic and she stated that it was the Council’s responsibility to be champions of children in care.

Councillor J Wheeler thanked Councillors Gowland and Polenta for bringing this motion forward and referred to the Council’s strong track record of supporting care leavers and acknowledged that some care experienced people could face significant barriers open leaving the care system. Councillor Wheeler advised that the Council undertook a range of service measures to

support care leavers, including being a signatory to the County Council's Partnership Strategy for Looked after Children and Care Leavers. Support provided included a Joint Care Leaver Local Housing Offer, which any care leaver could apply to, priority on the Housing Register was already offered, as was free access to the Council's leisure facilities and discounted Council Tax. The Council was represented at the Notts Care Leavers Partnership meetings and Councillor Wheeler confirmed that the Council did consider the impact of its decision making through its EIA process and advised that those would be reviewed later this year, to decide if any improvements needed to be made. Councillor Wheeler confirmed that the Conservative Group would be supporting the motion and stated that if there was anyone who had left the care system and needed support, they should contact the Council.

Councillor Plant was pleased that this very important motion was being supported and felt that the disadvantages faced by care leavers throughout their lives could not be over stated, and it was pleasing that this motion had already been supported by 52 other councils. Councillor Plant referred to Mr Terry Galloway's moving speech and his tireless efforts to ensure that this motion was supported across the country, and the more councils that supported it, the more pressure that could be brought to bear on the Government to legislate for care experience to become a protected characteristic. Councillor Plant reiterated previous comments regarding the dreadful neglect and abuse experienced by many care experienced people, together with the stigma and discrimination they also often faced, so anything that this Council, with its partners could do was crucial. Councillor Plant questioned if the Local Offer for Care leavers, approved by Cabinet in 2019, had been reviewed or subject to scrutiny since then, to assess the impact on care leavers, and she considered that this would be an appropriate time to do that. Councillor Plant questioned how many Councillors were aware of the Local Offer and requested that Councillors receive appropriate training on this issue.

Councillor S Mallender reiterated the thanks given to Mr Terry Galloway for speaking so movingly and spoke of the many care experienced people and care leavers that she had met through her work and stated that it was now a last resort and a very difficult decision for councils to place a child into care. Sadly, Government statistics were showing the number of children in care rising, and she asked all Councillors to support this motion, and to lead the way before the Government legislation went through.

Councillor Chewings also thanked Mr Terry Galloway and stated that whilst he would be supporting the motion, he noted that this motion was much shorter than the previous, more detailed one submitted by Councillor Gowland to the last Council meeting, which he believed she had withdrawn on the grounds that amendments were coming forward. Councillor Chewings was saddened by that and asked the leading group to look at the previous motion and work with all Councillors to implement support for care leavers. Councillor Chewings also asked for the Care Offer to be reviewed as a matter of urgency and for people with care experience to be included in general engagement exercises and discussions, to allow them to help shape and influence what the Council did, and for the Council to call on its partners to adopt those key principles too.

Councillor Barney stated that he had already spoken of his support of this issue at an earlier meeting at the County Council and referred to the personal connection he had and was pleased to champion the voice of care experienced children as Mr Terry Galloway had done so eloquently earlier in the meeting.

Councillor Clarke referred to the importance of this issue and to the detailed comments in support made by Councillor Wheeler and as the consensus in the room demonstrated general agreement, he confirmed that the Conservative Group would be very happy to support this and take it forward.

In summing up Councillor Gowland stated that she was very grateful for the overwhelming support and thanked Mr Terry Galloway for encouraging her to bring this motion to Council. Councillor Gowland considered that as a well-resourced council, Rushcliffe should be leading the way in providing support for care experienced people, as they would suffer problems throughout their lives, especially those setting out on life in their early twenties. The importance of ensuring that both Councillors and local communities were aware of that provision was reiterated, as was the importance of having appropriate training on Corporate Parenting and EIAs. Councillor Gowland advised that the motion had been shortened, as she believed that the current words covered everything, and she ended by thanking Mr Terry Galloway for coming to speak at the meeting.

On being put to the vote the motion was carried.

Councillor Parekh returned to her seat.

- b) The following Notice of Motion was proposed by Councillor Birch and seconded by Councillor Chewings.

“Rushcliffe Borough Council notes with concern that:

- a) Bingham does not have adequate parking provision
- b) Despite the 2018 Bingham Masterplan identifying Bingham’s poor parking as the town’s primary issue, no adequate solutions have been delivered
- c) Council agreed to build 1000 new homes in Bingham without putting any additional parking infrastructure in place
- d) Council allocated £19.6 million to other capital projects in the Borough in 2022-23. Only £25,000 revenue has been allocated to Bingham’s new car park project
- e) The ‘Update on Car Parking in Bingham’ report does not go far enough to solve the parking problems.

Rushcliffe Borough Council therefore resolves to show leadership and ambition in solving Bingham’s parking issues.

Council will:

- 1) Make a formal written offer to Bingham Town Council to take over the proposed car park project by purchasing the land off them (subject to a business case being approved and on the condition

- that the land will be solely used for a long-stay car park)
- 2) Seek to obtain funding to provide step-free access to the north platform of Bingham station
 - 3) Liaise with Nottinghamshire County Council to find holistic solutions to Bingham's parking problems, including dealing with the traffic chaos on Long Acre, improving parking in the Market Square and eliminating unwanted (and unsafe) parking on residential streets near the town centre through parking enforcement
 - 4) Make a pledge to Bingham's residents that Council will aim to break ground on the new car park before 2027
 - 5) Once the new car park is built, provide greater short-stay capacity in the existing town centre car parks.

Rushcliffe Borough Council also resolves to take the following actions:

- 1) Formally declare that the parking problems in Bingham is an urgent matter
- 2) Formally write to Network Rail to request an explanation as to why, specifically, they oppose the new car park at Butt Field
- 3) Formally write to East Midlands Railway and Network Rail to ask for a clear explanation as to why step-free access has not so far been provided for Bingham's disabled residents and to obtain assurances that they would support this project should grant funding be obtained.

Councillor Birch requested a recorded vote and informed Council, in moving the motion, that this issue had blighted Bingham for over 10 years and given that this was the first time it would be debated at a Rushcliffe Council meeting, he felt that it was time that a proper debate took place. Councillor Birch stated that Bingham, a bustling market town with a population of over 10,000 was the second largest settlement in Rushcliffe and a local hub for over 30 other smaller settlements. Councillor Birch advised that Bingham differed from many other places, as the majority of its shops were located in a small geographical area, and it also had a train station, which attracted commuters to the town. Bingham had 165 parking bays, and since 2014, it had been known that 2,000 vehicles parked daily in the town, with 60 of those spaces parked in all day by commuters or workers in Bingham. Councillor Birch stated that in reality there were only 66 bays available for people to use in the day and based on County Council data, only 8% of vehicles used 60% of the daily parking capacity. Councillor Birch referred to recent comments made by Councillor Inglis regarding parking spaces in the town centre and stated that the number of parking bays was an irrelevant metric on identifying if there was adequate parking provision, it was how the bays were used and for how long which was important. Council was reminded that Bingham had very few private parking spaces in the retail units, nor much on-street parking. Councillor Birch stated that the current provision failed to meet the needs of residents and visitors, and this was having a financial impact on local businesses and was stopping people from being able to access local amenities and facilities, with the elderly and disabled worse effected. Councillor Birch called for immediate action and stated that Rushcliffe should have resolved this problem years ago and he considered that the working group would be a talking shop. Councillor Birch

stated that data highlighting the problem the been published in 2014, and since then a Parking Strategy and the Bingham Masterplan had been produced, both of which had identified that parking was the main issue for the town, and yet nothing had been done. Councillor Birch noted that nearly £20m had been earmarked for capital projects in the Borough, yet it was his understanding that no substantial figures had been budgeted for parking in Bingham going forwards and questioned the importance of the issue to the Council. Councillor Birch stated that his motion proposed an holistic solution, with the key element being the construction of a new long stay car park. A site, already owned by the Town Council had been earmarked and it would almost double capacity, and most importantly it would free up space in the existing car park for short stay parking. Following on from that, Councillor Birch stated that it would be essential to achieve step free access to the adjacent railway platform, to liaise with the County Council to improve on-street parking and enforcement, with a deadline set to send a clear signal of intent to residents. Councillor Birch asked that East Midlands Railway (EMR) and Network Rail (NR) be formally written to seeking clarification as to why they opposed the project, with the letter and reply to be made public. Councillor Birch concluded by asking Rushcliffe Council to take this project from Bingham Town Council, as despite its excellent staff and councillors, it was not set up to deal with a project of this scale and complexity.

Councillor Chewings seconded the motion and reserved his right to speak.

Councillor Inglis recommended that the motion be rejected as it was not necessary. He advised that the Council's holistic approach to working with its key partners, to better understand the car parking situation in Bingham and explore solutions through the development of a Car Parking Strategy had been approved by Cabinet on 12 September 2023. He felt that the motion also contained a number of personal opinions, which could be considered inaccurate and misleading. Councillor Inglis advised that it was not clear that Bingham had inadequate parking, as the Cabinet report had identified that the spaces to resident ratio was twice that of West Bridgford and greater than other major villages in the Borough, hence the need for a detailed survey. Council noted that Bingham Town Council had also been leading on developing a long stay car parking project since its Masterplan was published in 2018. In respect of new housing developments, Councillor Inglis stated that there was now an increased emphasis on 'active travel' including walking and cycling from those developments to the Town Centre. Councillor Inglis advised that the motion also contained some elements which the Council's statutory officers could not support, for example making a pledge to break new ground on a long stay car park without the appropriate business case, due diligence and decision making by the Council.

Councillor Birch made a Point of Personal Explanation and stated that his motion was not asking for a definitive date, it was asking to aim for a date.

Councillor Inglis resumed by advising that a commitment to purchase contaminated land, without knowledge of remediation costs, for a potential car park would not be the actions of a responsible council. In respect of the step free access, Council was reminded that this was a matter for EMR in conjunction with NR; however, notwithstanding that point, the Council had

liaised with both operators and NR had provided written confirmation of its willingness to improve step free access, subject to a further successful funding bid. Councillor Inglis stated that having been Chair of the Bingham Town Council Car Parking Sub-committee, Councillor Birch knew of the difficulties and challenges that had to be overcome, especially with stakeholders. Councillor Inglis referred to the ongoing work taking place between Rushcliffe Borough Council and Bingham Town Council and the project partnership developed last year, referred to the importance of all Councillors working together and asked that the motion be rejected to allow the Strategic Group to progress the project.

Councillor Grocock stated that the Labour Group recognised that car parking was a long standing issue in Bingham, which had to be addressed as the expansion of the town, combined with the services it provided to surrounding villages only exacerbated it. Nevertheless, he stated that the Group was deeply concerned about this motion, which was not democratic nor environmentally friendly, and most importantly it failed to address the fundamental challenge of developing a car park. Councillor Grocock referred to the recent Town Council meeting, which had considered the proposal set out by Cabinet, and referred to the recent positive changes that had taken place at the Town Council. He stated that in this context, it was disappointing that this motion was being moved by a Councillor, who although living in Bingham, had not chosen to stand for election for the Bingham wards this year, and he questioned why one of Borough Council's elected representatives for Bingham had not brought a motion forward. If passed, this motion would commit Rushcliffe Borough Council to purchase a parcel of land, which was a Town Council asset; however, no one had discussed this matter with the Town Council, nor did it acknowledge that the local elected representatives might wish to be involved. Councillor Grocock stated that it was unfortunate that Councillor Birch had resigned from the Town Council, as he would have had an opportunity to contribute to the work being undertaken. Whilst Councillor Birch's good intentions were not questioned, Councillor Grocock believed that by bringing this motion forward the correct democratic process between different tiers of local government had not been followed. Councillor Grocock stated that the motion failed to consider sustainable transport solutions and the involvement of the County Council in restoring regular bus routes and advised that the Labour Group would only support plans which encouraged further car usage if they were mitigated by a Sustainable Transport Plan. Councillor Grocock referred to the complexity of the issue and advised that the parcel of land identified as a potential parking site was in the wrong location, and currently NR has stated that it would object to any planning application for a car park on that site on safety grounds. Councillor Grocock stated that it was his understanding that both the Borough and Town Council had met with NR to seek a solution to this complex issue, which would take time and that was why the Town Council was keen to work with the Borough Council to explore alternatives. In summary, Councillor Grocock advised that the Labour Group considered the motion to be ill-considered, ill-advised and passing it would represent a failure of democracy.

Councillor Thomas advised that despite having an additional 1,400 houses in East Leake, the Parish Council had received no financial assistance from Rushcliffe, and it also paid business rates on the car parks it owned, plus the

one it maintained and managed on Rushcliffe's land and was responsible for ongoing repairs. Councillor Thomas compared this with West Bridgford, where Rushcliffe took full responsibility for the car parks and she reminded Council that it was not just West Bridgford that acted a centre, and that East Leake, Bingham, and the other larger villages all equally acted as centres for their surrounding villages. Councillor Thomas referred to the report submitted to the last Cabinet meeting and the setting up of the Bingham Car Park Strategy Group and hoped that this would take things forward. Whilst having sympathy with Councillor Birch's frustration, Councillor Thomas stated that the Leake Independents could not support the motion. She asked instead that Rushcliffe worked with the Town and Parish councils to undertake a full review of all aspects of car parking across all local centres, to devise a policy that was fair to all residents.

Councillor Clarke advised that if the motion was passed there would be no opportunity to look at options and drive the project forward as the motion was asking for things to be done, which in certain aspects were impossible. Council was reminded that last week Cabinet approved the establishment of a working group, which had also been approved by the Town Council, and he questioned why Councillor Birch had left both the Cabinet and Town Council meetings rather than staying to listen to the debates. Councillor Clarke stated that land ownership was a major issue and stated that the working group would not be a talking shop. He advised that the group would be meeting in the next few weeks to ensure that the project was driven forward. As previously mentioned this was a complex issue, and if there was an easy solution it would have been dealt with already; however, he was confident that all parties, at every level would be working together and the only way to proceed with that was to vote against the motion.

Councillor Bird agreed with a number of points raised in the motion; however, he felt that the suggested time was wrong and there were many organisations that needed to make positive contributions and commitments before many of the actions would become possible, especially NR. Councillor Bird hoped that all parties would work together, and he considered that this was the best way forward, and he invited Councillor Birch and other Councillors whose wards were close to Bingham to share their requests and concerns.

Councillor Regan thanked Councillor Birch for raising the issue and for his passion in doing so; however, he considered that it would have been appropriate to raise this issue with Bingham Councillors. Councillor Regan welcomed all input on this issue as it added weight to the debate, and he confirmed that during the election campaign, parking had been the number one issue for residents and having lived in the town for 11 years he was also keenly aware of this serious issue. Councillor Regan reiterated that if Councillor Birch had stayed at both the Cabinet and Town Council meetings he would have been further forward in his understanding of the situation. Councillor Regan advised that work was already actively taking place within the community and encouraged Councillor Birch to join Bingham Councillors. He reiterated previous comments that currently it would be strategically inadvisable to be tied into buying the suggested piece of land, and although there were points in the motion that were acceptable, more work was required with partners to find a more holistic plan, driven by the working group.

Councillor Williams was saddened that the motion had come to Council in this way and stated that he hoped that he was approachable, and yet tonight a resident of Bingham had submitted this motion without speaking with him first. He considered the motion very subjective and was concerned that removing the Town Council from control of the project would erode democracy. Councillor Williams felt that with such an important issue everyone should work together, including various stakeholders and confirmed that today NR had been engaging with local residents about the crossing. Councillor Williams also questioned the appropriateness of buying the land from the Town Council and was concerned that this would limit other possible options and that focusing on one piece of land was not an holistic approach. Councillor Williams reiterated that this was a very complex issue and could not be solved by simply building a new car park and he could not support the motion.

Councillor Polenta endorsed the comments made by Councillor Grocock and stated that Point 1 of the motion eroded the different tiers of local government and structures closest to the local community. The role of Council was not only to pass progressive policies but to open up institutions and encourage participation; however, this motion did the exact opposite. Councillor Polenta did not consider that the end justified the means and felt that this motion only looked at cars and motorists, rather than pedestrians, and urged people to think outside of the box and of different ways to improve accessibility using a sustainable transport model.

Councillor Simms stated that as a Councillor from a neighbouring ward, he would never present an issue from that ward to a Council meeting before speaking to those Councillors first, and he questioned why the motion had been brought forward, when clear due process and professionalism was expected between Councillors. Councillor Simms considered the motion unrealistic and referred to the due processes that needed to be followed to ensure the democratic process was maintained.

Councillor Thomas proposed to proceed to the next business without a vote, and this was seconded by Councillor Way.

On being put to the vote the motion was lost and the debate continued.

Councillor Chewings advised that car parking issue in Bingham affected many residents from surrounding villages, and Rushcliffe as a whole. He stated that some Councillors had called the motion undemocratic by taking the rights away from the Town Council; however, he stated that the wording in the motion referred to a formal written offer being made to the Town Council, which it could refuse, this was simply an offer of a way forward. Assertions had also been made that plans were being rushed through without a business case; however, the motion stated that it would be subject to a business case being approved, so checks would be in place to ensure that it was a viable option. Councillor Chewings concluded by reiterating that there had been 10 years of inaction, and although a report had recently come to Cabinet, the aspiration of completing the work by 2027 seemed too long.

Councillor Birch confirmed that he was a member of Bingham Town Council last year, including the Car Parking Sub-committee, and this would have been his proposed way forward if he had not resigned. He thanked Councillor Regan, who he knew did a great deal for the local community for his constructive comments. Councillor Birch suggested that the land should be bought for a nominal fee, or simply transferred over, if that was possible. He clarified his previous comment about the working group, stating that previous groups had been talking shops, and he expected this one to be the same. Councillor Birch stated that when he was elected to the Town Council it was because he talked about car parking issues and he felt that he had used his initiative by bringing this motion forward, held Councillors to account and advocated for his residents, many of whom worked and used amenities in Bingham. Councillor Birch concluded by stating that he hoped to be proved wrong, but he was sure that this situation would continue for many years to come.

In accordance with the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014, a recorded vote was taken for this item as follows:

FOR: Councillors T Birch and K Chewings

AGAINST: Councillors M Barney, A Brennan, A Brown, R Butler, J Chaplain, N Clarke, T Combellack, J Cottee, A Edyvean, S Ellis, G Fletcher, M Gaunt, P Gowland, C Grocock, R Inglis, R Mallender, S Mallender, D Mason, P Matthews, H Om, H Parekh, A Phillips, L Plant, D Polenta, N Regan, D Simms, D Soloman, R Upton, D Viridi, J Walker, R Walker, L Way, T Wells, G Wheeler, J Wheeler, and G Williams

ABSTENTION: J Billin, R Bird, S Dellar, E Georgiou and C Thomas

The motion was lost.

- c) The following Notice of Motion was proposed by Councillor Combellack and seconded by Councillor Wells.

The Mayor informed Council that Councillor Combellack had advised that she wished to make an alteration under Standing Order Paragraph 4.58 (highlighted in italics below as Point 3). After outlining the alteration, consent was given by Council and Councillor Combellack proceeded to move the motion.

Councillor Combellack informed Council, in moving the motion, that water and flooding were becoming increasingly worrying for residents, hence her request to join the Trent Valley Internal Drainage Board (TVIDB), and it was a concern shared by her fellow Councillors who were also Board members. Assurances were needed that any new housing developments, large or small impacting water courses and infrastructure, did not alter water flow or inadvertently overload the drainage systems which, in many cases, were very old. Currently minor wind fall sites were not commented upon by the water agencies as they were considered too small; however, several small sites could have considerable impact upon drainage. Councillor Combellack stated that

Sustainable Drainage Systems (SUDs) were designed to manage storm water as close to its source as possible to maintain natural drainage and encourage its infiltration and attenuation. Council was advised that in 2024, SUDs should become mandatory for most new construction in England and would require approval by the SUDs Approval Body (SAB). Councillor Combellack stated that farming practice had become increasingly mechanised and whilst farmers should be supported, the impact of modern practice was compounding flooding issues. The removal of trees and hedges meant fields were less well protected, there was less water uptake by established trees and the loss of tree cover meant dry friable soil was blown away leaving, often, barren soil which could not absorb water in heavy rainfall. Heavy machinery compacted the soil and broke underlying field drains and the practice of no plough, seed drilling, meant the soil was no longer broken up to absorb excess rainfall. Existing dew ponds in fields had been filled in, removing the natural attenuation. Machinery now flayed hedgerows leaving the arisings to block ditches and heavy machinery on verges destroyed the grips carrying water from the road to the ditches.

“Therefore this Council resolves to address these issues by:

1. Strengthening consultation with appointed ‘water agencies’ – the Local Lead Flood Authority, Severn Trent, Trent Valley Drainage Board and the Environment Agency – by requesting the Secretary of State ensures they are all Statutory Planning Consultees and formally asks, that full and informative comments on every application impacting water supply and drainage, are provided to the Planning Authority at planning application stage, addressing all potential consequences, particularly in the light of climate change.
2. Requesting DEFRA produce more informed guidance on water attenuation and dispersal and farming practices. Current practice no longer allows for aeration and soil percolation and leads to destruction of field ponds, hedges and trees, consequently adding to flooding.
3. *Requesting Government to implement Schedule 3 to the Flood and Water Management Act 2010, reviewed by DEFRA in January 2023, making mandatory the appointment of a SUDS Approval Body by 2024.*

Both requests to be copied to the Local MPs.”

The Mayor advised that given the time, she considered it appropriate to ask Councillors to keep their questions and responses to three minutes.

