



**Bassetlaw**  
DISTRICT COUNCIL  
— North Nottinghamshire —

## **COUNCIL MEETING**

### **SUMMONS**

You are hereby summoned to attend  
a meeting  
of Bassetlaw District Council  
to be held on  
**THURSDAY, 23<sup>RD</sup> SEPTEMBER 2021**  
**at 6.30PM**  
in **The Town Hall, RETFORD, DN22 6DB**  
for the purpose of transacting  
the business on the agenda.

A handwritten signature in black ink, appearing to read 'D Armiger'.

**D Armiger**  
Interim Chief Executive

Queen's Buildings,  
Worksop, S80 2AH

Dated 15<sup>th</sup> September 2021





# AGENDA

1. **APOLOGIES**
2. **DECLARATIONS** To receive Declarations of Interest by Members and Officers

Members are also reminded of the requirements of Section 106 of the Local Government Finance Act 1992 that they should declare and not vote on specified matters if they are two months or more in arrears with their Council Tax payments.

3. **MINUTES** To approve as a correct record the Minutes of the Meeting held on 24<sup>th</sup> June 2021 (pages 7-14)
4. **COMMUNICATIONS** To receive such communications as the Chairman, Interim Chief Executive Leader and desire to lay before the Council.
5. **QUESTIONS BY THE PUBLIC** To answer questions of which notice has been given in accordance with Rules of Procedure Number 10.

From Dr Steffi Harangozo:

“As COP26 approaches, will the council commit to a robust climate emergency plan reducing Bassetlaw’s area-wide emissions by 50% in 10 years and, before COP26 starts, establish and fund a public forum for all key stakeholders and a cabinet member to advise the council on long-term funded carbon reduction programmes including joint initiatives with local public bodies, businesses and, in particular, our communities?”

6. **QUESTIONS BY MEMBERS** To answer questions of which notice has been given in accordance with Procedure Rule Number 11.

From Councillor G Bowers:

“A1 Housing Bassetlaw Limited.

On 8th June 2021 notice was given by Companies House for a Compulsory Striking Off Order for this company as the Directors had failed to ensure the accounts were submitted on time.

(The strike off order was later suspended on 19 June 2021). However the accounts still remain OVERDUE. When will the council act to ensure the company is fully compliant with The Companies Act 2006 and protect Bassetlaw District Council from potential litigation?”

From Councillor A K Coultate

“Does the Council believe that the current CCTV system covering public spaces is adequate for purpose?”

From Councillor M Watson:

“Given the current scale of the refugee problem, most recently including many from Afghanistan, does Bassetlaw District Council have any plans to offer resettlement to refugees within the District?”

## 7. MOTIONS

To consider motions of which notice has been given in accordance with Procedure Rule Number 12.

Proposed by Councillor S A Greaves and seconded by Councillor J White

“This Council has grave concerns about the Governments plans to build more homes through the National Planning Policy Framework and through its proposals contained within the forthcoming White Paper on planning which is regardless of the views of local people.

This Council believes that public consultation is a key requirement of the planning system but in reality, the limitations of the NPPF mean that public opinion carries little weight if it does not accord with the views of statutory bodies and “experts”.

The statutory requirement for local authorities to bring forward a Local Plan that meets with anticipated employment and population growth has been straitjacketed by the Government’s National Planning Policy Framework.

This Council welcomes any forthcoming proposals that may reduce the Government’s national housing target of building 300,000 houses per year. However, it believes that whilst the Governments primary focus remains on building houses it will leave little room for the consideration of community aspirations and ambitions.

This Council calls for a democratisation of the planning system where communities can be meaningfully involved, there is a meaningful understanding of what community concerns are and they have a direct say in future local housing numbers, infrastructure needs and future environmental sustainability for their area,

This Council calls on the Secretary of State for Local Government to adopt such proposals in the forthcoming White Paper, to pause all emerging Local Plans to ensure that these proposals can be enacted at a local level and to extend the pause to development sites in emerging plans and a moratorium on speculative development during this timeframe.”

Proposed by Councillor M Introna and seconded by Councillor A K Coultate

“In Bassetlaw we need 2,500 signatures for a petition to be discussed in council and it is proposed that this number is reduced to 1,000 signatures for large scale or district-wide issues.

For individual villages or other smaller communities it is proposed that a smaller number is fairer and more representative and as such only 400 signatures are required for issues that primarily impact 1 to 4 district wards and that this would be making our council more supportive of our communities and encouraging community involvement in our local democracy.

In any case it is also accepted that any petition submitted to the council over at least 200 signatures and less than 400 should receive a written response by the relevant department or committee within the council.”

Proposed by Councillor H L Tamblin-Saville and seconded by Councillor G Clarkson

“Council notes:

- 1) That members of the public have the right to be able to scrutinise the business of the Council and that this should be made as easy as possible
- 2) That all Members are elected to represent the electorate and should remain transparent and accountable to them at all times

- 3) The United Kingdom has a population of 64.1 million (2016) and 89% of this population are active internet users. 38 million people actively use social media and a further 50% of the total population actively use their mobile phones to access social media (source: thinkdigitalfirst.com)
- 4) Since January 2014, there has been a 4% growth in active internet users, 6% growth in social media users and 7% growth in mobile users accessing social media (source: thinkdigitalfirst.com)
- 5) That during the Covid-19 pandemic when meetings were held online, members of the public were able to access council meetings streamed online, increasing accessibility and transparency of meetings

Council resolves:

That all public meetings (excluding those items held in exemption) are live streamed through all supported media outlets that it currently manages, as well as any future social media platforms it may use.”