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

Councillor Gaunt proposed an amendment to the motion. He confirmed that whilst the Labour Group was broadly in favour of this motion it felt that a small amendment was required to strengthen it, to ensure that the work could be carried out. He referred to a previous Council meeting in 2019, when he had requested that a planning application to build 175 houses on floodplain in

Ruddington be removed from the Local Plan, and he had also asked for the application to be refused at Planning Committee and that failed as the hydrological data at the time was out of date and suggested a low risk of flooding in that area. He believed that this motion was focused on the same issue, that old data failed to show the impact of hundreds of new buildings, and there was little testing, and in fact flooding did occur on the site of the proposed development in Ruddington. The development was subsequently built, but at a higher level, and no impact survey had been undertaken to identify how this development could affect existing local houses. Councillor Gaunt stated that unfortunately the motion was not strong enough as it was impossible to achieve those things without funding and the Labour Group was proposing the following amendment to Point 1:

“Therefore this Council resolves to address these issues by:

1. Strengthening consultation with appointed ‘water agencies’ – the Local Lead Flood Authority, Severn Trent, Trent Valley Drainage Board and the Environment Agency – by requesting the Secretary of State ensures that they are fully funded to fulfil the role of Statutory Consultees and formally asks, that full and informative comments on every application impacting water supply and drainage, are provided to the Planning Authority at planning application stage, addressing all potential consequences, particularly in the light of climate change.

Councillor J Walker seconded the amendment and reserved the right to speak.

The Mayor asked Councillor Combellack if she accepted the amendment and she confirmed that she would not.

The Mayor asked if anyone wished to speak on the amendment.

Councillor Thomas sought clarification regarding the wording of the motion, as it now differed slightly from that published in the agenda.

The Chief Executive explained that the wording on the screen was the altered motion that Council had voted to accept, and it was slightly different to what was published on the Council agenda. Point 3 had been accepted, and as referred to by Councillor Thomas, there was also an additional line at the end of Point 1 “particularly in the light of climate change”, and Council had voted to accept this as an altered motion.

Councillor Gowland considered the extra words to be quite useful. She advised that she had been a member of the TVIDB, which was a very small organisation, with limited finances and it could not do this without resources, and the proposed amendment would be a small, but meaningful change to provide funding from the Secretary of State, to enable organisations to do what was required of them.

Councillor J Walker reiterated that without funding the motion would become meaningless.

Councillor Combellack advised that there were two reasons why she could not accept the amendment. Firstly, there were certain consultees that should be statutory consultees, and currently there was no engagement with them and that needed to take place. However, Councillor Combellack felt that to introduce funding into that request would detract from the thrust of the motion. Secondly, in respect of Point 3, following the review of Schedule 3 in January 2023, which had yet to be implemented, according to Government guidance, the SAB running costs would be part of the application process, with the developer providing a means of funding the SABs, which should result in a net zero cost to local authorities. Councillor Combellack confirmed that the motion had been submitted to get the Secretary of State to acknowledge that those consultees should be statutory.

Councillor Gaunt acknowledged the thrust of the motion; however, the Labour Group was concerned that it would not be achievable without funding and if the amendment was defeated, it was hoped that in future something could come forward requesting that funding.

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

The Mayor asked if anyone wished to speak on the motion.

Councillor Thomas stated that whilst the Leake Independent Group supported the aspirations of this motion, it did not go far enough, she referred to the privatisation of the water industry in 1989 and to the resulting negative impact. Councillor Thomas considered that many of the problems described were a direct result of a lack of investment by those companies and stated that the Council should urgently be calling on the Government to renationalise them. She advised Council that forcing all those bodies to respond to all planning applications would change very little, as at best Severn Trent Water would send in its standard reply, as would the other groups, even when greater consideration of a particular application should take place. Councillor Thomas stated that as the Local Planning Authority, Rushcliffe should be more proactive at seeking informed individual responses, where needed and that Councillors should all be proactive in requesting this for applications where an existing problem was known about or where a cumulative impact was building up. Councillor Thomas referred to new housing estates and questioned what checks were in place for drainage ponds to ensure that they were built according to plans and functioning to specification, especially as after completion, they became the responsibility of unregulated estate management companies. She expressed concern that if they failed through lack of maintenance or old age any costs for repair or replacement would be carried by the residents. Councillor Thomas welcomed Councillor Combellack's action point on this; however, she was concerned that this would have no effect for many years, whilst the Government belatedly implemented Schedule 3, and even then it would not apply retrospectively and in the meantime every new development added to the problem. In respect of farming, Councillor Thomas felt that it was highly unlikely that any action would be taken against increasing industrialisation of that industry. She concluded by confirming that the Group would be supporting the motion.

It was proposed by Councillor Clarke, seconded by Councillor Brennan and **RESOLVED** that the meeting be extended and would finish no later than 10.30pm.

Councillor Chewings asked for a recorded vote and proposed an amendment to the motion. Councillor Chewings thanked Councillor Combellack for her motion and stated that flooding and its impact was a very important issue and advised that Rushcliffe had been blighted with localised flooding over recent years, which was happening more frequently. Councillor Chewings referred to Ruth Edwards MP, and her report on Storm Dennis published in 2020, and questioned why no updates had been given since February 2021, as updates were important, to ensure that work was not duplicated. The first step in the report had been to engage with Rushcliffe Borough Council into what powers it needed with regards to development, which Councillor Chewings thought embodied part of this motion, and he therefore felt it was important to amend the motion with Point 4 to ask Ruth Edwards MP for an update as follows:

4. Asking Ruth Edwards MP for an update on her Storm Dennis 2019-20 Flood Report (published 2020), to include feedback on any progress on seeking additional powers from Ministers to mitigate flooding and its impact.

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

The Mayor asked Councillor Combellack if she accepted the amendment and she confirmed that she would not.

The Mayor asked if anyone wished to speak on the amendment.

Councillor Clarke advised that Ruth Edwards MP could be contacted by any resident for an update and therefore the amendment was not required and including it would deflect from the focus of the motion and those thoughts were echoed by Councillor Matthews.

Councillor Birch endorsed the motion and referred to the impact of flooding, including on his ward and he felt that the amendment improved the motion.

Councillor Chewings reiterated that the amendment was asking for the local MP to provide an update on her report, which had specifically mentioned working with Rushcliffe, and given that there had been no reports back and the importance of the issue, he felt that the Council should be asking her for an update and then implementing that into its own work, through planning. Councillor Chewings questioned if this Council wanted to hold its MP to account.

In accordance with the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014, a recorded vote was taken for this item as follows:

FOR: Councillors J Billin, T Birch, J Chaplain, K Chewings, G Fletcher, M Gaunt, P Gowland, C Grocock, L Plant, D Polenta and J Walker

AGAINST: Councillors M Barney, R Bird, A Brennan, A Brown, R Butler, N Clarke, T Combellack, J Cottee, S Dellar, A Edyvean, S Ellis, R Inglis, D Mason, P Matthews, H Om, H Parekh, A Phillips, N Regan, D Simms, D Soloman, R Upton, D Viridi, R Walker, L Way, T Wells, G Wheeler, J Wheeler, and G Williams

ABSTENTION: E Georgiou, R Mallender, S Mallender and C Thomas

The amendment to the motion was lost.

The Mayor asked if anyone wished to speak on the motion.

Councillor R Mallender confirmed that he was happy to support the motion and agreed with previous comments made by Councillor Thomas regarding the state of water companies nationally. He agreed that it was worth strengthening the consultation process, although he was also concerned that nothing would actually change, but the Council needed to keep trying. He welcomed the idea of a SAB and felt that it would be appropriate to retrofit SUDs to existing developments. He referred to work being undertaken by Severn Trent in Mansfield, where they were retrofitting 'rain gardens' to existing urban areas and stated that this should be looked at in the larger settlements in Rushcliffe.

Councillor Wells considered that Planning Officers should take more consideration of the topography of the land, as it was very important when considering potential flood risk.

Councillor Combellack thanked Councillors for the interesting debate and reminded everyone of the importance of the motion and agreed with the comments made regarding the poor state of water management in the country. She stated that it was high time that consultees provided Planning Authorities with detailed and informed comments, as climate change, increasing industrialised farming practices, and developments which had not been fully considered were having untold consequences and the Council had to protect its residents.

In accordance with the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014, a recorded vote was taken for this item as follows:

FOR: Councillors M Barney, J Billin, T Birch, R Bird, A Brennan, A Brown, R Butler, J Chaplain, K Chewings, N Clarke, T Combellack, J Cottee, S Dellar, A Edyvean, S Ellis, G Fletcher, M Gaunt, E Georgiou, P Gowland, C Grocock, R Inglis, R Mallender, S Mallender, D Mason, P Matthews, H Om, H Parekh, A Phillips, L Plant, D Polenta, N Regan, D Simms, D Soloman, C Thomas, R Upton, D Viridi, J Walker, R Walker, L Way, T Wells, G Wheeler, J Wheeler, and G Williams

The motion was carried.

36 Questions from Councillors

Question from Councillor Thomas to Councillor Virdi:

“Please provide breakdown of expenditure and income for Rushcliffe-run events in the past year, including West Bridgford Christmas Lights, Proms, Lark in the Park, Taste of Rushcliffe, Cinema etc, Remembrance, Armed forces day, Civic Services etc including identification of any grant funding and recharge to West Bridgford Special Expense.”

Councillor Virdi advised that due to the detailed nature of the request, a handout was being circulated to the meeting, and it showed that for a number of excellent events there was a net direct cost of £40k.

Councillor Thomas asked a supplementary question:

“Is providing free outdoor cinema in an affluent area of the country a reasonable use of public funds allocated to the so called Levelling Up Fund given the state of our hospitals and schools and the hardship being endured by many families?”

Councillor Virdi responded by stating that events referred to were for all residents, with Proms in the Park having over 8,000 attendees. He advised that the cinema event was actually funded by the UK Shared Prosperity Fund (UKSPF) rather than the Council.

Question from Councillor Grocock to Councillor J Wheeler:

“I'd like to thank Councillor J Wheeler for his prompt and positive support in confirming to me that the Council continues to ban live animals being awarded as prizes at events on Council land in line with a national RSPCA campaign. Will the Council provide evidence to the RPCSA, perhaps the record of this meeting that we have such a ban in place and can be added to the list of councils that support their campaign to ban this inhumane practice?”

Councillor J Wheeler confirmed that in the Council's booking terms and conditions for any activities on its land, it was clear that live animals could not be given away as prizes, which he was very proud of, and he stated that the Council would be contacting the RSPCA to ask it to update its records.

Councillor Grocock asked a supplementary question:

“Additionally, given our Town and Parish Council partners own and manage a number of parks, playing fields and open spaces in the borough, should we also encourage their adoption of this ban, perhaps at the forthcoming Town and Parish Forum on 10 November at the Bingham Arena, so we can fully eradicate this outdated practice in Rushcliffe?”

Councillor J Wheeler responded by agreeing that the Council should work in partnership with town and parish councils to ensure that this practice was banned, if they wished to do so, as it was a matter for individual councils. Councillor Wheeler advised that this issue would be raised in the next Town

and Parish Councils Newsletter and encouraged all Councillors to raise this where appropriate in their wards.

Question from Councillor Grocock to Councillor Inglis.

“Given the fact that national legislation will soon legally require local authorities to collect and recycle food waste separately from general waste and recycling, should Rushcliffe Borough Council implement a similar pilot to the one currently being delivered by Nottingham City Council and undertake a food waste collection trial in a ward within the Borough?”

Councillor Inglis informed Council that as the top recycling authority in the County, Rushcliffe was very proud of delivering a top-quality waste collection service for local residents. The idea for a pilot had previously been raised at Full Council in December 2022, when it was explained at the time that for the Council to unilaterally implement a food waste collection scheme even as a pilot would be premature, unwise and unaffordable. Importantly the Council had continued to work collaboratively on an externally funded project through the Nottinghamshire Joint Waste Management Committee (JWMC), which had developed a model for how food waste could be collected and disposed of across Nottinghamshire, as it was vital that this work was done as a system. This work would ensure that the Council and indeed the whole County were in a very good place to implement a weekly food waste collection service once the Government confirmed its requirements and funding arrangements for local authorities to deliver such a service. It was widely acknowledged by DEFRA that there had been slippages to the planned programme; however, the Council through the JWMC was continuing to press for clarity to be provided as soon as possible. In the meantime, the Council had secured a range of discounted deals on home composters that residents could use for the disposal of their food waste and those could be found on the recycling page of the Council's website.

Question from Councillor Williams to Councillor Clarke?

“Following the decision at Cabinet last week to move forward with a detailed Strategic Working Group to address parking issues in Bingham, could the leader please give an update on how this will progress?”

Councillor Clarke referred to the debate earlier this evening and reiterated that now Cabinet had agreed to establish a working group, that would be meeting in the next few weeks, with all parties involved, including stakeholders, and the three levels of Council, and it would consider all options to decide the most holistic approach and would canvass local opinion. He reiterated that the process was extremely important and that it would be driven forward, with regular meetings.

Question from Councillor Bird to Councillor Clarke.

“Would the Leader of the Council confirm that Rushcliffe Borough Council will continue to work with Bingham Town Council to improve the car parking provision in Bingham?”

Councillor Clarke confirmed that this would be the case and thanked Bingham Town Council for engaging with Rushcliffe and referred to the importance of all stakeholders working together, and he reiterated that it was absolutely vital that Rushcliffe worked closely with the Town Council to ensure that local opinions were included and that all possible options were looked at in the wider sense.

The meeting closed at 10.21 am.

CHAIR

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Council

Thursday, 7 December 2023

East Midlands Devolution Deal

Report of the Chief Executive

Cabinet Portfolio Holder for Strategic and Borough-wide Leadership, Councillor N Clarke

1. Purpose of report

1.1. Council last considered the potential impact of a proposed devolution deal for the East Midlands (Nottingham, Nottinghamshire, Derby and Derbyshire) in September 2022 at which time Council agreed:

- to note progress to date on the devolution and joint working programme, including the announcement of a deal offer from Government on 30 August 2022;
- that the Leader and Chief Executive should continue to engage with the process in order to ensure that Rushcliffe Borough Council can be represented as far as possible in ongoing discussions; and
- to receive a further update to be brought to Full Council on the completion of negotiations.

1.2. This report provides an update on the progress of the East Midlands Mayoral Combined County Authority following the passing of the Levelling Up and Regeneration Act.

2. Recommendation

It is RECOMMENDED that Council supports the ongoing involvement and engagement of Rushcliffe Borough Council in the development of the East Midlands Mayoral Combined County Authority and in the delivery of benefits that will come to the region through Devolution.

3. Reasons for recommendation

Whilst district and borough councils do not have to sign off the East Midlands Mayoral Combined County Authority deal (that being the responsibility of the city and county councils), it is clear that district and borough councils have a major part to play in the delivery of outcomes in the East Midlands. It is far better to be at the table in any devolution discussions than not, in order to make the case for investment in Rushcliffe and ensure the voice of Rushcliffe residents is heard.

4. Supporting Information

- 4.1. As part of the Levelling Up White Paper published in February 2022, the Government committed to agree a devolution deal by 2030 with every part of England that wanted one.
- 4.2. Nine county areas were specifically named in the White Paper as places that the Government wished to begin advanced negotiations with, including Nottingham and Nottinghamshire, and Derby and Derbyshire.
- 4.3. The four authorities had expressed an interest the previous year in working together to progress a devolution agreement and began working towards an Autumn 2022 target date set by the Government to agree a deal.
- 4.4. A deal in principle was signed with Greg Clarke MP, the then Secretary of State for Levelling Up, Housing and Communities, on 30 August 2022.
- 4.5. The devolution deal for Derby, Derbyshire, Nottingham and Nottinghamshire includes a range of powers and over £1.14 billion investment over the next thirty years.
- 4.6. The deal will include the first of a new type of combined authority, designed for two-tier areas, and was included in the Levelling Up and Regeneration Act, which received Royal Assent on 26 October 2023. It will mean a new directly elected mayor, with elections currently expected to take place in Spring 2024 subject to secondary legislation coming into force shortly.
- 4.7. The deal offer includes:
 - A new guaranteed funding stream of £1.14 billion, or £38 million a year over the next 30 years.
 - A brand-new City Region Sustainable Transport Settlement of over £1.5 billion.
 - Devolution of Adult Education Budget to improve local skills worth approximately £50 million per year.
 - An East Midlands Investment Zone worth up to £160 million to unlock growth and jobs.
 - Significant additional funding – £18 million early investment into the area on housing and Net Zero. Of this, Rushcliffe and all other districts have been allocated £580,000 for housing retrofit work.
 - £17 million for the building of new homes on brownfield land.
 - A commitment from Government to work jointly with the EMMCCA and other relevant partners to tackle homelessness, domestic abuse, community safety, social mobility and to support young people through their journey to adulthood.
- 4.8. The deal marks the culmination of an intensive period of negotiation between local partners, including district and borough councils, the D2N2 Local Enterprise Partnership, and the city and county councils. The city and county councils are referred to as “upper tier” authorities and are the signatories to the

deal as will be required by the legislation. However, in the county areas, the County Council clearly does not deliver all services and districts and boroughs deliver key services too. The County Council is not for example, the Local Planning Authority or the Local Housing Authority. The powers and duties that rest with district and borough councils will stay with district and borough councils.

- 4.9. This offer of a devolution deal is not the end of the devolution journey. There will be opportunities to build and enhance the deal over time, as has happened in other areas. Local partners have secured a number of commitments to explore further devolution in the future as set out in the deal text.
- 4.10. There has been a significant amount of work required to realise the aspiration to hold the first elections for a mayor for Derby, Derbyshire, Nottingham and Nottinghamshire in May 2024. The devolution deal proposals have been subject to public consultation and ratification by Nottingham City, Nottinghamshire County, Derby City and Derbyshire County councils.
- 4.11. Residents, businesses and other organisations have also been able to have their say. Derby City Council, Derbyshire County Council, Nottingham City Council and Nottinghamshire County Council and partners undertook a public consultation over winter 2022.
- 4.12. Extensive discussions have been held with borough and district colleagues as the deal has progressed. Derbyshire and Nottinghamshire district and borough councils will remain critical partners as the deal moves into the next phase of the programme. The Leader and Deputy Leader of the Council and the Chief Executive have been involved in discussions. The Economic Prosperity Committee for Nottingham and Nottinghamshire is a public meeting which meets every two months to discuss progress and there have been joint leaders' meetings for all the D2N2 leaders in order for them to be updated on discussions with government.
- 4.13. An interim team headed up by Mark Rogers (an experienced Local Authority Chief Executive who was involved in the creation of the West Midlands Combined Authority) has been put in place for the lead up to the May 2024 elections to put together a proposed initial work programme for the Mayor's office and the Combined Authority Cabinet.
- 4.14. An Executive Leaders Group is in place to oversee the preparation work. This is made up of the Leaders and Deputy Leaders of the City and County Councils. District and borough councils are now represented on this group with two leader representatives from Nottinghamshire and two from Derbyshire. These were selected by the district leaders and are:

Cllr Milan Radulovic, Leader
Cllr Tricia Gilby, Leader
Cllr Anthony McKeown, Leader
Cllr Paul Peacock, Leader

Broxtowe Borough Council
Chesterfield District Council
High Peak Borough Council
Newark and Sherwood
District Council

- 4.15. Once the Mayoral Combined County Authority is in place then a formal process will be undertaken to allocate representatives to the Executive Leaders Group or equivalent from May 2024 onwards.
- 4.16. More information about the work undertaken to date and next steps can be found here: www.eastmidlandsdevolution.co.uk
- 4.17. The city and county councils have to agree the wording of the Statutory Instrument that will lead to the specific secondary legislation to allow for the setting up of the East Midlands Combined County Authority. They will consider this at their respective council meetings on 7 December. Following agreement, the secondary legislation will go through Parliament.
- 4.18. Elections would then be held on 2 May 2024 for the new Mayor of the East Midlands.

5. Timeline

- **August 2022:** Devolution Deal agreed between HM Government Derbyshire County Council, Nottinghamshire County Council, Derby City Council and Nottingham City Council signed a £1.14 billion devolution deal with Government. The proposed deal would see our region become the first ever Mayoral Combined County Authority in the country.
- **March 2023:** A public consultation published, which showed broad support for the deal and the establishment of a Mayoral Combined County Authority.
- **November 2023:** Following passage of the Levelling Up and Regeneration Act 2023, the area's Proposal was submitted to HM Government for consideration by the Secretary of State.
- **7 December 2023:** *Subject to approval by the Secretary of State*, the four Constituent Councils decide whether to approve Statutory Instrument (legal basis).
- **December 2023:** Statutory instrument laid before Parliament before Christmas Recess.
- **February/March 2024:** Statutory instrument comes into force. East Midlands Combined County Authority comes into existence.
- **May 2024:** Inaugural mayoral election held.

6. Governance summary

- A new East Midlands Combined County Authority (EMCCA) comprising a directly elected mayor and a governing group of members from the constituent councils of Derbyshire County Council, Nottinghamshire County Council, Derby City Council and Nottingham City Council will come into force (subject to approvals).
- CCAs are a new model of devolution introduced in the Levelling Up and Regeneration Act 2023 to reflect the specific governance arrangements of areas with two-tier government.

- EMCCA will have non-constituent and associate members to reflect a variety of interests, including district and borough councils, and business groups.
- A system of informal nominations and representation has been put in place with district and borough colleagues for this current phase, before the EMCCA is established.
- EMCCA will have an Overview and Scrutiny Committee and an Audit Committee as required by the wider governance framework.
- It is expected that EMCCA will have a small number of advisory committees from its inception and principally focused on business representation, skills, transport, and investment.

7. Next steps

- Further work is underway to develop and improve the structures, arrangements, and practices for wider for district and borough involvement and that of key regional stakeholders in the work of the shadow EMCCA, once established.
- There are a range of governance issues that will need to be determined before the formal commencement of the EMCCA including the constitution, provisions around voting, quorum, involvement and role of non-constituent members – guided by the requirements of legislation.

8. Alternative options considered and reasons for rejection

Do nothing. There is no requirement for district and borough councils to be involved in the devolution work – the agreement is between Government and the four upper tier authorities. Nevertheless, we have contributed to the content of the deal and will have a relationship with the new Mayor and Combined Authority. The leaders of the city and county councils have been clear that without district and borough council involvement in the devolution work, the outcomes would be sub-optimal. In addition, Rushcliffe Borough Council has already been given access to £580,000 of housing retrofit funding through the deal. There may be further investment opportunities available for Rushcliffe once the Mayor is in place.

9. Risks and uncertainties

Now that the Levelling Up and Regeneration Act has been passed, this new form of Combined Authority exists in legislation. The secondary legislation required for the specific East Midlands Combined County Authority needs to be passed before elections can take place. That should be imminent subject to upper tier council sign off.

10. Implications

10.1. Financial Implications

There are no financial implications arising from this report. Rushcliffe has already accessed £580,000 retrofit grant funding as referred to above. The

EMMCCA could have the ability to charge a precept. However, the mayor would have to get agreement from their cabinet to do so. The Cabinet would include the upper tier councils and representatives from borough and district councils as is referenced in the forerunner to the Cabinet, the “Executive Leaders Group” – see paragraph 4.14.

10.2. Legal Implications

Now that the Levelling Up and Regeneration Act has been passed, this new form of Combined Authority exists in legislation. The secondary legislation required for the specific East Midlands Combined County Authority needs to be passed before elections can take place. That should be imminent subject to upper tier sign off.

10.3. Equalities Implications

There are no equalities implications from this report.

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

There are no S17 implications from this report.

10.5. Biodiversity Net Gain Implications

There are no specific biodiversity net gain implications from this report.

11. Link to Corporate Priorities

The Environment	So far, Rushcliffe has received £580,000 towards housing retrofit via this change in legislation
Quality of Life	Devolved powers and funds to the region should allow more targeted allocations of budgets and higher investment in the region.
Efficient Services	Closer working between public sector partners should lead to more efficient services.
Sustainable Growth	Environment and sustainability is a key strand of work in devolution and the Government is providing funding towards developing brownfield sites

12. Recommendation

It is RECOMMENDED that Council supports the ongoing involvement and engagement of Rushcliffe Borough Council in the development of the East Midlands Mayoral Combined County Authority and in the delivery of benefits that will come to the region through Devolution.

For more information contact:	Katherine Marriott Chief Executive 0115 914 8291 kmarriott@rushcliffe.gov.uk
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Background papers available for Inspection:	<i>Report to Council September 2021</i> <i>Report to Council September 2022</i>
List of appendices:	N/A

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Council

Thursday, 7 December 2023

Corporate Strategy

Report of the Chief Executive

Cabinet Portfolio Holder for Strategic and Borough-wide Leadership, Councillor N Clarke

1. Purpose of report

- 1.1. The Council's current Corporate Strategy 2019-2023 is due to expire this year. Work has been carried out to prepare the Corporate Strategy for 2024-2027, which is attached at Appendix 1 for consideration.
- 1.2. Consultations with both the public and councillors have taken place as part of the process of preparing the new Corporate Strategy, the results of which are presented within this report.
- 1.3. The draft Corporate Strategy 2024-2027 was reviewed by the Corporate Overview Group on 7 November 2023, and then by Cabinet on 14 November 2023.

2. Recommendation

It is RECOMMENDED that Council adopts the attached Corporate Strategy 2024-2027 and requests scrutiny to oversee the delivery of the Strategy and its action plan over the next four years.

3. Reasons for recommendation

The Council should have a Corporate Strategy to clearly set out its priorities and key actions in a transparent manner. The delivery of the Strategy will be overseen by scrutiny.

4. Supporting information

- 4.1. The Council's Corporate Strategy is the key document, which sets the direction of travel for the Council, highlighting its key priorities and the tasks it is going to undertake over the next four years to deliver upon these priorities. This provides a clear direction for the Council and a benchmark against which progress towards stated goals can be monitored.

Corporate Strategy 2019-2023

- 4.2. In February 2023, the Corporate Overview Group reviewed progress against each strategic task set in the Corporate Strategy 2019-2023. This report can be viewed on the Council's [website](#).

Corporate Strategy 2024-2027

- 4.3. The final draft of the Corporate Strategy for 2024-2027 can be viewed in Appendix 1. The document includes an introduction from the Leader and Chief Executive and sets out key information about the Council's finances and services. Most importantly the document sets out the Council's four priorities for the next four years: The Environment, Quality of Life, Efficient Services and Sustainable Growth. These priorities are supported by a list of 12 strategic tasks, which the Council is committed to delivering.

Public consultation

- 4.4. A link to an online survey was included in the summer edition of Rushcliffe Reports, which landed on residents' doorsteps from Monday, 19 June 2023. Residents were also able to request a paper copy of the survey. The survey was an opportunity to make sure residents understand the purpose of the Corporate Strategy and were engaged in its creation at a very early stage.
- 4.5. Significant promotion on social media and via more traditional media took place to encourage a good level of engagement.
- 4.6. The survey asked what residents would like the Council to prioritise over the next four years, in addition to the great quality services they can always expect from Rushcliffe Borough Council.
- 4.7. The survey received 352 responses. The following were the top six responses:

RANKING	PRIORITY
1	Making sure you have access to great quality outdoor spaces within the Borough, whether that's parks, woods or play areas
2	Supporting vulnerable people and those in need
3	Working towards the Council's services being carbon-neutral and supporting you to do the same in your homes and businesses
4	Supporting our high streets and town centres, helping them to remain vibrant and making sure you can shop locally if you choose to
5	Supporting small and medium businesses to start up, succeed and grow, increasing local job opportunities
6	Planting more trees and protecting hedgerows and unmanaged green spaces

- 4.8. The Council has ensured that these priorities are reflected in the final draft of the Corporate Strategy and the 12 strategic tasks. However, it is important to note that the strategic tasks do not encompass everything that the Council is committed to over the next four years. The Corporate Strategy, and associated action plan, sit at the top of a suite of documents setting out how the Council will operate over this period including its Capital Programme, Medium Term Financial Strategy and Service Plans.

Councillor consultation and feedback

- 4.9. The 12 draft strategic tasks were presented to Corporate Overview Group on 5 September 2023 for feedback. The results of the public consultation exercise were also presented to the Group. The Group requested that the final draft of the Corporate Strategy be brought back for endorsement in November. This took place on 7 November 2023.
- 4.10. In addition to Corporate Overview Group, the Council consulted with all Councillors by providing them an opportunity to comment on the list of 12 draft strategic tasks.
- 4.11. The consultation was run via Survey Monkey between 7 September and 28 September 2023. A link was provided to Councillors via Councillors' Connections each week from 7 September, in addition to a number of direct emails to all Councillors.
- 4.12. The survey received four responses. It is worth noting that one of these responses was submitted on behalf of political group not just an individual.
- 4.13. The feedback received helped to further shape the strategic tasks. There was no feedback received, which suggested that any tasks should be removed or added.
- 4.14. Councillor survey responses are included at Appendix 2.
- 4.15. The Corporate Overview Group feedback from 7 November 2023 is attached at Appendix 3. The Group requested that the following wording be re-considered:
- Terminology in the document such as 'to support'. The Group suggested that more direct language, such as 'implementation' could be used. This is particularly in relation to the Strategic Task regarding the redevelopment of the Ratcliffe on Soar Power Station. The task has been reworded to indicate that the Council's role is about providing community leadership and that the Council serves a key function in convening stakeholders to unlock challenges to site delivery. However, the Council cannot commit to directly implementing or delivering any of the redevelopment of the site as the Council is not the landowner.
 - Reference to the Council 'benefiting'. The Group suggested that this be reworded to make it clear that it is residents who should be benefiting as a

result of the Council's actions or intervention. The feedback has been considered and the Strategic Task concerning the East Midlands Combined Authority has been reworded to make clear that the Council is committed to ensuring that it is residents who will benefit from the Devolution Deal.

- 4.16. The Strategy was presented to Cabinet on 13 November 2023. The draft Cabinet minutes for the item are attached at Appendix 4.

Monitoring of the Corporate Strategy

- 4.17. The Corporate Overview Group will monitor the Corporate Scorecard of performance measures on a quarterly basis to ensure Council services are delivered in line with targets set. In addition, the Group will review progress against the delivery of strategic tasks on annual basis. Where there is any concern about performance in a particular area of service delivery or progress towards the delivery of a strategic task then further scrutiny may take place.

5. Alternative options considered and reasons for rejection

Council could resolve not to adopt this Corporate Strategy. However, it is important to adopt a fresh strategy for 2024-2027, to guide the future direction of the Council and to communicate to residents the activity the Council can be delivering over the next four years. so it can be appropriately held to account. The document has been consulted on with both residents and councillors so it can reasonably be stated that it reflects the priorities and expectations of both groups.

6. Risks and Uncertainties

There are no risks or uncertainties involved in endorsing the Corporate Strategy 2024-2027. The Strategy will be reviewed annually, and this gives the opportunity to flex the Strategy should new priorities need to be included within the delivery.

7. Implications

7.1. Financial Implications

The priorities and tasks contained within the Corporate Strategy will be incorporated into the Council's Medium Term Financial Strategy and Transformation Plan, which are approved by Council.

7.2. Legal Implications

The Council is required to have a Corporate Strategy in place and this report adequately captures that.

7.3. Equalities Implications

The Corporate Strategy takes account of the effect of the Council's priorities on all residents of the Borough and is supported by the Council's Equality and Diversity Scheme.

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

There are no Section 17 implications to the recommendations contained within this report.

7.5. Biodiversity Net Gain Implications

There are no biodiversity net gain implications directly associated with this report. However, biodiversity net gain is a key element of the Environment theme in the Corporate Strategy 2024-2027 and is prominently reflected in the strategic task 'Implement the Environment Act commitments'.

8. Link to Corporate Priorities

The Environment	These remain priorities in the Corporate Strategy 2024-2027.
Quality of Life	
Efficient Services	
Sustainable Growth	

9. Recommendation

It is RECOMMENDED that Council adopts the attached Corporate Strategy 2024-2027 and requests scrutiny to oversee the delivery of the Strategy and its action plan over the next four years.

For more information contact:	Katherine Marriott Chief Executive 0115 914 8291 kmarriott@rushcliffe.gov.uk
Background papers available for Inspection:	
List of appendices:	1: Draft Corporate Strategy 2: Councillor survey responses 3: Draft Corporate Overview Group Minutes 4: Draft Cabinet Minutes

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Rushcliffe Borough Council

Corporate Strategy 2024 - 2027

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Introduction from the Leader and Chief Executive

We are delighted to present our Corporate Strategy for 2024-2027. As we come to the end of our Corporate Strategy for 2019-2023, we reflect on the challenges faced not only nationally but globally that have affected us as a Council as well as our residents, businesses and communities.

We are proud as we look back on all that we have delivered and achieved for our residents and businesses, including:

- Opening the new Bingham Arena Leisure Centre, providing state of art, environmentally conscious leisure facilities.
- Development of Rushcliffe Oaks Crematorium, providing a modern and peaceful setting with a connection to the natural environment, for residents to say goodbye and remember their loved ones.
- Carbon neutral redevelopment of the Rushcliffe Country Park Visitor Centre including solar panels, an air source heat pump and electric vehicle charging.
- Remaining the lowest charging Council Tax authority in Nottinghamshire for band D properties.
- Delivering £36m worth of Covid grants, ensuring residents, businesses and community groups could access much needed support.

As we look forward to the next four years, we will be continuing to prioritise the environment. This includes protecting and enhancing our natural environment, ensuring that the Borough retains its green, rural identity, while accommodating significant housing growth. We will be working to minimise the impact of our service delivery on the environment and raising awareness about what we can all do to slow the speed of climate change, focusing on achieving our target of being Carbon Neutral by 2030.

We are committed to playing an active role in the redevelopment of the Ratcliffe-on-Soar power station site working closely with the site owners, Uniper, to ensure the decommissioning of the site and its transformation is managed in

an environmentally beneficial way, as well as delivering opportunities for future clean energy generation and local employment.

We will also be representing the Borough in the creation of a combined Mayoral Authority for Nottinghamshire and Derbyshire, a move that will see significant funding and responsibility being devolved from Central Government to the local area. We anticipate Mayoral elections taking place across the region in May 2024.

We are committed to doing everything we can in the next four years to deliver the high-quality services our residents expect alongside making a positive and proactive contribution to the environment.

We are always happy to hear from you. You can contact the Council via your local ward councillor or by emailing: customerservices@rushcliffe.gov.uk



Rushcliffe Borough Council
Cllr Neil Clarke MBE
Leader of the Council



Katherine Marriott
Chief Executive

What The Council Does

As well as delivering large scale projects the Council also delivers a range of services every day which make the Borough a great place to live and work.

These services include:



Streetwise

Street cleansing, graffiti removal, playground maintenance and the mowing of multiple open spaces and sports pitches.



Recycling2Go

Waste collection and recycling. The team empty 3.3 million bins a year.



Events

Delivering high quality family events all year round, welcoming over 30,000 residents and visitors to the Borough in 2023.



Benefits Processing

Ensuring those who are eligible access the support they need, processing over £12m of housing benefit in 2023.



Economic Growth

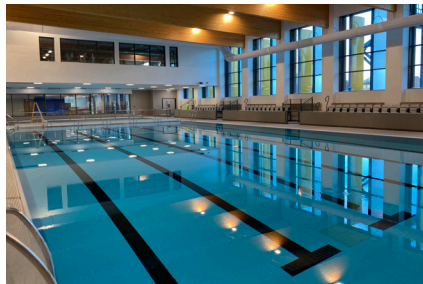
Supporting businesses large and small in the Borough to access funding and training.



Elections

Delivering Parliamentary, County, Borough and Police and Crime Commissioner elections.

What The Council Does



Leisure Centres

Five leisure centres with swimming pools, fitness suites and exercise rooms across the Borough.



Planning

Processing planning applications large and small. The team has processed 13,265 applications since 2019.



Rushcliffe Country Park

One of the nation's best country parks achieving the coveted Green Flag Award every year since 2017.



Council Tax and Business Rates

Collecting essential income and distributing it across public services in Nottinghamshire to fund the services residents value and need.



Environmental Health

Services including dog and pest control, food outlet inspections and enviro-crime investigations.



Strategic Housing

Working with partners to provide suitable accommodation for a range of residents, and to prevent homelessness.

The following services are provided by Nottinghamshire County Council:

- Highway maintenance including street lighting and potholes
- Transport
- Household waste recycling centres (tips)
- Libraries
- Schools
- Social care for children and adults
- Registration of births, deaths and marriages

The Council's Current Financial Position

The chart to the right shows the Council's net revenue expenditure in 2013/14 and 2023/24 and the proportion of this expenditure funded via grants from central Government.

Revenue expenditure is short term expenses, for example salaries, running costs (such as fuel), utilities and other day-to-day expenditure required to meet service delivery.

In 2013/14 the Council received 38% of its funding from central Government.

In 2023/24, the Council received only 15% of its funding from central Government.

This is in spite of increasing costs and the impact of inflation.

The Council has responded to this challenge positively, by taking a look at how it works to make sure it is as efficient as possible. The Council developed a Transformation and Efficiency Plan, identifying where it could make changes to how it operates, for example, using different systems or processes. This has resulted in a saving of £4.5m since 2015 with a further £1.5m planned by 2027/28.

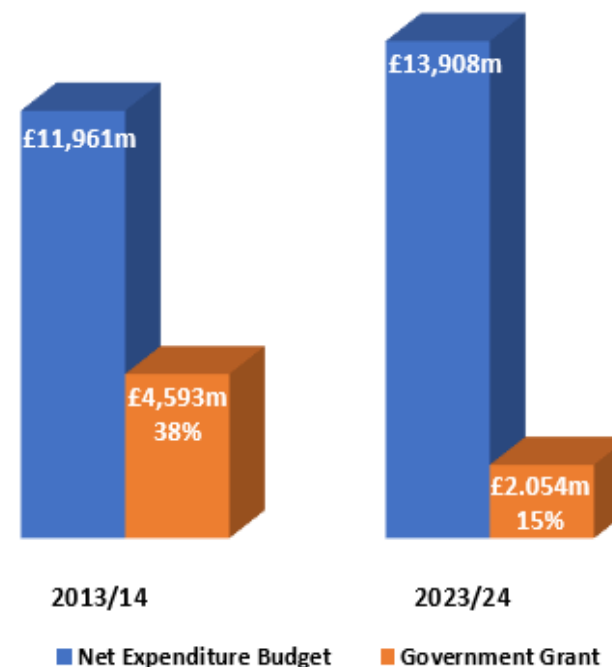
The Council has also had to consider how it makes the most of its assets and generate additional income where possible, although recent Government restrictions in relation to accessing any future funds for borrowing now limit the Council's ability to generate further income from commercial property transactions.

The Council has maintained its position as the lowest charging Council Tax authority in Nottinghamshire and in the lowest 25% in the country. The Council has also grown its commercial income streams to just under £3m per year supporting the Council to become financially self-sufficient and maintaining its debt free position despite tough challenges.

Over the last four years, the Council has continued to invest in its communities with:

- £18m invested in a brand-new leisure centre, community hall and enterprise centre in Bingham. The Council will be investing further in improving the leisure centres in Cotgrave and Keyworth, including decarbonisation plans.
- Significant enhancements at Rushcliffe Country Park including a new café, Changing Places toilet and upgrade to the visitors' centre.
- Approving a carbon neutral target for the Council for 2030 and creating a £1m Climate Change Reserve to deliver this goal.
- 26 electric car charging points installed Borough-wide.

Net Revenue Expenditure and Government Grant



The Council's Priorities



The Environment



Quality of Life



Sustainable Growth



Efficient Services

This Strategy sets the overall direction the Council is planning to take over the next four years. There are four priorities for the Council.

These priorities are as relevant today as they were four years ago when they were chosen and the Council has decided to keep them. This also enables the Council to track progress against each priority.

Within each of these priorities, the Council has made a commitment to deliver a number of tasks over the next four years. These are detailed in the following pages.

The Council will review progress and whether these tasks remain current and achievable on an annual basis. Where additional tasks are identified that will contribute to the Council's priorities, they can be added to the action plan and delivered and monitored alongside existing tasks.

The Environment

The Council knows that the natural environment is precious and not something anyone can afford to take for granted. The Council is fully committed to playing its part in protecting the environment today and enhancing it for future generations.

The Council has already taken steps to ensure that, where it can, it is making changes to operate in a more environmentally responsible way. This has led to a 59% reduction in carbon emissions since 2008/09 (as of 2021/22). This is a fantastic achievement so far, with more work to be done to ensure the Council achieves its target of being net-zero in its own operations by 2030.

Being a green Borough is not just about carbon reduction and energy efficiency activity, it is also about preserving the green and rural nature of the Borough. The Council is committed to nature conservation, working to strike the right balance between facilitating necessary development without sacrificing the Borough's rural identity that the Council and so many residents value. Nature conservation is also vital for wildlife in the Borough as well as for its role in mitigating the effects of climate change.



2019 - 2023 Key Achievements

- Establishment of the Big Business Carbon Club – bringing together the Borough's big businesses to share their insights and skills, supporting one another to make an even greater impact on their carbon reduction journeys.
- Carbon neutral redevelopment of Rushcliffe Country Park Visitor Centre including solar panels, an air source heat pump and electric vehicle charging.
- Installation of an electric cremator at the new Rushcliffe Oaks Crematorium which will reduce potential emissions by 80%.
- Installation of £367k of carbon reduction technology in the new Bingham Arena reducing its carbon footprint by 78% compared to a standard leisure centre.
- Purchase of all of the Council's electricity supply from a renewable source.
- Participation in the County and City-wide Green Rewards Scheme which encourages residents to make changes to their lifestyle and habits, reducing their carbon foot print.
- Provision of the free tree scheme – 11,475 trees provided to residents, community groups and town and parish councils since 2019.
- Development of a Parish Council Climate Change Pack and delivery of free energy consultations for five Parish Councils in 2023.

2024 - 2027 Strategic Tasks

1. Deliver Rushcliffe's Climate Change Strategy 2021-2030.

Playing our part in tackling climate change, and protecting and enhancing nature conservation in the Borough.

The Council has set a target of being carbon neutral in its own operations by 2030. It recognises that the environment is of great importance to residents in Rushcliffe and that the Council must work collectively with residents and businesses to make the greatest possible impact for the Borough now, and for future generations.

The Climate Change Strategy focuses on three key areas:

- **Council** – Reducing the emissions associated with the Council's buildings and activities.
- **Conservation** – Protecting and increasing green spaces, for residents to enjoy, for wildlife to thrive and to mitigate the effects of climate change.
- **Community** – Supporting residents and businesses to reduce their emissions.

While you might not always be able to see all the effects of this work as you are out and about in the Borough, you may notice more 'no mow' wildflower areas, more solar panels and EV chargers. These things are all contributing to the overall target of being carbon neutral by 2030.

2. Implement the Environment Act commitments.

Fulfilling obligations as a Local Authority to make environmental improvements in relation to waste, resource efficiency, air quality, water, nature and biodiversity, and conservation.

The Environment Act is likely to include the following requirements:

- Doorstep weekly food waste collections for all households.
- Changes to the items that can be recycled in the Council's kerbside wheeled bin recycling service to achieve national consistency.
- A national deposit return scheme for plastic bottles.
- Restrictions on the use of domestic burning appliances in new Smoke Control Areas.
- Introduction of a Biodiversity Net Gain Duty which means that when planning permissions are granted the end development must have 10% more biodiversity than before development took place.

Based on known information from the Government the Council is already considering the impact of the expected changes, and considering how it will approach implementation including timescales for requirement in the Act.

Implementation of these proposals will be a complex piece of work. The Council is already working in partnership with other councils across Nottinghamshire to determine how to implement changes most effectively for residents.

Quality of Life

Residents' quality of life will always be a priority for the Council. Quality of life is all about how residents feel about living in the Borough, its environment, and the community facilities they can access.

The Council knows from the 2021 residents' survey that 84% of residents are satisfied with their local area as a place to live. This is fantastic, but not something the Council takes for granted. It is important for the Council to continue to work hard to ensure that the Borough remains a great place to live, work and socialise.



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2019 - 2023 Key Achievements

- Opening of Rushcliffe Oaks Crematorium, providing a modern and peaceful setting with a connection to the natural environment, for residents to say goodbye and to remember their loved ones.
- Opening of Bingham Arena Leisure Centre, providing state of art, environmentally conscious leisure facilities alongside a new Enterprise Centre with 12 office units for local businesses.
- Creation of Upper Saxondale Parish Council, providing residents in the area more direct representation.
- Securing £3.9m Rough Sleepers Initiative award as part of a countywide partnership to extend services to tackle rough sleeping, including health related outreach services.
- Accessing Safer Street funding, securing extra resources to tackle neighbourhood crime, anti-social behaviour as well as violence against women.
- Achievement of 549 successful homelessness preventions, and delivery of homelessness prevention training sessions to over 1653 young people in schools across Rushcliffe since 2019.
- Development at Gresham Sports Park which includes the installation of a second 3G pitch, the resurfacing of the existing 3G pitch, grass pitch improvements and pavilion upgrade.
- Confirmation that 84% of residents were satisfied with their local area as a place to live, via the residents' survey in 2021.

2024 - 2027 Strategic Tasks

3. Be an active partner in the delivery of the East Midlands Devolution Deal.

Ensuring that Rushcliffe's residents are represented and benefit, as plans progress for a combined authority for the East Midlands.

The East Midlands Devolution Deal will create the first ever Mayoral Combined County Authority and is expected to bring an extra £38m a year to the East Midlands from 2024, addressing years of historically low investment in the area. The deal also involves the devolving of some powers from a national to a regional level, with the election of a regional Mayor for the East Midlands.

The Council believes it is important to be part of this piece of work which will change the way decisions are made locally. This an opportunity to champion the ability of district councils as well as be part of the process to shape the future combined authority.



4. Deliver Rushcliffe's Leisure Strategy 2021-2027.

Making sure that leisure facilities continue to meet the needs of residents over the next four years and beyond.

The Council's excellent leisure facilities are one of the many reasons why the Borough is such a fantastic and well-regarded place to live. The successful delivery of the Leisure Strategy will include:

- Retaining five indoor leisure facilities ensuring they are fit for the future.
- Refurbishment of Cotgrave Leisure Centre and Keyworth Leisure Centre.
- Addressing inequalities in participation, to provide access to sport and recreation for all residents.
- Working in partnership with local health services to support 'the inactive' into regular activity.
- Maintaining the existing local standards for provision of open spaces, children's' play areas and allotments.
- Creating more outdoor wellbeing opportunities including walking and cycling throughout the Borough.

Sustainable Growth

Rushcliffe is determined to play its part in shaping the future of the Borough ensuring the needs and aspirations of Rushcliffe residents are met in all future developments.

This involves a significant amount of partnership working as delivering upon the commitments outlined below will require the participation of a number of different stakeholders. The Council accepts that sometimes it will be leading and sometimes supporting others to deliver what communities need to grow in a sustainable way.

As part of the Council's commitment to sustainable growth, it wants to make certain that it is supporting the growth of communities, not just the building of new homes. This means ensuring that new developments have the community infrastructure they need including green spaces, parks, play areas and community spaces, as well as working on linking new developments to existing settlements with established communities.

The Council is equally committed to ensuring that residents have access to a great mix of job opportunities within the Borough and that local businesses have the support they need to thrive, providing employment in communities as well as an important variety of retail and leisure options for residents.



2019 - 2023 Key Achievements

- Facilitated the delivery of 3,305 new homes in the Borough since 2019, including 450 at Cotgrave, 1,277 at Sharphill, 429 at Bingham and 115 at RAF Newton.
- Commenced development at Fairham with first the employment buildings handed over to clients, and some of the 3,000 homes approved occupied by Christmas 2023.
- Approved development of a commercial unit, 14,000sqm, for a warehouse and distribution business alongside the A46.
- Facilitated the delivery of 856 new affordable homes.
- Adopted the Local Plan Part 2, allocating 23 housing sites that will deliver around 3,000 new homes.
- Adopted the Ratcliffe on Soar Local Development Order, working with the site owner to shape future plans at the Ratcliffe on Soar Power Station Site after decommissioning in 2024.



2024 - 2027 Strategic Tasks

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5. Provide community leadership in the redevelopment of the Ratcliffe on Soar site, during and post decommissioning of the power station.

Securing a positive contribution from the site for the Borough and region, post decommissioning of the power station.

The power station, owned by Uniper, will close at the end of September 2024 in line with Government policy to end coal-fired power generation.

The site has the potential to be redeveloped in the best interest of the Borough and wider region, leveraging international investment to pioneer zero-carbon technology, sustainable and low-carbon energy production creating thousands of high-skilled, well-paid jobs.

The Council's involvement includes:

- The Chief Executive regularly hosting a strategic forum of land owner and Government partners, to unblock challenges to site delivery.
- Helping to shape plans as they develop through the Council's role on the board of the East Midlands Development Corporation.
- Processing detailed planning applications for the site called Certificates of Compliance.
- Working with the landowner on the Local Development Order.
- Taking responsibility for changes to the business rates regime for the site, due to its Freeport status, in the Council's role as the billing authority.

6. Implement Levelling-up and Regeneration Bill commitments.

Fulfilling the Council's obligations to adopt reforms, primarily to the planning system, facilitating more local decision making.

The Council has a legal obligation to comply with relevant legislation. A new Levelling-up and Regeneration Bill is expected in the next year which seeks to change the way powers can be devolved to local authorities and introduces reform to the planning system in England. Once the Bill receives Royal Assent and becomes an Act, there will be a significant number of new regulations relating to the planning process which the Council will have to implement.

The Council will need to consider any new regulations that come forward and determine an approach for adopting them. It is already working to consider the impact of the expected changes but it is not possible to precisely foresee what might be included in the final legislation.



2024 - 2027 Strategic Tasks

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7. Adopt a Greater Nottingham Strategic Plan.

Setting out a strategic vision for future development in the Borough, which will be used to decide future planning applications and other significant planning decisions.

The Greater Nottingham Strategic Plan (GNSP) replaces the Council's Part 1 Aligned Core Strategy. It will play a large part in determining what Rushcliffe looks and feels like in 2041. The GNSP is important as it fundamentally shapes the development that takes place in Rushcliffe (including type, scale and design quality), where and what infrastructure is required to support that development. Once adopted, any planning application which is considered by the Council will need to demonstrate it is in line with GNSP if it is to receive planning permission.

Great care has been taken by the Council in its preparation of the Plan to make sure Rushcliffe balances the housing and employment growth with ensuring Rushcliffe remains a place where residents are happy to live.



8. Develop and deliver an Economic Growth Strategy for the Borough.

Ensuring that the local economy remains productive, innovative and sustainable. A thriving local economy benefits residents economically, socially and environmentally. It means access to quality jobs within the Borough and to a diverse range of places to shop, socialise and access services.

To ensure that the local economy remains thriving, the Council will develop and deliver an Economic Growth Strategy for the Borough.

This strategy will help the Council to better understand the diversity of local economies across the Borough and identify where to focus efforts and resources to help businesses build resilience, adapt to new opportunities and improve productivity.



2024 - 2027 Strategic Tasks

9. Support the delivery of the new employment sites and new homes, including meeting affordable housing targets, at key sites including Fairham, Gamston, RAF Newton and Bingham.

Providing the right amount, quality and mix of housing and employment sites to ensure the Borough remains a place people want to live and work whilst embracing growth.

The Council needs to support and facilitate the delivery of these key allocated sites. This is to ensure growth is controlled where possible and safeguards against unwanted developments where it does not align with the Council's vision for the Borough.

Each key housing site includes an allocation of employment land sitting alongside it reflecting the fact that with new residents there is a need for new jobs and business opportunities.

The Council's role in the development of these key sites includes:

- Facilitating and supporting co-operation and delivery on larger development sites.
- Ensuring there are appropriate developer contributions for infrastructure on these key sites.
- Receiving and determining planning applications on these key sites and engaging with key stake holders.
- Working with relevant developers and agents to explore opportunities for accelerating delivery of employment land allocations through economic growth initiatives.
- Promoting community cohesion between new and existing conurbations.

The Council is committed to ensuring that appropriate community infrastructure and the right level of community provision is delivered as part of new homes and employments sites. The Council has, therefore, committed to developing a local community venue for hire within the Sharpill Woods sustainable urban extension, to meet the future needs of the area.



Efficient Services

As an organisation it is always the Council's intention to deliver the best services for residents in the most efficient way possible.

In the coming years, the Council will continue embracing new ways of working and be open to innovation and transformation.

As much as the Council takes pride in delivering exciting new projects and activities, it never loses sight of its core purpose to provide high quality services for residents every day. That is why a focus on efficient services remains a priority for the Council over the next four years.



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2019 - 2023 Key Achievements

- Being shortlisted for Local Authority of the Year 2023 in the MJ Awards, the smallest local authority on the shortlist.
- Remaining the lowest Council Tax authority in Nottinghamshire for band D properties, charging £137.39 in 2023.
- Taking a proactive approach to making grant payments to residents and businesses, was one of only four local authorities that paid out all energy rebates by the end of June 2022 – 36,755 grants paid out totalling £5,513,250.
- Paid £36,014,484 in Covid Grants ensuring residents, businesses and community groups got the support they needed.
- Successfully introducing voter ID for the first time at the 2023 local election with only 0.1% of voters unable to vote due to not presenting a valid photo ID.



2024 - 2027 Strategic Tasks

10. Deliver good value for money in Council operations for residents.

A combination of Government funding reductions and uncertainty over future funding, the impact of Covid and more recently high inflation has placed significant pressure on both Council finances and maintaining excellent services. It remains important for the Council to be financially self-sufficient and demonstrate value for money in all areas of operation.

In each year of this Corporate Strategy, the Council will:

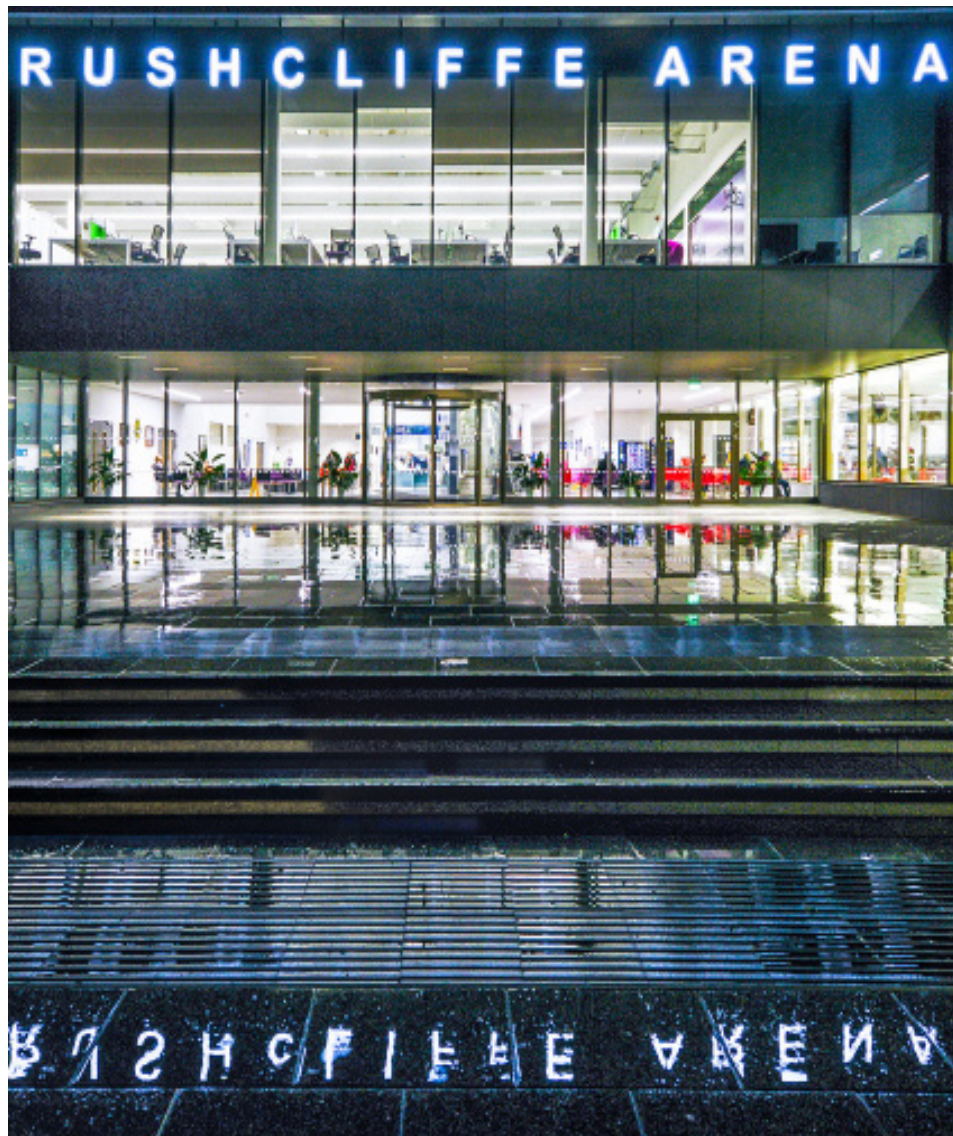
- Deliver a balanced budget.
- Adequately resource the Council's Capital Programme commitments, which must be affordable, sustainable and prudent.
- Receive a positive value for money conclusion from the Council's external auditor.

11. Participate in an LGA Corporate Peer Challenge and implement recommendations.

Ensuring the Council continues to operate effectively and deliver great quality services for residents by inviting external review and implementing its recommendations.

The Council wishes to remain a high performing, well respected local authority that delivers the services its residents need, whilst maintaining financial self-sufficiency. To do this, it periodically invites the Local Government Association (LGA) to conduct a Peer Review. This review will identify what the Council is doing well, but most importantly what it could be doing better.

The LGA Peer Review team will visit Rushcliffe in January 2024. After this, the Council will receive a report with a number of recommendations of ways that it could improve. These recommendations will form the basis of the action plan which the Council will commit to delivering.



2024 - 2027 Strategic Tasks

12. Conduct a review of the Council's asset base.

Ensuring the Council understands the value and purpose of its assets including property, land, equipment and vehicles and takes decisions arising from the assessments.

The Council must have a comprehensive understanding of its assets with the objective of ensuring they are working for the benefit of the Borough's residents and businesses in delivery of services.

Cyclical reviews and asset challenge are essential to ensure the objective continues to be met: the right assets in the right place at the right cost. Reviewing these assets involves assessing a range of factors, including:

- The suitability of the asset, to determine whether they are still serving their intended purpose.
- Operational efficiency – is the asset in the right place and meeting its service objectives?
- Condition of the asset.
- Current and future cost of holding the asset.
- New opportunities for income generation or savings to be realised.
- Disposal, alternative uses and/or enhancement or investment.

These reviews will allow the Council to continue to make informed decisions about the future of its assets, how they are key in linking to effective and efficient service delivery as well as transformation savings and planning for future investment.



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Corporate Action Plan

2024 - 2027

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The following action plan sets out the activities and the projects we are dedicated to delivering in line with the corporate priorities and commitments set out in our Corporate Strategy. This action plan will be monitored by our Executive Management Team and by Councillors who sit on the Corporate Overview Scrutiny Group.

New activities and projects that align to commitments made in the Corporate Strategy will be added to the action plan below as they emerge. Equally, as projects are completed they will be removed from the action plan to ensure it remains current and relevant.

You will always be able to access the most up to date version of the Corporate Strategy and its associated action plan on our [website](#).



Task	Measures of success	What is the expected completion date?
<p>Deliver Rushcliffe’s Climate Change Strategy 2021-2030.</p> <p>Playing our part in tackling climate change and protecting and enhancing nature conservation in the Borough.</p>	The Council will be carbon neutral in its own operations by 2030.	2030
	The nature conservation strategy will be delivered	2025
	Number of green flag accredited parks and open spaces within the Borough will be increased by 50%.	2027
<p>Implement the Environment Act commitments.</p> <p>Fulfilling the Council’s obligations as a Local Authority to make environmental improvements in relation to waste, resource efficiency, air quality, water, nature and biodiversity, and conservation.</p>	All required policies will be implemented.	The Act will set delivery dates for all major pieces of legislation.
	The Biodiversity Net Gain duty will be implemented.	
	Further success measures to be added when legislation is published.	
	Review of smoke control areas across the Borough will be completed.	2024
	Compliance with national Air Quality Standards within our two current Air Quality Management Areas will be maintained.	On-going



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Task	Measures of success	What is the expected completion date?
Be an active partner in the delivery of the East Midlands Devolution Deal. Ensuring that Rushcliffe's residents are represented and benefit, as plans progress for a combined authority for the East Midlands.	RBC to have clear and recognisable involvement in the development of the Combined Authority structure via officer and councillor input.	2024
	Evidence that Rushcliffe is benefitting from the East Midlands Combined County Authority.	Ongoing
Deliver Rushcliffe's leisure strategy 2021-2027. Making sure that leisure facilities continue to meet the needs of our residents, over the next four years and beyond.	The agreed priorities of the leisure strategy and associated playing pitch action plan will be delivered.	2027
	Refurbishment of Keyworth and Cotgrave leisure centres will be completed.	2025
	Review of progress against the existing strategy and visioning exercise to inform the development of the 2027 forward-looking strategy will be completed.	2026



Sustainable Growth

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Task	Measures of success	What is the expected completion date?
<p>Provide community leadership in the redevelopment of the Ratcliffe on Soar site, during and post decommissioning of the power station.</p> <p>Ensuring that, post decommissioning of the power station, the site makes a positive contribution to the Borough and the region.</p>	<p>Continued stakeholder engagement at both operational and strategic levels.</p> <p>All relevant Local Development Order Certificates of Compliance processed on time and meet the intended objectives of the LDO.</p>	<p>Power station expected to close in 2024. Redevelopment will continue for many years after this.</p>
<p>Implement Levelling-up and Regeneration Bill commitments.</p> <p>Fulfilling the Council’s obligations as a Local Authority to adopt reforms, primarily to the planning system, facilitating more local decision making.</p>	<p>All required policies enacted.</p> <p>Further success measures to be populated when legislation is published.</p>	<p>The Act will set delivery dates for all major pieces of legislation.</p>
<p>Adopt Greater Nottingham Strategic Plan.</p> <p>Setting out a vision for future development in the Borough, which will be used to decide future planning applications and other significant planning decisions.</p>	<p>Greater Nottingham Strategic Plan adopted.</p>	<p>October 2025</p>



Sustainable Growth

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Task	Measures of success	What is the expected completion date?
<p>Support the delivery of the new employment sites and new homes, including meeting affordable housing targets, at key sites including Fairham, Gamston, RAF Newton and Bingham.</p> <p>Providing the right amount, quality and mix of housing and employment sites to ensure the Borough remains a place people want to live and work.</p>	Targets set by Greater Nottingham Strategic Plan for housing delivery achieved.	2041
	Five-year supply of deliverable housing sites maintained.	On-going
<p>Develop and deliver an Economic Growth Strategy for the Borough.</p> <p>Ensuring that the local economy remains productive, innovative and sustainable.</p>	Economic Growth Strategy and action plan published.	December 2024
	Further success measures will be created as part of the development of the strategy and action plan	March 2025



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Task	Measures of success	What is the expected completion date?
<p>Deliver good value for money in Council operations for our residents.</p>	Internal audit rating on 'internal control' will remain either moderate or substantial.	On-going
	Positive conclusion on value for money will be received from the Council's external auditors.	
	Percentage of residents believing the Council provides value for money in the 2024 residents' survey will remain the same as 2021, or increase	
<p>Participate in an LGA Corporate Peer Challenge and implement recommendations.</p> <p>Ensuring we continue to operate effectively and deliver great quality services for our residents, by inviting an external review and implementing recommendations.</p>	LGA Corporate Peer Challenge will be completed, and the action plan published.	August 2024
	LGA Corporate Peer Challenge Action Plan will be delivered.	Date to be added once action plan is published.
	Follow-up LGA Corporate Peer Challenge Review will be undertaken	March 2025



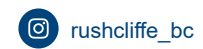
Efficient Services

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Task	Measures of success	What is the expected completion date?
<p>Conduct a review of the Council's property asset base.</p> <p>Ensuring we understand the value and purpose of our assets including property, equipment and vehicles and can make informed decisions about what to do with them.</p>	<p>Programme of reviews will be prepared, including those already taking place.</p>	<p>October 2024</p>
	<p>Checklist of key review criteria will be prepared for each category of assets</p>	<p>March 2025</p>
	<p>Review of all assets will be completed.</p>	<p>October 2026</p>
	<p>Reported to Asset Management Group. Findings to also be reported as required throughout the review process.</p>	<p>December 2026</p>



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Appendix 2: Councillor responses to the online consultation on the Draft Corporate Strategy

Subject: Please provide feedback on the following tasks in the corporate strategy:	Councillors' feedback	Officer comment
<p>1. The Council playing its part in tackling climate change and protecting and enhancing nature conservation in the Borough</p>	<ul style="list-style-type: none"> • <i>Make demands on developers to include solar panels, ground source heat-pumps as well as electric car charging points essential on all new builds, · Include linked bike paths on all new estates, · Make our green spaces more accessibly for ALL bikes by getting rid of discriminatory barriers, · Clear prioritisation of Active Travel and improvements to public transport · Do a full impact assessment of hybrid working strategy and consider different strategies for different times of the year · Publish air pollution data for the area in an accessible format Support residents with a One-Stop Shop and retrofit advice hub that will give residents impartial advice and guidance on how they can improve the energy efficiency of their homes through insulation, ventilation and clean heat technologies</i> • <i>I support this goal but it must not create unacceptable costs. We do not need to wear a hairshirt!</i> • <i>There is an additional key area which is about supporting, influencing, and working with partners operating in Rushcliffe including the County Council and Parish Councils and voluntary organisations. So called "devolution" will create another partner. At a higher level we are sometime bound by national policies and we can be trail blazing/ seeking to influence upwards – that might be fifth arm. Climate change isn't just about reducing emissions it is about protecting trees, hedges, soil etc which remove carbon. Not just protecting/conserving these – they need to increase. Council has agreed a strategic aim to increase the amount of hedges, and this should be mentioned. There should be a whole debate about breaking down this "task" in some forum - maybe a facilitated workshop?</i> 	<p>All of the councillor feedback was passed to the Service Managers responsible for developing the tasks. Some tasks will also flex over the period of the strategy and action plan.</p> <p>Progress against the tasks and ongoing feedback will be via scrutiny. Corporate Overview Group in particular and the other scrutiny groups for more detailed scrutiny on particular tasks.</p>

Subject: Please provide feedback on the following tasks in the corporate strategy:	Councillors' feedback	Officer comment
<p>2. Fulfilling the Council's obligations as a Local Authority to make environmental improvements in relation to waste, resource efficiency, air quality, water, nature and biodiversity, and conservation</p>	<ul style="list-style-type: none"> • <i>We should be encouraging reduction in food waste rather than just concentrating on collection. We need to find ways to increase the types of items that can be recycled.</i> • <i>The Labour Group supports all the above priorities and would include: • Encourage reduced use of weedkiller and reduced cutting cycles and continuously explain the strategy and proposed cutting cycles to residents • Devise a process to licence people to repair and maintain computers to support residents and reduce computers going to landfill due to simple software errors. • Consider those who are vulnerable as well as those unable to use our glass collection sites when formulating our recycling strategy</i> • <i>The environment act is long overdue and we need to consider what we can do in the meantime, without jumping the gun or incurring excessive costs.</i> • <i>The wording has a bit of a flavour of being forced to act. We could be doing over and above what is required. How are we tracking the work?</i> 	
<p>3. the Council to be financially self-sufficient and demonstrate value for money in all areas of operation.</p>	<ul style="list-style-type: none"> • <i>The Labour group acknowledges the importance and requirement to deliver a balanced budget but would like to see a more holistic and progressive attitude to its implementation that uses the council's influential position to see economic improvements for residents: • A commitment to Community Wealth Building at the council that looks in much more detail at procuring locally and less extractive based models to build a more localised capital programme, • An in-depth study on the use of Business Rates to help fund a local investment opportunity for new start-ups, • A commitment to lobby for a more progressive tax system that will replace Council Tax.</i> • <i>We cannot just keep increasing Council Tax, residents' incomes do not automatically go up to cover it</i> 	

Subject: Please provide feedback on the following tasks in the corporate strategy:	Councillors' feedback	Officer comment
	<ul style="list-style-type: none"> <i>Absolutely disagree with an objective to “set Council Tax that keeps Rushcliffe in the lowest quartile nationally”. Please can we get rid of this? We need to set council tax to do the job, while providing value for money. All councils have different profiles and challenges. Anyway with almost all councils increasing council tax at the level of the cap, there should be little movement in our relative position.</i> 	This has been removed from the Draft Strategy
4. Undertaking a corporate peer challenge	<ul style="list-style-type: none"> <i>The Labour Group support this type of review and looks forward to it in January. We hope the council will use it not simply as a way of patting ourselves on the back but as a way of seeing how other, progressive local governments are trying out new and interesting ideas to increase local democracy and resident participation.</i> <i>Fully support this to ensure that we are at the forefront of best practice.</i> <i>How often does this happen? How much will it cost? Suggest the commitment includes robust consultation with our residents, parish councils, businesses, staff etc - their views should be presented alongside the Peer Review and inform it.</i> 	It is up to the Council how often this happens. Last one was 6 years ago. There is no cost to the Council.
5. Undertaking a strategic asset review	<ul style="list-style-type: none"> <i>The Labour Group would like to change the council's approach to its current asset base and think of new ways to use the council's asset base to help grow the local economy. We would also like to see an assessment of our current asset base to see how it is used in ways that are accessible to those who are traditionally not engaged in their local community with a target of engaging people considered vulnerable.</i> <i>Fully support this, it's important to continue to make good returns from our investment properties. We should only make disposals as a last resort as we cannot make any further investments in property solely as investments.</i> 	Some assets are held to help support the local economy – eg Cotgrave shopping centre area and Bingham enterprise centre.

Subject: Please provide feedback on the following tasks in the corporate strategy:	Councillors' feedback	Officer comment
	<ul style="list-style-type: none"> • <i>Are there assets not covered by these three categories? IT systems? Suggest add "land" to second bullet. There should be consideration of adding to assets, e.g. building/operating our own social housing, adopting public open spaces etc in new estates. Would reorder these and put the "profit making" category last, mentioning that this is now historical and we do not intend to acquire any more property assets unless they are related to services that we provide.</i> 	
<p>6. Ensuring that, post decommissioning of the power station, the site makes a positive contribution to the Borough and the region</p>	<ul style="list-style-type: none"> • <i>There is a need to ensure that nearby local communities are not negatively impacted by this development and BNG is addressed, preferably on-site.</i> • <i>The Labour Group would like to see a much broader representation on the board and evidence that there has been: • Engagement with Unions, • Engagement with Green businesses, • Engagement with worker-led cooperatives, • The immediate addition of representative from these groups to the board. We would also like to see: • Active travel to the site a priority, • A detailed plan of improved public transport to the site, • Local procurement central to its redevelopment, • Engagement with community organisations, • Engagement with employment, skills and inclusion programmes and providers, • A robust social value strategy to maximise local economic and community benefit, • A commitment that all new jobs created should pay the National Living Wage.</i> • <i>It is essential that this site delivers high value jobs, does not become a sprawl of sheds down the A453, and is not used for housing. EMDC needs to work this area for us and not the opposite.</i> • <i>Please include additional bullets under "involvement" along the lines of: * Working to minimise any negative impacts on residents , e,g from additional traffic * working with partners to increases and promote sustainable travel options to the site * Advising on and monitoring opportunities to protect trees, hedges, soil, open spaces</i> 	<p>Uniper would be able to comment on the engagement with staff and unions as appropriate. They are carrying out their own consultation processes with staff.</p>

Subject: Please provide feedback on the following tasks in the corporate strategy:	Councillors' feedback	Officer comment
	<i>etc in the</i> [this is the end of the comment so a word must have been missed off.]	
7. Delivering the requirements of the Levelling Up and Regeneration Act including planning reforms	<ul style="list-style-type: none"> • <i>This is still too vague for reasoned comment. Communities that have been overdeveloped in recent years and need to be protected from being overwhelmed.</i> • <i>The LuR Bill acts upon long running requests from Councils and the Local Government Association (LGA) for further devolution in England. It is currently going through the House of Lords and a number of amendments have been tabled which remain to be considered by the Government. We are broadly supportive of the LGA position on the Bill which includes</i> <ul style="list-style-type: none"> • <i>Speeding up the process of devolution so that all areas have the opportunity to benefit from a devolution deal by 2030.</i> • <i>Recognising that Councils of all sizes are engaged in the devolution process.</i> • <i>Significant concerns with the proposed Infrastructure Levy (IL). There are serious concerns that it could be counterproductive by delivering fewer affordable homes and could expose Councils to excessive levels of financial risk.</i> • <i>Planning fees do not currently cover the true cost of processing planning applications with 305 out 343 local authority planning departments operating at a deficit totalling almost £250m. LGA modelling indicates that a 35% increase in fees would still result in a £80m deficit. Amendment 235 to the LuR Bill is supported as it lets Councils set planning fees which would cover their costs.</i> • <i>Don't know enough about this but the planning process does need attention, particularly the urbanisation of open countryside and the green belt.</i> • <i>In the many consultations about implementing this legislation, the council should be seeking to influence the changes and how they are implemented – this is as important as just doing what we are told. Each area of the country is different and we need to ensure the implementation considers our particular set of circumstances. It</i> 	We are awaiting further detail on the Act and its implementation.

Subject: Please provide feedback on the following tasks in the corporate strategy:	Councillors' feedback	Officer comment
	<p><i>might be worth signalling that we will give thought to changes that might occur after this bill - "modification or any related legislation to follow" or something.</i></p>	
<p>8. Setting out a vision for future development in the Borough, which will be used to decide future planning applications and other significant planning decisions via the Greater Nottingham Strategic Plan</p>	<ul style="list-style-type: none"> • <i>See previous answer. Infrastructure needs to not lag behind housing development.</i> • <i>The Labour Group strongly support the positive engagement of RBC in the preparation, approval and implementation of the revised GNSP. • The current Plan provides an important strategic framework for the spatial planning of the City of Nottingham and its surrounding Boroughs, including Rushcliffe. It has a strong emphasis on sustainable development and what infrastructure is required to support it. • When the new Strategic Plan is approved by all the Councils in the Plan Area it will shape the revised policies in their Local Plans, including the revised Rushcliffe Local Plan. • It has proved difficult in the past to engage the public in consultations on long term Strategic Plans, such as the GNSP, which will be looking forward to 2041. All the Councils involved with the revised GNSP should work together to be creative in how they engage with local Councillors, local partners, local businesses and the public to ensure that there is every opportunity for their range of views to be heard. • There should be a new commitment that reflects the effect of housing and building on flooding and there needs to be an up-to-date flood data to run alongside it and inform decision-making.</i> • <i>We must not become a part of a Greater Nottingham sprawl through taking away our green spaces and countryside.</i> • <i>We need to emphasise that we are active in shaping this so that it applies well to Rushcliffe, not something that is happening to us.</i> 	
<p>9. Delivering Strategic Land Allocations within existing Local</p>	<ul style="list-style-type: none"> • <i>Examine current public transport options and work with providers to improve travel options for residents in the whole of the borough.</i> 	

Subject: Please provide feedback on the following tasks in the corporate strategy:	Councillors' feedback	Officer comment
Plan including Fairham, Gamston, RAF Newton and Bingham	<p><i>Realise that active travel is not always an option for some sections of the community.</i></p> <ul style="list-style-type: none"> • <i>The Labour Group would like to see a commitment to Community Wealth Building principals that sees wealth recirculated in our communities and not extracted out.</i> • <i>The involvement of local communities more by having open discussions about where and when CIL and S106 monies are spent</i> • <i>Fully support this to drive through homes in the right places, along with good employment opportunities. I would like to see a review of LP2 as soon as possible to consider removing a few inappropriate sites that do not lend themselves to good design. This could be achieved without any harm to our overall numbers that we could deliver.</i> • <i>The first para should include LPP2 sites. CIL and S106 needs to be spent, not just banked, and we have a role in making sure this happens even when it is not Rushcliffe that is spending it. There should be something about preparing for future targets, as the period for delivering 13500 ends soon after this strategy ends. It would be good to mention something about management charges. Housing types should better reflect the demographic and provide a variety of sizes/prices on market homes. More homes should be made wheelchair adapted or adaptable in the future for wheelchairs/limited mobility. Imaginative retirement complexes are needed.</i> 	
10. Ensuring that the local economy remains productive, innovative and sustainable and delivering an Economic Growth Strategy for the borough	<ul style="list-style-type: none"> • <i>We would like to encourage small business and ways of building and fostering a more circular economy and not one that extracts wealth out of our borough.</i> • <i>It's important that we help to develop a strategy to deal with our changing high streets as shopping habits change. We want our</i> 	

Subject: Please provide feedback on the following tasks in the corporate strategy:	Councillors' feedback	Officer comment
	<p><i>shopping areas to remain vibrant, however they adapt to the future and peoples changing purchasing habits</i></p> <ul style="list-style-type: none"> • <i>Should we also be helping businesses to be sustainable and make a positive contribution to the environment? Mention leisure/tourism and farming as types of businesses too? Something about leveraging available grants?</i> 	
<p>11. Ensuring that Rushcliffe is represented and benefits, as plans progress for a combined authority for the East Midlands</p>	<ul style="list-style-type: none"> • <i>Definitely need a seat at the table.</i> • <i>The Labour Group strongly support the principle of devolution from Central Government to Regional, Sub-Regional and Local Government. The East Midlands devolution deal, with its transfer of some powers and funding from Westminster to the new Combined Authority (CA) of Derby/Derbyshire and Nottingham/Nottinghamshire offers many opportunities. The current proposals are relatively modest bearing in mind the guaranteed funding stream is to be spread over 30 years. It will be important that the new CA has an effective governance process and a robust and skilful technical support to ensure that it receives its fair share of funding when bidding for more local funding and additional powers. In addition to focusing on economic and environmental improvement, the new CA should also have as a key objective the need to reduce the social/health inequalities within its own area and in comparison with other parts of the country. The current proposals included evolving the adult skills budget and giving the CA powers to buy land, build new homes and regenerate derelict land, commercial spaces and infrastructure. The proposed powers to create a new integrated and sustainable transport plan for the whole area provides the chance to improve accessibility to local services and facilities for all the residents, particularly those dependent on public transport. This could play a major role in meeting the climate change objectives of the new CA if the policies are truly sustainable and the</i> 	

Subject: Please provide feedback on the following tasks in the corporate strategy:	Councillors' feedback	Officer comment
	<p><i>resources are sufficient to meet a wide range of needs. We would strongly encourage Rushcliffe Borough Council to be an active partner in the Governance of the CA. Furthermore, there will be opportunities through Partnership groups such as the Joint Planning Advisory Board to promote the needs of the Greater Nottingham Area. We would also like to see a much stronger push for integrated transport and local economic development.</i></p> <ul style="list-style-type: none"> • <i>It's hard to see how we can influence this as the higher tier authorities have the most voice and apart from Rushcliffe the other Boroughs have different political makeups. We could find ourselves in a minority with little influence. It is vital that we don't allow this to happen, nor should we allow conflicts of interest with our Councillors who are also County representatives.</i> • <i>My thoughts on this extra layer of government are not suitable for sharing.</i> 	
<p>12. Making sure that the Council's leisure facilities continue to meet the needs of its residents, over the next four years and beyond</p>	<ul style="list-style-type: none"> • <i>The Labour Group would like to see more control on what is offered to residents so that it is not entirely driven by demand since currently the supplier does not support groups that need significant resources (eg bowling). Make efforts to engage with members of the community who currently do not use the services to find out how their needs can be met including those in vulnerable groups.</i> • <i>I fully support this and we should be proud of what we have and are delivering. It's important that as East Leake nears the end of the PPI agreement we deliver great facilities there.</i> • <i>What evidence is there for the statement that leisure facilities are why people want to live here? Leisure strategy should reflect the demographic.</i> 	

Subject: Please provide feedback on the following tasks in the corporate strategy:	Councillors' feedback	Officer comment
13. Any additional tasks proposed?	<ul style="list-style-type: none"> • <i>We have decided to submit this as a group to avoid duplication and extra work for officers so please give it the weight of our Labour group membership. Thank you.</i> • <i>I'd like to see our Leadership be strong and clear about how we will deliver the Corporate Strategy and its timetable.</i> • <i>I may submit these separately later</i> 	

**DRAFT MINUTES
OF THE MEETING OF THE
CORPORATE OVERVIEW GROUP
TUESDAY, 7 NOVEMBER 2023**

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

PRESENT:

Councillors T Combellack (Chair), A Edyvean, P Gowland, L Plant, R Walker
and L Way

OFFICERS IN ATTENDANCE:

C Caven-Atack	Service Manager - Corporate Services
E Palmer	Communications and Customer Services Manager
K Brennan	Senior Finance Business Partner
E Richardson	Democratic Services Officer

APOLOGIES:

Councillors G Williams

16 **Declarations of Interest**

There were no declarations of Interest.

17 **Minutes of the meeting held on 5 September 2023**

The minutes of the meeting held on 5 September 2023 were approved as a true record and were signed by the Chairman.

20 **Corporate Strategy**

The Service Manager Corporate Services presented the Corporate Strategy Report and explained that a very draft form of the Strategy had been brought to the previous Corporate Overview Group meeting in September, including information from the public consultation, after which it had been opened up for consultation with Councillors. She said that the Corporate Strategy presented today was believed to be near final and following review this evening, was due to be presented to Cabinet next week before moving to Full Council in December.

Councillor Plant raised concern about the first recommendation of the report which asked the Group to consider the results of the Councillor's consultation as she did not think that that sufficient information had been included in the report for this to be approved. The Group asked that the Service Manager for Corporate Services feedback that it would have been helpful for the Group to have seen the responses from Councillors.

Councillor Plant referred to the fact that the papers for Cabinet, including this version of the Corporate Strategy, had already been published before the Group had had chance to comment on it, which did not create a positive perception. Members of the Group echoed these comments but suggested that it would still be possible for this Group to feedback and make recommendations for Cabinet to consider.

The Service Manager Corporate Services said that the publishing of the Cabinet papers had been a technicality and that the report to Cabinet was clear that the Strategy was being considered by Corporate Overview Group this evening and that any recommendations from the Group would be verbally presented to the Cabinet meeting. She confirmed that there was then a month between Cabinet and Council for any recommended changes to be made.

The Service Manager Corporate Services said that it would be possible to remove the first recommendation, 'A', from the report if the Group agreed for this to be done.

Councillor Way expressed surprise that only four responses to the consultation had been received from Councillors, one of which was from a political party. The Service Manager Corporate Services confirmed that Councillors had been notified about the consultation through emails, Councillors Connections and through discussion at this Group. She said that the matter of one response being from a political party had not skewed the results.

Councillor Gowland asked about home and hybrid working practices at the Council and the Service Manager Corporate Services said that this came under the remit of the Head of Paid Service and was an internal, operational, matter rather than an outward, corporate, practice and as such it wasn't included in the Strategy. She confirmed that the Council had facilitated for its staff to be able to work from any location and that working remotely did not impact on staff being able to complete all aspects of their job. She said that the Council had support systems in place for staff to communicate wherever they were working and that staff could communicate via live chat groups, even when taking a phone call, so that they could seek support at all times.

Councillor Way asked about the five Council Leisure Centres and the Service Manager Corporate Services confirmed that the Council had Rushcliffe Arena, Bingham Arena, Cotgrave Leisure Centre, Keyworth Leisure Centre and East Leake Leisure Centres. She said that East Leake Leisure Centre would come back under the Council's control in 2027 with a stipulation that it be returned to the Council in the same condition as it was given and as such the handover should not result in a significant financial implication for the Council.

Could R Walker referred to terminology in the document in relation to delivery of some targets, such as 'to support' and 'be an active partner' and thought that more direct language, such as 'implementation' could be used. The Service Manager Corporate Services said that the wording for various tasks had been designed to differentiate between tasks within the control of the Council and those where it was an influencing partner. As a result, those which were outside of its control were more to ensure that the Council kept them in focus as they had a wider importance for the Borough. Councillor R Walker asked

that Cabinet reflect on the wording for the delivery and measurement of the various targets.

Councillor Gowland referred to mention of benefits for the Council and suggested that this be reworded to reflect that the actions of Council had led to an increased benefit for residents, that through its interactions the Council had ensured that Rushcliffe residents benefited in some way in which they wouldn't otherwise have done so.

The Chairman confirmed that the Group agreed to remove recommendation A and suggested updated wording for the two recommendations, as recorded below. The Chairman asked that comments from the Group's discussion be put forward to Cabinet to provide background to the updates.

It was **RESOLVED** that that the Corporate Overview Group:

- a) considered the draft Corporate Strategy for 2024-2027 and;
- b) endorsed the design of the Corporate Strategy 2024-2027 and forwarded it to Cabinet for consideration and reflection upon the wording.

The meeting closed at 9.50 pm.

CHAIR

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**MINUTES
OF THE MEETING OF THE
CABINET
TUESDAY, 14 NOVEMBER 2023**

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

PRESENT:

Councillors N Clarke (Chair), A Brennan (Vice-Chair), R Inglis, R Upton, D Virdi
and J Wheeler

ALSO IN ATTENDANCE:

Councillor J Walker

OFFICERS IN ATTENDANCE:

L Ashmore	Director of Development and Economic Growth
G Dennis	Monitoring Officer
P Linfield	Director of Finance and Corporate Services
K Marriott	Chief Executive
H Tambini	Democratic Services Manager

39 **Corporate Strategy**

The Cabinet Portfolio Holder for Strategic and Borough-wide Leadership, Councillor Clarke, presented the report of the Chief Executive, which detailed the Council's Corporate Strategy for 2024-2027.

Councillor Clarke advised that this Strategy was set to be adopted by Full Council in December, with the current Strategy expiring this year. Cabinet was reminded that the Strategy had been subject to consultation by both Councillors and residents, with the four key priorities remaining the same, as they were still appropriate and relevant. Councillor Clarke stated that whilst each key priority was important in its own right, the Environment would continue to be a significant focus for the Council, and as new Government legislation came forward, the Council needed to ensure that it was reacting appropriately to that. The Council was also working towards being operationally net zero, whilst working to strike the correct balance between development without sacrificing the Borough's rural identity, which the Council and so many residents valued. Councillor Clarke referred to the 12 strategic tasks for the four key priorities, which were highlighted in the Strategy. Councillor Clarke referred to his earlier response to Councillor Walker's question and stated that since the Cabinet agenda had been published, the Corporate Overview Group had met and considered the Strategy and he suggested that it would be appropriate to include those comments in the report submitted to Council, together with any other comments relevant to the potential adoption of the

Strategy.

In seconding the recommendation, Councillor Brennan endorsed the comments made by Councillor Clarke and stated that the Strategy clearly set out the Council's strategic objectives and the actions to be taken to deliver them. The Strategy made it clear that the Council continuing to deliver its core services to residents remained a key priority, whilst at the same time focusing on some of the significant strategic challenges that it would face, particularly with the advent of the new Devolution Deal and the creation of a new Combined Mayoral Authority. Councillor Brennan reiterated that the Council would continue to work to create investment opportunities in the region, particularly with the closure of the Ratcliffe on Soar Power Station, the development of the Freeport and the Development Corporation, and by taking advantage of the Government's Levelling Up agenda. Councillor Brennan stated that she was particularly pleased that the Council would be working towards an Economic Growth Strategy, which was detailed in the Action Plan. Alongside those new strategic challenges, the Council had set out its intention to implement new Government legislation on planning and the environment, and to review its asset base to ensure it maintained sound finances, which would enable the continued delivery of high quality services, whilst ensuring value for money and Councillor Brennan was happy to endorse the Strategy.

Councillor J Wheeler welcomed the inclusion of the fourth strategic task to deliver Rushcliffe's Leisure Strategy, the progress already made and looked forward to reporting back to scrutiny on future progress. Whilst it was noted that the consultation had been very extensive, the few comments received could indicate that in general people were happy with the Strategy, as people were often less likely to comment if they agreed with something. Councillor Wheeler thanked the Communication team for its hard work in publicising the Strategy and welcomed going forward that the tasks and priorities would continue to be monitored and kept on track.

Councillor Upton stated that it was timely for a new strategic plan to be brought forward and agreed that it was important to have a plan and a future vision, which this Strategy did.

Councillor Clarke referred to the comments raised by Councillor Wheeler about the Strategy going forward and suggested that if issues were identified that would contribute to the Council's priorities then they could be considered as part of the Action Plan.

It was RESOLVED that the Corporate Strategy 2024-2027 be endorsed and forwarded to Council for adoption.



Council

Thursday, 7 December 2023

Statement of Licensing Policy

Report of the Director – Neighbourhoods

Cabinet Portfolio Holder for Environment and Safety, Councillor R Inglis

1. Purpose of report

- 1.1. It is a statutory requirement that a new Statement of Licensing Policy be adopted with effect from 7 January 2024.
- 1.2. In reviewing the Policy, the Council must carry out the statutory consultation as provided by the Act. Any comments will be considered and, where appropriate, the draft Policy will take these into account. Once the revised Policy has been approved and published, it will be valid until 6 January 2029.

2. Recommendation

It is RECOMMENDED that Council approves the adoption of the Statement of Licensing Policy attached to this report as Appendix A.

3. Reasons for Recommendation

The Council is required to produce a Statement of Licensing Policy every five years upon which it will base its decisions. This draft Policy was endorsed by the Licensing Committee at its meeting on 17 October 2023.

4. Supporting Information

- 4.1. The Council is the Licensing Authority as defined by the Licensing Act 2003. The Council is responsible for licensing and regulating licensed premises such as pubs, off-licences, late night takeaways and Registered Members' Clubs. It also issues personal licences to sell alcohol and effects transfers and variations of licences. The Authority also processes notices for temporary (occasional) events.
- 4.2. A Statement of Licensing Policy sets out the policies the Licensing Authority will apply when making decisions on licensing applications and reviews. It also serves to advise applicants of any local policies or requirements to consider when drafting an application. The Licensing Authority must have regard to its Statement of Licensing Policy when making decisions alongside any statutory guidance issued by the Home Office under Section 182 of the Licensing Act 2003.

- 4.3. A copy of the draft Statement of Licensing Policy is attached at Appendix A.
- 4.4. The draft Policy has been circulated for public consultation, one response was received from the Director of Public Health and his comments were included in an earlier draft brought before the Licensing Committee (see Appendix B). These comments made specific reference to particular areas of the Borough that are associated with elevated levels of alcohol related harm. The Committee resolved the following:
- “Paragraph 4.8 of the Policy be removed, and Paragraph 4.9 of the Policy be amended to refer to the Borough rather than specific areas; and subject to resolution a) above, the Statement of Licensing Policy be endorsed and recommended to Council for approval”.*
- 4.5. Accordingly paragraphs 4.7 and 4.8 have been reworded to remove the reference to specific areas.
- 4.6. The revisions to the previous Policy are provided for ease of reference in the table in Appendix C and include a number of policy and legislative updates:
- Paragraphs 4.2-4.9 – These paragraphs relate to the Director of Public Health as a statutory consultee and their role. The Director of Public Health has updated and highlighted areas within the Borough with relatively higher levels of alcohol related harm, the paragraphs have been further amended as described in paragraph 4.4 of this report
 - Paragraphs 5.3-54 – Amendments to the definition of responsible authorities
 - Paragraph 6.13 – Reference to public health issues
 - Paragraphs 6.16-6.19 – Introduces the “entitlement to work in the UK” for applicants applying for licences
 - Paragraph 7.2 – Reference to Community Protection Notices as a mechanism for dealing with anti-social behaviour
 - Paragraph 7.12- 7.13 - Updates around drugs and spiking of drinks
 - Paragraph 7.20 – Rewording in relation to “pool of conditions”
 - Paragraph 7.26 – Changes in respect of counter terrorism as a result of new legal requirements
 - Paragraph 7.27 and 7.28 – Narrative on cumulative impact has been removed as Rushcliffe does not have a cumulative impact area
 - Paragraph 7.32-34 – Rebuttable presumption removed from the Policy as it has been removed from the section 182 guidance
 - Paragraph 7.52 – Inclusion of alcohol delivery services
 - Paragraph 7.53-55 – Inclusion of pavement licences which have now been transferred to licensing authorities and are required to be included within the Policy
 - Paragraph 8.5-8.7 – Safeguarding in relation to women and girls.

5. Risks and Uncertainties

There is a risk that if the Council chooses not to adopt the Policy the Authority would not be able to process licensing applications and if it did so it would effectively be acting 'ultra vires'.

6. Implications

6.1. Financial Implications

The statutory fees levied for the regime are intended to cover the cost of the review of this Policy and its implementation.

6.2. Legal Implications

It is a statutory requirement that a Statement of Licensing Policy be produced every five years and that the draft Statement is the subject of consultation with prescribed bodies and individuals.

6.3. Equalities Implications

An Equalities Impact Assessment has been completed in Appendix D.

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.

6.5. Biodiversity Net Gain Implications

There are no biodiversity net gain implications in this report.

7. Link to Corporate Priorities

The Environment	There are no links to this priority in this report
Quality of Life	Ensuring the health and safety of residents and supporting the reduction of crime and disorder
Efficient Services	There are no links to this priority in this report
Sustainable Growth	There are no links to this priority in this report

8. Recommendation

It is RECOMMENDED that Council approves the adoption of the Statement of Licensing Policy attached to this report as Appendix A.

For more information contact:	Geoff Carpenter Service Manager Public Protection Tel: 0115 9148229 gcarpenter@rushcliffe.gov.uk
Background papers available for Inspection:	Report to Licensing Committee 17 October 2023 Report to Full Council 6 December 2018 'Statement of Licensing Policy'
List of appendices:	Appendix A: Draft Statement of Licensing Policy 2024-2029 Appendix: B: Consultation response from Director of Public Health Appendix: C: List of changes following consultation Appendix: D: EIA



Rushcliffe Borough Council



STATEMENT OF LICENSING POLICY

Effective from 7 January 2024

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1. INTRODUCTION

- 1.1. Rushcliffe Borough Council is a Licensing Authority for the purpose of the Licensing Act 2003. Section 5 of the Act requires all licensing Authorities to prepare and publish a Statement of Licensing Policy that they propose to apply in exercising their functions under the Act during the five year period to which the policy applies. The Statement of Licensing Policy can be reviewed and revised by the Authority at any time.
- 1.2. 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, and at regional level. For more information about Rushcliffe go to www.rushcliffe.gov.uk
- 1.3. The Authority has licensed certain public spaces within the community in its own name including suitable Authority owned community centres, and many existing public open spaces. In this instance performers and entertainers would not need to obtain a licence or give a Temporary Event Notice themselves to enable a performance to be given in such places but would require the permission of the appropriate Department of the Authority as the licence holder. They would also need to adhere to any conditions relating to the use of such premises.

Without being exhaustive, in considering any licence application the Authority will take into account the following factors, the positive impact of the proposal in attracting visitors, the positive impact on enhancing the attractiveness of the wider area, and the number and type of jobs created.

- 1.4. This Policy Statement seeks to establish sensible controls and appropriate guidance to encourage and further the efforts that are being made by the Council and its partners together with the licensed trade to help the Authority deal with issues that arise from licensable activities.

This will be achieved by:-

- Establishing and building upon best practice within the industry;

- Recognising and facilitating the role of partners and stakeholders;
 - Encouraging self-regulation by licensees and managers;
 - Providing a clear basis for the determination of licence applications; and
 - Supporting related policies and strategies of the District Council.
 - An inspection and enforcement regime targeted at premises that present a high risk.
- 1.5. The Authority is committed to working with its licensing partners and stakeholders in delivering the licensing function. This Policy Statement therefore seeks to provide information on the general approach that the Authority will take in carrying out its licensing functions.
- 1.6. In preparing and publishing this Policy Statement due regard has been given to the guidance issued by the Secretary of State under Section 182 of the Act, and to good practice advice issued by approved government advisory bodies. In particular the Authority has consulted those persons and bodies as required by the guidance and given proper weight to their views. Partnership working between licensing Authorities in Nottinghamshire has enhanced the production of this Policy Statement and will help ensure consistency in terms of both policy and enforcement where licensing boundaries meet.
- 1.7. This Policy Statement should not be regarded or interpreted as indicating that any requirement of law may be overridden; each application will be considered and treated on its own merits. No restrictive controls will be introduced or imposed unless they are felt to be necessary and appropriate.
- 1.8. There are certain matters which the Authority is prevented from taking into account or from dealing with in a specified way. For example, the Authority is not entitled to take the issue of the “need” for further licensed premises into account when determining licence applications. On the other hand, the cumulative impact of licensed premises on the promotion of the Licensing Objectives is a matter that can be properly considered by the Authority. Cumulative impact and related matters are dealt with in Section 7 of this Policy Statement.
- 1.9. Nothing in this Statement of Policy prevents any one person or body applying for a variety of current permissions under the Act. Nor does it override the right of any Responsible Authority, any person or business to make representations or seek a review of a licence or certificate where provision has been made for them to do so in the Act.

2. THE LICENSING OBJECTIVES AND LICENSABLE ACTIVITIES

- 2.1. In exercising their functions under the Licensing Act 2003, licensing Authorities must have regard to the licensing objectives as set out in section 4 of the Act. The licensing objectives are:
- (a) the prevention of crime and disorder;
 - (b) public safety;
 - (c) the prevention of public nuisance; and
 - (d) the protection of children from harm.
- 2.2. Guidance on the Licensing Objectives is available on the Government's website at: <https://www.gov.uk/alcohol-licensing>
- 2.3. Licensing law is not the primary mechanism for the general control of anti-social behaviour by individuals once they are beyond the direct control of the individual club, or business holding the licence, certificate or permission concerned. Licensing is about the management of licensed premises and activities within the terms of the Act and conditions attached to various Authorisations will be focused on matters which are within the control of the individual licence holder and others.
- 2.4. The Act only covers certain "licensable activities" namely:-
- (a) the sale by retail of alcohol
 - (b) the supply of alcohol by or on behalf of a club to a member
 - (c) the provision of "regulated entertainment" and
 - (d) the provision of late night refreshment
- 2.5. The definition of what constitutes "regulated entertainment" is complex and has been (and remains) the subject of Government deregulation. Whilst "regulated entertainment" potentially covers live or recorded music, dancing, plays, films, and certain types of sporting activity the Act itself provides various exemptions and restrictions on the types of activities which are subject to the Licensing regime. Other legislation such as the Live Music Act 2012 has removed the ability of the Licensing Authority to regulate live music at certain times and in certain circumstances. Deregulation initiatives have added further activities from those that are exempt from the licensing regime, particularly where it relates to entertainment taking place between 8am and 11pm and where that entertainment takes place before an audience of a prescribed size. It cannot be assumed therefore that a licence is required for

all forms of entertainment or, even if a licence is required, that the Licensing Authority will necessarily have the power to impose restrictions or conditions on such entertainment. Each activity is determined on its own circumstances and arrangements.

- 2.6. Where an activity is licensable the promotion of the Licensing Objectives is the paramount consideration for the Authority. In the absence of valid representations from Responsible Authorities, other persons or businesses, all applications must be granted subject only to any prescribed mandatory conditions and such other conditions which are consistent with the operating schedule provided by the applicant. Where valid representations are received and maintained the application will normally be determined at a hearing before the Licensing Committee or one of its Panels. The Committee or Panel will then assess whether the application would result in the licensing objectives being undermined to such an extent that the application should be refused or, whether it would be possible to grant the licence subject to such conditions as are felt appropriate by the Authority. Conditions will be tailored to the size, style, characteristics and activities taking place at the premises concerned. Conditions will be focused on matters that are within the control of individual licensees and others granted relevant permissions. Accordingly, these matters will centre on the premises and places being used for licensable activities and the vicinity of those premises and places. Whether or not incidents can be regarded as being “in the vicinity” of licensed premises or places, is ultimately a matter of fact to be decided by the courts in cases of dispute. In addressing such matters consideration will primarily focus on the direct impact of the activities taking place at the licensed premises on members of the public living, working or engaged in normal activity in the area concerned. The imposition of standardised conditions is prohibited as being disproportionate and burdensome. It should be noted, however, that the Authority is permitted to establish pools of conditions from which appropriate and proportionate conditions may be drawn. Further details regarding such conditions can be obtained from the Licensing Service.

3. HOW THIS STATEMENT OF POLICY WORKS

3.1. The purpose of the Statement of Policy is to:

- provide a clear basis for determining licence applications;
- provide a clear framework for licensing strategies, including the effect known as 'cumulative impact';
- support wider strategies and policies of the Council.

3.2. The text of this Statement of Policy **in bold type** indicates the **Policies** with the reason for each policy shown immediately after *in bold italics*.

3.3. This Policy sets out the Authority's expectations in relation to certain matters. Whilst applicants are not obliged to meet these expectations in their Operating Schedules they may find that Responsible Authorities other persons and businesses are more likely to raise representations if they do not. This can lead to a delay with the application having to be considered by a Committee/Panel which may then either refuse the application or impose conditions if the application is not found to sufficiently promote the licensing objectives and meet this Policy. On appeal the Court is also obliged to have regard to the terms and requirements of this Policy and can only depart from it if it has good reason.

3.4. In this Statement of Policy any reference made to the imposition of conditions refers to conditions imposed in accordance with the requirements of the Act outlined in paragraph 2.6 above. As a general rule the Authority will seek to avoid attaching conditions that duplicate existing legal requirements and obligations imposed by other regimes unless such obligations and requirements fail to adequately address the specific circumstances of the case.

4. STRATEGIC LINKS AND OTHER REGULATORY REGIMES

4.1. There is a range of strategic influences and statutory controls which affect the licensing system in terms of policy formulation, administration and enforcement activities. Examples of these strategies can be found in the Section 182 guidance produced by the Home Office <https://www.gov.uk/government/publications/explanatory-memorandum-revised-guidance-issued-under-s-182-of-licensing-act-2003>. The Authority will seek to have an active involvement in the development and review of these by ensuring an appropriate exchange of dialogue between the Licensing

Authority and other relevant regimes. Such involvement may result in the imposition of conditions and formulation of policies supporting the relevant strategies where appropriate.

- 4.2. The granting of a licence, certificate or provisional statement will not override any requirement of the planning system or vice-versa. The licensing system will provide for the detailed control of operational matters, which are unlikely to be addressed through planning processes. However, there will be overlapping issues of interest e.g., disturbance, which will remain material considerations for planning purposes as well as being relevant in terms of the licensing objectives. Applicants should also ensure that they have due regard to any planning restrictions on the use of premises when applying for licence/certification to avoid any possible enforcement action.

However, existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or 'agent of change') should be required by the local planning authority to provide suitable mitigation before the development has been completed.

- 4.3. The four statutory licensing objectives aim to reduce crime and disorder and increase public safety. Licensing policies are not currently required to address Public Health concerns; however, there is strong evidence that alcohol outlet density is associated with increased alcohol-related hospital admissions and alcohol-related mortality. Alcohol contributes to more than 60 diseases and health conditions and represents 10% of the burden of disease and death in the UK, placing it in the top three lifestyle risk factors after smoking and obesity.
- 4.4. Whilst the exact relationship between alcohol and ill-health is often complex and affected by other factors such as the socio-economic make-up of the neighbourhood, studies have found that local authorities' greater use of licensing powers leads to reductions in alcohol-related hospital admissions in England (Institute of Alcohol Studies, 2017). In light of this, public health indicators both at District level from the Local Alcohol Profiles for England and at sub-district level have been reviewed.
- 4.5. Across Rushcliffe, public health analysts have mapped a number of alcohol

related measures that are considered to have a negative impact on health and well-being to show how alcohol-related harms vary across Nottinghamshire County Districts and Boroughs. Further information can be found at: <https://nottinghamshireinsight.org.uk/d/aAXSv0F>

4.6. Measures used were selected for their relevance to licensing and public health and their availability at sub-district level and include:

- alcohol-related hospital admissions
- anti-social behaviour
- crimes against the person including domestic violence
- rate of persons in treatment for substance use
- an estimate of the percentage of the population drinking at least once a day and
- deprivation.

4.7. These measures have been used to create a matrix which ranks small areas within Rushcliffe in relation to overall levels of harm associated with alcohol. The matrix can be used to support responsible Authorities to make representations where required based on the rank, and therefore the levels of overall harm, for the area in which a licensing application has been made.

4.8. All applicants are encouraged to provide details of any mitigating measures they plan to put in place to reduce alcohol-related harms within their application.

5. DELIVERING LICENSING SERVICES

5.1. The Authority will make available guidance and such resources as required by law to enable engagement with the licensing process. Such guidance and resources may be accessed through the Rushcliffe Borough Council website, at www.rushcliffe.gov.uk or by contacting the Authority direct.

5.2. The Licensing Authority will maintain an impartial role in service delivery and cannot act in favour of one party over another. The Licensing Authority may, in certain circumstances, act as a Responsible Authority. However, this will only be done in exceptional circumstances and the Licensing Authority will not normally take over the role of other Responsible Authorities or parties.

Details of Responsible Authorities can be found on the Council's website at <https://www.rushcliffe.gov.uk/media/5p5bmmzl/list-of-responsible-authorities-2023.doc> .

5.3. Responsible Authorities are public bodies which must be fully notified of licence application and are entitled to:

- Make relevant representations
- Request reviews
- Make representations with regard to cumulative impacts

5.4. Details of Responsible Authorities can be found on the Council's website following the link for licensing or by contacting the Councils Licensing Team directly.

6. APPLICATIONS, NOTIFICATIONS AND THEIR CONSIDERATION

6.1. The procedure and documentation required for the various applications and notices is prescribed by the Act and Regulations. Further advice on these processes is available on the Council's web site. This section of the policy gives basic guidance on how those applications and notifications will be considered. Failure to comply with the statutory requirements may result in the application or notice being invalid. To ensure the application is completed fully, applicants must consider the contents of this policy statement, the government guidance issued under section 182 Licensing Act 2003 and relevant guidance published by the Licensing Authority. Applicants are encouraged to seek advice from the Licensing Authority and Responsible Authorities before submitting an application. Failure to comply with the statutory requirements may result in an application or notice being invalid/rejected.

6.2. The process of applying for new premises licences and full variations of current premises licences are dealt within the same way and involve serving the application on all responsible Authorities and advertising the application in the prescribed way. If objections are received the matter will be heard by the Licensing Committee of the Council. The fee for such applications depends on the size of the premises. Substantial changes to premises should be dealt with by way of a new application.

6.3. The process of a minor variation to current premises licences are dealt with differently. Minor variations can be applied for to vary times of activities but

not to increase the hours when alcohol can be sold. The process can also be used when making minor structural alterations to the premises and to add or remove conditions from the licence.

These minor variations should not have a material effect on the way in which the premises are operated and there is one set fee. The granting of a minor variation is determined at officer level after consultation with those Responsible Authorities affected. If the application is refused the applicant can resort to the full variation process.

- 6.4. All applicants are encouraged to use the gov.uk site to submit online applications or if available the Councils own online applications process.

Representations

- 6.5. Where the Licensing Authority receives an application for a new licence or a variation to an existing licence, the Responsible Authorities, local residents and businesses have 28 days to make representations about the application. Representations can be positive as well as negative. Guidance on making a representation is available from the Home Office and a preferred form is available on the Council's Liquor Licensing web page for individuals or groups to make their representations.
- 6.6. Submissions of representations made via e-mail will be accepted so long as there is a clear indication of who has submitted the representation, it is clear and legible and details of how that person or group can be contacted.
- 6.7. For a representation to be relevant it should be positively tied or linked by a causal connection to particular premises. Representations received outside the statutory period for making such representations will be invalid and will not be taken into consideration when the application is determined. The Licensing Authority also has the power to reject a representation made by someone other than a Responsible Authority if it finds it to be vexatious or frivolous. An example could be where a representation was made solely on the basis that the application would provide competition to an existing trader or where no link was made to any of the licensing objectives.
- 6.8. Members of the public who wish to submit a representation need to be aware that their personal details will be made available to the applicant. If this is an issue, they may contact their ward Councillor or other locally recognised body such as a resident's association about submitting a representation on their

behalf. The Council is not able to accept anonymous representations.

- 6.9. Where a representation proceeds to a hearing the Hearings Regulations allow for further information to be put forward in support of that representation. However, that material must only relate to the initial representation and must not add new grounds of objection. It is therefore vitally important that as much detail and evidence as possible is included at the time the representation is made. Representations made without supporting detail and evidence may be viewed as frivolous or vexatious and disregarded.
- 6.10. It is for the Licensing Authority to determine whether any representation by an interested party is, on its own merits, vexatious or frivolous. The Authority will determine this and make the decision on the basis of what might ordinarily be considered to be vexatious or frivolous.
- 6.11. Where representations are received the characteristics of an area and the impact that the premises may have upon that area will be a fundamental consideration in determining whether a licence should be granted and if so what conditions should be attached to it. Conditions will be focused on matters that are within the control of individual licensees and others in possession of relevant Authorisations. These matters will centre on the premises being used for licensable activities and the vicinity of those premises. What amounts to the “vicinity” will be a question of fact to be determined in the light of the individual circumstances of the case. Consideration will primarily be given to the direct impact of the licensed activity on those who live, work or are engaged in business or other activities in the area concerned.

Responsible Authorities

- 6.12. Although the licensing Authority is a Responsible Authority in its own right, it expects other parties such as local residents, Councillors or community groups to make representations in their own right when they are reasonably able to do so rather than rely on the licensing Authority to make representations for them.
- 6.13. The Director of Public Health is responsible for making representations and observations on applications on behalf of health bodies. Public health is not a licensing objective, but Public Health is a responsible authority under the Licensing Act, and the licensing authority believes that Public Health has

much to add to licensing in relation to the local populations' alcohol related health needs. Health bodies such as Public Health have unique access to data which has been used to create a matrix to highlight areas within districts and boroughs with relatively higher levels of alcohol-related harm. This matrix can be used by other responsible authorities to inform licensing decisions. Public Health is useful in providing evidence of alcohol related health harms particularly in relation to cumulative impact policies (see paragraph 4.5 for further details).

Panel/Sub Committee Hearings

- 6.14. The Act creates a presumption that applications will be granted unless a valid representation is raised. An application will then be determined by the Licensing Sub-Committee/Panel unless the issue that led to the representation can be negotiated to an agreed conclusion between the parties.
- 6.15. The Authority considers the effective and responsible management of the premises, the instruction, training and supervision of staff and the adoption of best practice in the leisure industry, which may include participation in such schemes as Best Bar None, Purple Flag or Business Improvement Districts (BIDs) to be amongst the most important control measures for the achievement of all of the Licensing Objectives.

Entitlement To Work In The UK

- 6.16. All individual applicants applying for a "Premises Licence", or a "Personal Licence" with this Licensing Authority must submit further documentation to demonstrate their entitlement to live and work in the United Kingdom (UK).
- 6.17. A licence may not be issued to an individual or an individual in a partnership which is not a limited liability partnership who is resident in the UK who:
- does not have the entitlement to live and work in the UK;
 - is subject to a condition preventing them from doing work relating to the carrying on of a licensable activity;

Any licence issued in respect of an application made on or after 6th April 2017, will become invalid if the holder ceases to be entitled to work in the UK.

- 6.18. Applicants must demonstrate that they have the entitlement to work in the UK

and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways:

- a) by providing, with this application, copies or scanned copies of the documents* which an applicant has provided, to demonstrate their entitlement to work in the UK (which do not need to be certified) as per information published on gov.uk and in guidance
- b) by providing their nine (9) digit 'share code' to enable the Licensing Authority to carry out a check using the Home Office online right to work checking service (see below)

*Applicants are required to submit one (1) of the documents listed at Annex A of the Home Office's Employer right to work checks supporting guidance published on: [Right to work checks: an employer's guide \(GOV.UK\)](#) to show they have permission to be in the UK and are permitted to undertake work in a licensable activity.

Home Office online right to work checking service

- 6.19. To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in their application a nine (9) digit share code (provided to them upon accessing the service at [Prove your right to work to an employer: get a share code \(GOV.UK\)](#)) which, along with the applicant's date of birth, will allow the Licensing Authority to carry out the check.

7. LICENSING POLICIES

Policy 1

The Authority expects to see evidence of the effective and responsible management of the licensed premises, such as examples of instruction, training and supervision of staff and the adoption of best practice used in the leisure industry, being specifically addressed within the Operating Schedule.

REASON: To ensure the promotion of the licensing objectives.

- 7.1. Licensing law is not the primary mechanism for the general control of the anti-social behaviour of patrons once they have left the vicinity of the licensed premises rather it is part of a holistic approach to the management of the

area.

7.2. Where appropriate the Authority will seek to identify mechanisms that are available for addressing the potential impact of anti-social behaviour arising both in respect of the management and operation of licensed premises themselves and that occur once patrons leave the licensed premises. Regard will be made to the Section 182 Guidance in this respect and the following may be employed: to address such behaviour and the potential for cumulative impact.

- Planning controls.
- Positive measures to create a safe and clean town centre environment in partnership with local businesses, transport operators and other departments of the local Authority.
- Community Protection Notices
- The provision of CCTV surveillance in town centres, taxi ranks, provision of public conveniences open late at night, street cleaning and litter patrols.
- Powers of local Authorities to designate parts of the local Authority area as places where alcohol may not be consumed publicly.
- The confiscation of alcohol from adults and children in designated areas
- Police enforcement of the general law concerning disorder and anti-social behaviour, including the issuing of fixed penalty notices.
- Prosecution for the offence of selling alcohol to a person who is drunk (or allowing such a sale)
- Police powers to close down instantly for up to 24 hours (extendable to 48 hours) any licensed premises or temporary events on grounds of disorder, the likelihood of disorder or noise emanating from the premises causing a nuisance.
- The power of the police, other Responsible Authorities or a local resident or business to seek a review of the licence or certificate in question.
- Early Morning Alcohol Restriction Orders (EMROs)
- Any other local initiatives that similarly address these problems.

Policy 2

When preparing or considering applications, applicants, responsible Authorities, other persons, businesses and the Licensing Authority shall, where appropriate, take into account the following matters in assessing both the potential for the Licensing Objectives to be

undermined and the appropriateness of, and proportionality of, any conditions which may be offered or imposed on any resulting licence, certificate or permission:

- (a) The nature of the area within which the premises are situated.
- (b) The precise nature, type, and frequency of the proposed activities.
- (c) Any measures proposed by the applicant in the Operating Schedule.
- (d) The nature (principally in terms of the age and orderliness) and number of any customers likely to attend the licensed premises.
- (e) Means of access to and exit from the premises.
- (f) Noise from the premises or people visiting the premises
- (g) The potential cumulative impact (see below).
- (h) Other means and resources available to mitigate any impact.
- (i) Such other matters as may be relevant to the application.

REASON: To ensure that all relevant matters are taken into consideration during the application process.

7.3. The Authority wishes to encourage high quality, well managed premises. The operating schedule should describe how these high management standards will be achieved. In particular applicants will be expected to demonstrate:

- Knowledge of best practice
- That they understand the legal requirements of operating a licensed business
- Knowledge and understanding of the licensing objectives, relevant parts of the licensing policy, and their responsibilities under the Licensing Act 2003

7.4. The operating schedule must include all of the information necessary to enable both the Licensing and Responsible Authorities as well as members of the public to assess whether the steps outlined for the promotion of the licensing objectives are sufficient. This will mean that applicants will need to complete their own risk assessments on their businesses. Where the operating schedule does not provide enough detail, there is an increased likelihood that representations will be made.

7.5. The Authority will expect that the completed operating schedule is specific to the premises subject to the application and the licensable activities to be

carried out rather than containing general or standard terms.

- 7.6. Levels of noise from licensed premises, which may be acceptable at certain times of day, may not be acceptable later in the evening or at night when ambient noise levels are much lower. The main impact of customers arriving, queuing and leaving should be confined to principal pedestrian routes as far as possible. The impact of noise arising from patrons that are temporarily outside the premises (e.g., smoking or moving from one part of the premises to another) must be recognised and mitigated against.
- 7.7. Applicants should carefully consider the hours that they will wish to operate for each licensable activity and when to close their premises for the entry of customers and to require them to leave. They should consider each licensable activity separately and carefully and reflect this in their operating schedule. Shops, stores, and supermarkets will normally be permitted to sell alcohol and or late-night refreshment anytime when they are open for shopping unless there are good reasons related to the promotion of the licensing objectives for restricting these hours.
- 7.8. Applicants should consider the benefits of stopping serving alcohol before other licensable activities stop and a suitable time before the premises close and customers must leave. In noise sensitive areas operators should consider ceasing the playing of dance music and switching to quieter, slower tempo music with a less pronounced beat for a period prior to the closure of the premises.
- 7.9. Applicants should also consider making arrangements with local transport operators to provide information to customers to ensure they can access public transport and leave the vicinity of the premises quickly by the most appropriate route.
- 7.10. The Authority is mindful of the responsibilities that licence holders have for preventing anti-social behaviour on and within the vicinity of their premises. The Authority must, however, also bear in mind its statutory duty under the Crime and Disorder Act 1998 to do all it can to prevent crime and disorder in the District. Where appropriate conditions will be imposed which reflect local Crime Prevention strategies.
- 7.11. Applicants are expected to have carried out the relevant assessments under other legislation (e.g., fire precautions, health and safety at work, etc) prior to

submitting their applications. These assessments should be used to identify particular issues which may need to be addressed in the operating schedule in order to ensure that the objectives will not be undermined. Suggested methods of addressing Policy 2 may be outlined in more detail in any guidance issued by the Responsible Authorities but could include the matters listed below where appropriate.

- 7.12. The Council recognises that drug use by people in a 'club' or 'bar' environment is not something that applies to all licensed premises. The Council will expect licensees to take all reasonable steps to prevent the entry of drugs into premises under their control, to take appropriate steps to prevent drugs changing hands within the premises, to take practical measures to prevent tragedies as a result of drug misuse by way of management and design of the premises and work collaboratively with the Police to deal with any such issues.
- 7.13. Licensees should also consider what action will be taken to prevent the spiking of drinks at the premises, i.e. where drugs or alcohol are added to someone's drink without them knowing. Alcohol is the common substance used to spike drinks. Safety measures could include encouraging customers to ensure their drinks are not left unattended, and the use of publicity material to ensure customers remain vigilant.
- The use of toilet attendants or regular documented toilet checks and Searches of the premises
 - Training of staff in drug awareness to identify and prevent the supply and use of illegal drugs and new psychoactive substances
 - Physical measures to deter drug use on the premises.
 - Make customers aware of the risk of drink-spiking.
 - Train staff in drug awareness issues and ensure sufficient staffing and managerial support to make identification and handling of incidents practicable.
 - Ask for Angela' - this initiative advises customers through posters in venue toilets that, if they 'ask for Angela' at the bar, staff will be alerted to the fact that the person feels unsafe or threatened. Staff will know that the individual needs support to leave their situation, and can call them a taxi, escort them to their car or call the police, for example.

7.14. Examples of recommended management practice to minimise Crime and Disorder:

- Use of CCTV both within and outside the premises.
- Metal detection and search facilities.
- Procedures for risk assessing promotions and events such as “happy hours” and plans for minimising such risk.
- Measures to prevent the use or supply of illegal drugs.
- Employment of licensed door supervisors and other appropriately trained staff.
- Participation in an appropriate Pub Watch Scheme or other such scheme aimed at achieving a safe, secure and social drinking environment e.g., bar tariffs (for all bar price lists to carry a guide of how many units of alcohol each individual drink contains) and recommendations that all licensees, managers or supervisors attend regular Pub Watch meetings or send a representative if they cannot attend.
- The licensee providing a taxi call point, waiting and concierge service for the licensed premises.
- Use of measures aimed at ensuring patrons are more relaxed and quieter when leaving the licensed premises e.g., playing quieter music and promoting non-alcoholic drinks towards the end of the event, ensuring good lighting outside the premises, staggering the closing time with regard to nearby licensed premises, etc.

7.15. Examples of recommended management practice to ensure public safety:

- The preparation and application of appropriate risk assessments.
- The setting and monitoring of occupancy levels for the premises.
- Reasonable facilities, access and egress for people with disabilities.
- Having glassware policies.

7.16. Examples of recommended management practice for the protection of children:

- Exclusion from the premises in certain circumstances.
- Implementation of a robust proof of age scheme.

7.17. Supply of Alcohol (Off Sales)

- The display of prominent warning notices about the supply of alcohol to

minors;

- Knowledge of the offences which adults can commit by buying alcohol for minors;
- The requirements for production of satisfactory proof of age;
- a commitment to the promotion of age verification schemes (i.e., Challenge 21 /Challenge 25).
- Whether any high strength beers, lagers, ciders, etc will be made available for sale.

7.18. Examples of recommended management practice for preventing nuisance:

- Keeping doors and windows of licensed premises closed to minimise noise break out.
- Sound limiting devices, or insulation to contain sound and vibration so as to address noise break out not only from music but also, for example, from air handling equipment, generators or patrons.
- With popular premises that attract queues ensuring that the direction of any queue is away from residential accommodation.
- Proper and adequate door supervision.
- Erecting prominent notices at the exits to premises asking customers to leave quietly and not to slam car doors and repeating such requests verbally.
- Reducing the volume of music towards the end of the evening and where appropriate playing quieter, more soothing music as the evening winds down.
- Arrangements with licensed taxis or private hire vehicles to take patrons from the premises.
- In appropriate cases door supervisors or a manager patrolling nearby streets to assess for themselves whether there is a problem and how best to deal with it.
- Banning people who regularly leave in a noisy fashion and liaising with other premises on such bans.
- Where the premises have a membership scheme, including provisions in the conditions of membership concerning conduct and noise when leaving the premises.
- Adequate provisions for dealing with litter/refuse arising from the operation of premises.
- Appropriate times for and methods of dealing with bottle delivery, disposal and collection.

- The licensee providing a help line or contact number for concerned residents.
- 7.19. In some cases, it may be helpful for applicants and/or their advisors to discuss their draft Operating Schedule with representatives of Responsible Authorities, before it is formally submitted. This will help ensure it properly addresses all relevant issues that might give rise to concern.
- 7.20. In order to provide a consistent and clear approach, when considering the addition of conditions to a licence the Licensing Authority will where possible use a condition from a 'pool of potential conditions' that has been agreed by all the Licensing Authorities in Nottinghamshire. Other Responsible Authorities will be encouraged to do likewise.
- 7.21. Any condition attached to a licence or certificate should be:
- Clear
 - Enforceable
 - Evidenced
 - Proportionate
 - Relevant
 - Be expressed in plain language capable of being understood by those
 - Expected to comply with them.
- 7.22. As a general rule, the Licensing Authority will seek to avoid attaching conditions that duplicate existing legal requirements and obligations imposed by other regimes unless such obligations and requirements fail to adequately address the specific circumstances of the case.

Outside Areas

- 7.23. The prohibition on smoking in enclosed public spaces has increased the demand for outside areas. Applicants are reminded that whilst they can be a valuable addition to the business, they can cause increased nuisance and disorder for residents. Operating schedules should detail how noise nuisance and disorder will be dealt with.
- 7.24. Although consumption of alcohol is not a licensable activity, if the plan does not show outside areas such as beer gardens or similar, then any premises licence authorising the sale of alcohol on the premises only would not authorise the use of such areas.

Large Scale Events

- 7.25. Existing licensed premises which intend to run one-off large-scale events (and particularly dance events) are encouraged to consult with the Responsible Authorities and the Safety Advisory Group well in advance of the event taking place, to ensure that the event does not undermine the licensing objectives.

Counter Terrorism

- 7.26. The licensing authority expects that:

- The venue has robust procedures and relevant training in place and staff are knowledgeable of those procedures to be taken and the necessity of following them in the event of a terrorist incident, such as firearms or weapons attack, including:
 - Evacuation/Invacuation/Lockdown
 - RUN/HIDE/TELL principles
 - How customers will be safeguarded.
- Steps are taken to ensure all people employed at the premises whose job includes being alert to the terrorist threat are aware of:
 - the current terrorist threat level
 - what that level means in relation to the possibility of an attack.
 - Have undertaken the Action Counters Terrorism (ACT) eLearning course within the last 12 months. See note below.
- Risk assessments for public entertainment venues include consideration of the risk of a terrorist attack and the different types of attack. .
- Staff must be clear about what to do if the public report suspicious activity or unusual behaviour to them.
- All suspicious behaviour by customers or members of the public close to the venue must be noted and be reported promptly to the police so that investigations can be made, and action taken, if appropriate.
- Measures to alert staff and visitors of any immediate threat or incident.

Action Counters Terrorism (ACT) training

Further details, updates and to register for the ACT e-learning training course please visit: <https://www.protectuk.police.uk/>

Cumulative Impact

- 7.27. This potential impact on the promotion of the Licensing Objectives by a

significant number of licensed premises concentrated in one area is called “cumulative impact”. This should not be confused with the issue of “need” which relates to the commercial demand for licensed premises and cannot be taken into account when determining licensing applications.

- 7.28. Cumulative Impact Assessments (CIA’s) were introduced in the Licensing Act 2003 by the Policing and Crime Act 2017.
- 7.29. The absence of a special policy does not prevent any Responsible Authority or interested party making representations on a new application for the grant of a licence on the grounds that the premises will give rise to a negative cumulative impact on one or more of the licensing objectives. However, in each case it would be incumbent on the person making the representation to provide relevant evidence of cumulative impact.
- 7.30. The Authority following consultation with the appropriate bodies/persons do **not consider** there to be any parts of its area where a particular concentration of licensed premises is considered to be already causing a cumulative impact on one or more of the Licensing objectives.

Public Space Protection Orders

- 7.31. This Authority supports the use of public space protection orders as a tool to prevent alcohol related crime and disorder in the streets. The Authority expects premises that operate in areas where there are PSPO’s implemented to have measures in place to ensure that their customers do not contribute to drink related anti-social behaviour.

Closure Notices

- 7.32. Section 19 of the Criminal Justice and Police Act 2001 (the Act) gives licensing authorities, police and local authorities the power to serve a closure notice where any premises are being used (or have been used within the last 24 hours), for the sale of alcohol for consumption on or in the vicinity of the premises; and the activity was not authorised (premises licence, club premises certificate or temporary event notice) or not in accordance with the conditions of authorisation.
- 7.33. The notice informs the person with control of, or responsibility for, the activities carried on at the premises (normally the licence holder or the designated premises supervisor) that if unauthorised alcohol sales continue,

an application may be made to a court under section 20 for an order to close the premises under section 21 of the Act. Such an application cannot be made less than seven days or more than six months after the service of the Closure Notice under section 19.

- 7.34. Further power to close premises are contained in Anti-Social Behaviour Crime and Policing Act 2014. Closure Notices can be issued if the use of the premises has, or is likely to result in, nuisance and disorder. Under a Closure Notice a premises can be closed for up to 48 hours. A subsequent application can then be made to Magistrates Court for a Closure Order if there is evidence that there is serious nuisance to members of the public or there is disorderly, offensive or criminal behaviour on, or likely to be on, the premises. A Closure Order can be made for up to 3 months and a subsequent application can extend for up to a further 3 months.

Encouraging diversity

- 7.35. The Licensing Authority recognises that creating a vibrant night-time economy is important. Key to this is ensuring that the area appeals to a wide group of people including families and older adults who may not wish to frequent premises where the main, if not only attraction is the consumption of alcohol.

Applications for premises whose predominant offer is “vertical drinking” that is to say standing only are not encouraged, but if applications are made for such premises, it is expected that the operating schedule will demonstrate robust arrangements for promoting the licensing objectives.

Provisional Statements

- 7.36. Where it is proposed to build or alter premises which may require a premises licence then the Licensing Act permits an application for a Provisional Statement. This application is dealt with in the same way as an ordinary application but does not result in the issue of a premises licence. That is applied for when the premises are complete.
- 7.37. Where a provisional statement has been issued by the Authority and the relevant works are completed satisfactorily then any subsequent application for a premises licence must be granted and any objection which could have been raised at the Provisional Statement stage must be disregarded.

Adult Entertainment

- 7.38. The potential for the provision of adult entertainment to impact on the licensing objectives is recognised in the prescribed application form and all applicants are required by the prescribed application form to indicate in their operating schedules whether they intend to provide any such entertainment which may give rise to concerns in respect of children.
- 7.39. The Policing and Crime Act 2009 potentially provides an additional licensing requirement for operators who provide “sexual entertainment venues” to licence them as sex establishments under the Local Government (Miscellaneous Provisions) Act 1982. These are essentially premises which provide live entertainment or performances to a live audience which either involve nudity (such as lap or pole dancing establishments) or which are for the purpose of sexually stimulating a member of the audience. The new licensing provisions are adoptive and do not necessarily apply in every Licensing Authority’s district. Rushcliffe Borough Council has however adopted those provisions.
- 7.40. Where a business wishes to operate as a sexual entertainment venue it may still need to be licensed under the Licensing Act for the sale of alcohol and the provision of regulated entertainment. The provision of sexual entertainment will however be regulated solely under the terms of any sex establishment licence which may be granted under the 1982 Act.
- 7.41. Certain forms of adult entertainment are excluded from requiring sex establishment licences under the Local Government (Miscellaneous Provisions) Act 1982, and these will still be regulated under the terms of the Licensing Act 2003.
- 7.42. The provision of adult entertainment on premises may mean that access by children will not be permitted during periods when such entertainment is taking place. Where such entertainment is to be provided under the terms of the premises licence or club premises certificate the Authority expects applicants to include arrangements for restricting children from viewing any adult entertainment in their Operating Schedule. The Authority expects licensees to ensure that any age restrictions for shows or entertainment of an adult or sexual nature are properly complied with. In addition, it may be appropriate to impose age restrictions for persons working in the premises, and applicants are advised to also consider the wider crime and disorder issues which can be associated with such forms of entertainment such as issues relating to drugs and prostitution.

- 7.43. Responsible Authorities are likely to continue to consider all applications involving adult entertainment very carefully with regard to the promotion of the licensing objectives within the vicinity in which the premises are located.

Licence Suspensions

- 7.44. The Licensing Act 2003 requires Licensing Authorities to suspend a premises licence or club premises certificate if the annual fee is not paid when it is due unless an administrative error or dispute has been notified to the Licensing Authority. In such cases there will be a grace period of 21 days to allow the matter to be resolved. If the matter is not resolved within grace period the licence must be suspended.
- 7.45. Where such a suspension takes place the Licensing Authority must give a minimum of two days' notice and may inform the police and other Responsible Authorities of the suspension. All licensable activities must cease when the suspension takes effect. The suspension will only cease on payment of the outstanding fee irrespective of any transfer or hearing which may take place.

Reviews and Expedited Reviews

- 7.46. At any stage following the grant of a premises licence or club premises certificate a Responsible Authority or any person, may ask for a review. Evidence will however be required to show that a specific concern exists relating to one or more of the licensing objectives.
- 7.47. Where a review Hearing is held the Licensing Authority has a variety of options that it may take ranging from taking no action at all, to varying conditions or suspending or revoking the licence. The Guidance reminds the Authority that the powers of review are to be used in the interests of the wider community and not that of the individual licence/certificate holder. Whilst the financial circumstances of the licence/certificate holder will be a consideration for the Licensing Authority the promotion of the licensing objectives will be the Authority's primary concern. In some circumstances e.g., the use of premises for the purchase and consumption of alcohol by minors, revocation may be considered an appropriate course of action even in the first instance.
- 7.48. Where a licensed premises appears to be associated with serious crime, serious disorder or both, the Police can apply for a 'summary', or 'expedited', review of the premises licence.

Early Morning Restrictions Orders (EMROs)

- 7.49. The legislation gives licensing Authorities discretion to restrict sales of alcohol by introducing an EMRO to restrict the sale or supply of alcohol to tackle high levels of alcohol related crime and disorder, nuisance and anti-social behaviour. The order may be applied to the whole or part of the licensing Authority area and if relevant on specific days and at specific times. The licensing Authority must be satisfied that such an order would be appropriate to promote the licensing objectives.
- 7.50. The only exemptions relating to EMROs are New Year's Eve and the provision of alcohol to residents in premises with overnight accommodation by means of mini bars and room service.
- 7.51. The decision to implement an EMRO should be evidence based and may include consideration of the potential burden imposed as well as the potential benefits.

Alcohol Delivery Services

- 7.52. An applicant seeking a licence that will enable them to provide alcohol as part of an alcohol delivery service should include in their operating schedule the procedures that they intend to operate to ensure that:
- That the person they are selling alcohol to is over the age of 18;
 - That alcohol is only delivered to a person over the age of 18;
 - There is a clear document trail of the order process from order, despatch from the licensed premises and delivery to the customer is maintained (with times and signatures) and available for inspection by an authorised officer.
 - A refusals log will be maintained for deliveries and available for inspection on request.
 - The time that alcohol is sold on the website/over the phone and the time the alcohol is delivered is within the hours stated on the licence for the sale of alcohol.
 - Alcohol shall only be delivered to a residential or business address and may not be delivered to a public place.
 - Any delivery driver or third party courier will be required to have appropriate age verification training, and in particular they will be required to have undergone training in refusal of supply where age

verification is not provided, or the recipient is clearly intoxicated.

- Operators to have systems in place to ensure alcohol is not delivered to problematic house parties or to people who appear drunk, and, in such instances, alcohol should be refused, and that refusal recorded.

Pavement Licences

- 7.53. A pavement licence is a licence granted by the local authority which allows the licence-holder to place removable furniture over certain highways adjacent to the premises in relation to which the application was made, for certain purposes. It is important to note the grant of a pavement licence only permits the placing of furniture on the highway.
- 7.54. A pavement licence does not negate the need to obtain approvals under other regulatory frameworks, such as the need for a licence to sell alcohol, and the need to comply with registration requirements for food businesses. It is important that any pavement licence granted promotes the four licensing objectives.
- 7.55. For further information on pavement licences please use the link below:

Rushcliffe - Pavement Licence (<https://www.rushcliffe.gov.uk/environmental-health/licensing/alcohol-entertainment-and-food-licences/pavement-licence/>)

Personal Licences

- 7.56. In most cases the Authority is under a duty to grant a Personal Licence so long as the applicant meets the criteria prescribed in section 120 of the Act. Where an applicant for a Personal Licence has certain types of conviction (for relevant or foreign offences as defined by the act) or, has been required to pay an immigration penalty the Authority is required to notify the police, and, in the case of immigration offences and penalties, the Secretary of State. In these cases, a licence will still be granted unless an objection is received within the prescribed period.

Policy 3

When considering an objection notice or immigration objection notice the Authority will take the following matters into consideration

- (a) The circumstances in which the offences were committed or the penalty imposed;
- (b) The period that has elapsed since the offence(s) were committed or the penalty imposed;
- (c) Whether the offences/penalty reveal a pattern of offending or were a one-off occurrence; and
- (d) Any mitigating circumstances.

In consideration of an objection notice the Authority may reject the application/revoke the licence if it considers it appropriate to do so in order to promote of the crime prevention objective.

In consideration of an immigration objection notice the Authority may reject the application/revoke the licence if it considers it appropriate to do so for the prevention of illegal working in licensed premises.

REASON: Prevention of crime is both an objective of the Licensing Act 2003 and an important responsibility of the Authority under the Crime and Disorder Act 1998. Granting a licence to a person with relevant convictions will in many cases undermine rather than promote the crime prevention objective. Similarly granting licence to a person convicted of an immigration offence or who has paid an immigration penalty will in many cases undermine the prevention of illegal working in licensed premises which itself is a crime.

7.57. Where a Personal Licence holder is convicted of a relevant offence the Court may order that the licence be forfeit. If an applicant is convicted of a relevant offence during the application period and this only comes to light after the licence has been granted or renewed then the Authority must notify the Chief Officer of Police and if an objection notice is lodged within the relevant period a Hearing will be held to determine whether the licence should be revoked.

7.58. Where the Authority is aware that a Personal Licence holder has been convicted of a relevant offence, foreign offence or required to pay an immigration penalty it may suspend the licence for a period not exceeding six months or revoke the licence. Before doing so the Authority will serve a

notice on the personal licence holder inviting them to make representations within 28 days regarding:

- The offence /penalty
- Any decision a court made regarding the licence at the time of the conviction
- Any other relevant information (including the holder's personal circumstances)

7.59. After the 28 day period has elapsed the Authority will make a decision as to what action it will take based on the information provided to it. In circumstances where the Authority does not propose to revoke the licence, notice must be given to the Chief Officer of Police inviting representations as to whether the licence should be suspended or revoked. **The Act does not require a hearing to be held at any stage during the process**, although the Authority may invite the licence holder to make a personal representation. Licence holders (and the police) will be notified of the Authority's decision in writing along with their right of appeal.

Temporary Event Notices

7.60. There are two types of types of Temporary Event Notice (TEN)

- A Standard TEN, and
- A Late TEN

A standard TEN must be served no later than ten working days before the event to which it relates takes place and this does not include the day it is given or the day of the event, and a late TEN is served not before nine and not less than five working days before the event to which it relates.

7.61. Whilst the Council recognises that a Temporary Event Notice may be served at least ten clear working days prior to the commencement of a Permitted Temporary Activity (the event), the current Guidance issued under the Act encourages a locally established preferred period of notice. There is a case for not serving such Notices too early as this could make it difficult for a sensible assessment to be made of the implications of such an event on the Crime and Disorder and Prevention of Public Nuisance objective's. The Council considers that a reasonable period of notice for the service of a Temporary Event Notice is 28 days.

- 7.62. Persons serving Temporary Event Notices must also serve a copy notice on the police and the Responsible Authority for Environmental Health functions i.e., the Councils Environmental Health section. Except when the TEN is served electronically/digitally.
- 7.63. Further information regarding Temporary Event Notice's is contained on the Councils web pages at www.rushcliffe.gov.uk

8. SAFEGUARDING AND CHILDREN

- 8.1. Rushcliffe Borough Council is committed to the safeguarding of children and vulnerable persons.

The Licensing Act 2003 places legal responsibilities on holders of Premises Licences and Club Premises Certificates, and those who work in licensed premises to ensure that children are protected from harm at all times when on licensed premises.

The Licensing Authority in partnership with the Police, the Nottinghamshire Safeguarding Board, and local Community Safety Partnerships works closely with licensed premises in order to build an awareness across the industry as to how those who work in such establishments may better recognise the "indicators" of children and vulnerable persons who may be subject to or at risk of abuse, exploitation, and trafficking; and to whom to report any concerns that those licence holders and their staff may have should they identify someone who is / may be at risk.

As part of this process the Licensing Authority carries out regular enforcement/compliance checks across all of the premises licensed in our area, in order to build good working relationships with licence holders and designated premises supervisors and providing them with advice as to how they and their staff can help safeguard children and vulnerable persons across the Nottinghamshire region.

When considering applications for new licences and variations to existing licences, the Licensing Authority will seek to be assured that applicants have considered the safeguarding of children and vulnerable persons within the 'Operating Schedule of the application.'

Re: Supply of Alcohol (Off-Sales)

- (a) The display of prominent warning notices about the supply of alcohol to minors;
- (b) Knowledge of the offences which adults can commit by buying alcohol for minors;
- (c) The requirements for production of satisfactory proof of age;
- (d) A commitment to the promotion of age verification schemes (i.e., Challenge 21 / Challenge 25).
- (e) Whether any high strength beers, lagers, ciders, etc will be made available for sale.'
- (f) Recording the refusal of sale of age related products

8.2. Examples which may give rise to concerns in respect of children include those:

- Where there have been convictions for serving alcohol to minors
- Where there is a reputation for underage drinking
- Where there is a known association for drug taking or dealing
- Where there is a strong element of gambling on the premises
- Where entertainment of an adult or sexual nature is provided

8.3. Where premises are used for film exhibitions, the Authority will impose the mandatory condition restricting access only to persons who meet the required age limit in line with any certificate granted by the British Board of Film Classification or the Authority itself.

8.4. The Authority expects applicants to include any arrangements for restricting under-age children from viewing age-restricted films in their Operating Schedule. The Authority expects that licensees will ensure that any age restrictions for cinema exhibitions are properly complied with.

8.5. Employers have a duty of care for employees and should adopt a risk-based assessment approach to ensuring the safety of all staff working late or unsocial hours to facilitate a safe and affordable journey home.

Public Safety is of paramount importance for the licensing authority and a safe night is a priority. The authority supports a number of initiatives in the to improve safety in the night-time economy.

- Vulnerability training for staff working in the night-time economy
- Ask for Angela <https://askforangela.co.uk/>
- Street Pastors <https://www.streetpastors.org/>

- Best Bar None <https://bestbarnone.com/>
- Pubwatch <https://www.nationalpubwatch.org.uk/>
- Nights of action

8.6. Violence against women and girls' covers a range of unacceptable and deeply distressing crimes, including rape and other sexual offences, stalking, domestic abuse, 'honour'-based abuse (including female genital mutilation, forced marriage and 'honour' killings), 'revenge porn' and 'up-skirting', as well as many others. These crimes disproportionately affect women and girls.

The licensing authority supports the Nottinghamshire Police and Crime Commissioners Violence Against Women and Girls Strategy <https://www.nottinghamshire.pcc.police.uk/Public-Information/Publications-and-Leaflets.aspx> and positively promotes and supports initiatives driven by this agenda.

8.7. It is recommended that all alcohol licensed premises follow the Portman Group Code of Practice, in particular that relating to particular appeal to under-18s www.portmangroup.org.uk

Policy 4

Where representations have raised concerns in respect of individual premises and it is felt that access of children should be restricted, the Authority will consider imposing conditions which may include the following:

- (a) Limitations on the hours when children may be present.**
- (b) Age limitations for persons under 18.**
- (c) Limitations or exclusion when certain activities are taking place.**
- (d) Full exclusion of persons under 18 when certain licensable activities are taking place.**
- (e) Limitations of access to certain parts of the premises for persons under 18.**
- (f) A requirement for adults to be present.**

REASON: To protect children from harm.

8.8. Applicants seeking a licence that would enable them to provide alcohol as part of an alcohol delivery service should include in their operating schedule the procedures they intend to operate to ensure that:

- The person they are selling alcohol to is over 18
- That alcohol is only delivered to a person over 18
- That a clear document trail of the order process from order to delivery is maintained (with times and signatures) and available for inspection by an Authorised officer
- The time that alcohol is sold on the website/over the phone and the time the alcohol is delivered is within the hours stated on the licence for the sale of alcohol.

Age verification policies

- 8.9. It is mandatory for premises which sell or supply alcohol to have an age verification policy in place. The Council favours the Challenge 25 scheme and such a scheme volunteered as part of an operating schedule will be given the appropriate weight when the Council determines the licence application.

9. EQUALITY AND DIVERSITY

- 9.1. 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. All Council policies are subject to Equalities Impact Assessments.

- 9.2. Advice and guidance will be made available in English which is the most common language of customers and stakeholders. On request the Council will signpost customers to providers of guidance and information relating to translation services.

10. GENERAL ENFORCEMENT STATEMENT

- 10.1. All decisions, determinations, inspections and enforcement action taken by the Authority will have regard to the relevant provisions of the Licensing Act 2003, national guidance and the enforcement policy of the Council.
- 10.2. The Authority has established and maintains enforcement protocols with the local police and other relevant enforcement agencies.
- 10.3. Any enforcement action will be considered based on all relevant circumstances.

11. MONITORING AND REVIEW OF THIS STATEMENT OF POLICY

- 11.1. This Statement of Policy will be reviewed within legislative timescales and as and when appropriate. In preparing the succeeding Statement of Policy regard will be had to data and information collated over the operating period of the current policy together with trends and the outcome of related initiatives from both local sources and nationally issued data and guidance.

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Rushcliffe Borough Council
Rushcliffe Arena
Rugby Road
West Bridgford
NOTTINGHAM
NG2 7YG

28 November 2023

To Whom it May Concern,

RE: Supporting statement for amendments to Statement of Licensing Policy

We are writing to you regarding the recent changes we have proposed to the Statement of Licensing Policy, which is due to be renewed in January 2024.

Whilst we understand that Public Health is not a licensing objective in its own right, the department, on behalf of the Director of Public Health (DPH), is keen to exercise the position of the DPH as a responsible authority. There are intrinsic links between the licensing objectives and Public Health, which centre around improving the wellbeing and quality of life of residents across Nottinghamshire.

The proposed changes to the Statement of Licensing Policy in relation to Public Health are few. We recognise the unique position of Public Health in relation to the variety of data we have available and the analytical capabilities within the department. We are currently capitalising on this position to create a matrix which will encompass a range of data relating to health harms of alcohol and data relating to the four licensing objectives. The intention is that the matrix will be used by Public Health and will be available to other responsible authorities to support representations in relation to alcohol licensing applications. It may be perceived as unfair for this matrix to be in operation and be used to make representations without making applicants aware of its existence and purpose. As a result, it is proposed that information about the matrix is included in the Statement of Licensing Policy.

To enable those writing an application for a license within the areas with highest alcohol-related harms to consider and outline mitigating measures, we feel it is important for these areas to be highlighted in the Statement of Licensing Policy. As the matrix is not yet fully operational, the areas with higher harms have been taken from [previous work undertaken in 2018](#). We propose for the list to be included as it is presented within this work to support more accurate targeting of mitigating measures.

We thank the Licensing Team for their invitation and support in relation to the inclusion of Public Health in the Statement of Licensing Policy and would be happy to address any concerns around the proposed changes.

Yours faithfully

Yaroslava Hnylycia
Public Health Commissioning Manager
Nottinghamshire County Council
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Nottinghamshire County Council
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Amendments to the Licensing Policy Statement for 2024: Summary

The policy has been discussed by Licensing Officers and other attendees to the NALG. The wording has been drafted to enable a consistent regional view of policy.

Changes log	Context and reason	comment
Pages numbering and some indexing changed throughout	Necessary due to changes	
Para 4.2 -4.9 amended; These paragraphs relate to the Public Health as a statutory consultee and their role. The PH has requested a specific wording to be inserted. See consultee response.	Requested by PH to support them and other statutory consultees in certain areas of the Borough.	See supporting statement. Decisions needs to be made around the wording of Paragraph 4.8.
5.3-5.4	Defines responsible authority more clearly. Inserts 5.3 rennumbers existing to 5.4	
6.2 insertion	Relates to substantial variation. In certain circumstances a new application is required	Confirms this requirement of substantial variation. See para 8.77 of section 182
6.4	Includes reference to online forms being implement in 2023/2024 by RBC	New applications route available in 2023/24
6.13	Includes reference to a health matrix developed by PH to help inform licensing decisions.	
Subsequent paragraphs are renumbered due to insertions/deletions		
6.16-6.19	Includes the 'Entitlement to work in the UK' into the policy	Legal requirements now exist which should be referenced in the policy
7.2	Insert reference to Community Protection Notices as a mechanism for ASB	A common legal option missing from the previous policy

7.12-7.13	Updates around drugs and spiking of drinks	In response to recent concerns in particular around spiking of drinks.
7.20	Rewording to existing para 6.33 in relation of 'pool of conditions' These are not on the council's website.	The conditions are for reference and consistency where appropriate. But if a condition is to be applied it should be specific to the site not implied by publication that it/they will be limited to the list.
7.26	New requirements with regards to counter terrorism.	New legal duty to consider in certain circumstances. Government policy is still developing.
7.27-7.28 Existing 6.39 Narrative on Cumulative impact removed	The council does not have a cumulative impact area. The wording is simplified as a result.	
7.31 minor amend	Minor amend to references PSPO's	
7.32-34 Closure Notices	Inclusion of powers of closure notices in specific circumstances	
Existing 6.44 Policy 3 Rebuttable presumption removed in a saturation zone.	This has been removed from the section 182 guidance	as such is recommended to remove
Existing Policy 4 regarding Cumulative impact removed	The council does not have a cumulative impact area or policy.	
7.45 & 7.48 Title change and reference to Expedited reviews	To reference 'expedited reviews'	
7.52 inclusion of Alcohol delivery services	Specific controls over these services now included	To address areas of possible underage access to alcohol via delivery service

7.53- 7.55 Pavement licences	These are now with Licensing Authorities and are therefore required to be included in the policy	
Renumbering of existing policies due to deletion	No changes to wording	
Chapter 8 retitled	To Safeguarding and Children	
8.5-8.7 safeguarding in relation to Women and Girls	Response to specific behaviours in pubs/clubs	
Renumbering of policy due to deletion	No changes to wording	

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EQUALITY IMPACT ASSESSMENT FORM: Statement of Licensing Policy renewal

Name and brief description of proposal/project / policy / service being assessed:

Click once and type. Briefly summarise the service or proposal including key aims and any relevant context' note timescales for any planned changes' use plain language; refer to other document(s) if needed.

Rushcliffe Borough Council is the 'Licensing Authority' for all licensable activities within the borough. The licensable activities are:

- The sale of alcohol by retail
- The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club
- The provision of regulated entertainment
- The provision of late night refreshment

The council carries out its functions under the Licensing Act 2003 with a view to promoting the four licensing objectives, namely:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

Under Section 5 of the Licensing Act the council is required to prepare and publish a Statement of Licensing Policy that they propose to apply in exercising their functions under the Act during the five year period. The policy is being updated and renewed and this EIA assesses the impact of the proposed policy.

The aims of the Statement Of Licensing Policy are:

Establish sensible controls and appropriate guidance to encourage and further the efforts that are being made by the Council and its partners together with the licensed trade to help the Authority deal with issues that arise from licensable activities. This will be achieved by:-

- Establishing and building upon best practice within the industry;
- Recognising and facilitating the role of partners and stakeholders;
- Encouraging self-regulation by licensees and managers;
- Providing a clear basis for the determination of licence applications; and
- Supporting related policies and strategies of the District Council.
- An inspection and enforcement regime targeted at premises that present a high risk.

Information used to analyse the effects of equality:

Click once and type. Note any relevant consultation and who took part; refer to or attach other document(s) if needed

The Statement Of Licensing Policy is reviewed and widely consulted upon every 5 years. This is a statutory function of the Licensing Authority. Consultees are identified in the Licensing Act 2003 and the consultation process includes a number of other interest parties. The policy has been consulted with the following:

- Nottinghamshire Police
- Nottinghamshire Fire Service
- Environmental Health
- Nottinghamshire Trading Standards
- The Planning Authority
- Public Health Board
- The consultation is published on the Councils consultation pages
- Persons considered to be representatives of:
 - Existing premises licence holders
 - Existing club premises certificate holders
 - Existing personal license holders
 - Ward Members and Parish Councils

No consultee has responded concerning possible equality impacts.

	Could particularly benefit (X)	May adversely impact (X)	How different groups could be affected: Summary of impacts	Details of actions to reduce negative or increase positive impact (or why action not possible)
People from different ethnic groups	x	not applicable	No adverse impact has been identified. Policy will provide protection to all ethnic groups	not applicable
Men, women (including maternity/pregnancy impact), transgender people	x	not applicable	No adverse impact has been identified. Policy will provide protection to all groups	not applicable
Disabled people or carers	X	not applicable	No adverse impact has been identified. Businesses have a duty under national legislation to make reasonable adjustments for people with disabilities. The policy supports this and as such provides a particular benefit to this group.	The policy states that recommended management practice is to have “reasonable facilities, access and egress for people with disabilities”. Should there be any reported incidents or issues, the licensing team will liaise with planning to assist in resolving matters.
People from different faith groups	not applicable	not applicable	No adverse impact has been identified.	not applicable
Lesbian, gay or bisexual	Not applicable	not applicable	No adverse impact has been identified.	not applicable
Older or younger people	Not applicable	X	There are legal restrictions on the serving or supplying Alcohol to those that are under the legal age. One of the licensing objectives is the protection of children from harm. As such persons that are above the legal age but appearing younger may not be served without proof of age.	It is mandatory for premises which sell or supply alcohol to have an age verification policy in place. The Council favours the Challenge 25 scheme and such a scheme volunteered as part of an operating schedule will be given the appropriate weight when the Council determines the licence application. Such schemes will ensure legal compliance and those above the legal age are not adversely affected.

Other (marriage/civil partnership. Looked after children, cohesion/good relations, vulnerable children/adults, care leavers)	X	not applicable	No adverse impact has been identified. However public safety is a licensing objective. The Licensing Act 2003 places legal responsibilities on holders of Premises Licences and Club Premises Certificates, and those who work in licensed premises to ensure that children are protected from harm at all times when on licensed premises. As such this policy provides a particular benefit to this group.	When considering applications for new licences and variations to existing licences, the Licensing Authority will seek to be assured that applicants have considered the safeguarding of children and vulnerable persons within the Operating Schedule of the application
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OUTCOME(S) OF EQUALITY IMPACT ASSESSMENT: *(delete as appropriate)*


No major change need ~~Adjust policy/proposal/project~~ ~~Adverse impact but continue~~ ~~Stop/remove project/policy/proposal~~

Arrangements for future monitoring of equality impact of this policy/proposal/project:
Note when assessment will be reviewed (e.g. review assessment in 6 months or annual review).

At the next 5-year review

Names of officers who conducted EIA and date

Mr Martin Hickey Principal Officer, Community Safety & Licensing

Approved by:  **Date: 25/9/2023**
(manager signature)