Proposed by Councillor S A Greaves and seconded by Councillor J White

“This Council recognises the impact that the covid-19 pandemic has had on the local economy and the labour market, forcing many to rely on welfare benefits to survive at this difficult time.

It notes the importance that the temporary uplift to universal credit of £20 per week has played in providing a lifeline for those struggling financially and registers its deep concern at plans to remove this vital support.

It notes that the Joseph Rowntree Foundation has estimated that if this temporary uplift is withdrawn, it will remove over £1000 a year from some Bassetlaw households.

This Council believes that this will leave many unable to afford basic necessities such as housing costs, food and heating. It recognises that after a four year benefit freeze, as well as the numerous challenges posed by the universal credit system, such as the five-week wait before payments are made, have created huge pressure on the budgets of the most vulnerable, leaving many trapped in debt and despair; and calls on the Government to end the uncertainty faced by millions of households and ensure that this temporary uplift in universal credit is made permanent to avoid a financial cliff-edge for claimants and to commit to a longer term strategy to tackle the shameful levels of poverty across the UK.

This Council commits to writing to the local Members of Parliament and to the Secretary of State for Work and Pensions to highlight our concerns.”

Proposed by Councillor S A Greaves and seconded by Councillor J White

“This Council is aware that between 1987 and 1995 British Coal did not pay any employer contributions into the UK industry Mine Workers Pension Schemes (MPS) which benefited them as employers by approximately £1.136 billion.

This Council notes that when its representatives and others voted to consequently close the schemes, they also took the decision to allow 50 per cent of any surpluses to be taken by the Government which it is calculated will result eventually in the Government receiving in excess of £8 billion from both the MPS and its associate the BCSSS pension scheme.

This Council is disappointed that a review called by the Parliamentary Business, Energy and Industrial Strategy Committee to give £1.2bn of pension funds to ex-miners was rejected by Government earlier this year, when they described the scheme as “fair and beneficial”.

This would have given a £14 increase to the average weekly pension of £84. and this Council believes that this decision is unfair and unjust and calls on the Minister for Industry, Business and Financial Affairs to reconsider this decision.

**8. REFERRALS \***

- (a) Audit & Risk Scrutiny Committee – 22<sup>nd</sup> July 2021 – Minute No.16(f) – Local Code of Corporate Governance 2021/22 (pages 15-33)
- (b) Overview & Scrutiny Committee – 31<sup>st</sup> August 2021 – Minute No. 42(a) – Overview and Scrutiny Committee Annual Report (pages 35-54)

**9. REPORT(S) OF THE DIRECTOR OF CORPORATE RESOURCES \***

- (a) Designation of The Council Monitoring Officer and Deputy (pages 55-56)
- (b) Annual Treasury Management Review 2020/21 (Key Decision No. 878) (pages 57-84)
- (c) Community Governance Review (Key Decision No. 887) (pages 85-107)

**10. REPORT(S) OF THE MONITORING OFFICER \***

- (a) Appointments to Council Committees and Outside Organisations 2021/22 Municipal Year (pages 109-111)

**11. REPORT(S) OF THE HEAD OF REGENERATION \***

- (a) Neighbourhood Planning: Request to modify the boundary of a designated area – Retford Town Centre (Key Decision No. 864) (pages 113-137)
- (b) Neighbourhood Planning: Modification to, and arrangements for a referendum relating to the Sturton Ward Neighbourhood Plan (Review) (pages 139-196)

***Exempt Information Items***

*The press and public are likely to be excluded from the meeting during the consideration of the following items in accordance with Section 100A(4) of the Local Government Act 1972*

**12. REFERRALS \***

- (a) Cabinet - 31<sup>st</sup> August 2021 – Minute No. 49(c) - Approval of the Bassetlaw Garden Village Vision Statement (Key Decision No. 859) (pages 197-244)

**13. REPORT(S) OF THE INTERIM CHIEF EXECUTIVE \***

- (a) Member Attendance (pages 245-247)

**14. ANY OTHER BUSINESS WHICH THE CHAIRMAN CONSIDERS TO BE URGENT**

\* Report attached

**BASSETLAW DISTRICT COUNCIL**

**Minutes of the Meeting held on 24<sup>th</sup> June 2021 at Retford Town Hall**

Present:	Councillor J P Bowker (Chair)	
Councillors	J R Anderson G Bowers H M Brand D K Brett R B Carrington-Wilde D Challinor A K Coultate K Dukes, T P Eaton BCA J Evans, S Fielding G Freeman K M Greaves S Isard, J A Leigh D J Merryweather J W Naish J W Ogle	D G Pidwell J Potts D R Pressley M W Quigley MBE A Rhodes M Richardson N J Sanders J M Sanger MBE S Scotthorne S E Shaw J C Shephard B Sofflet, L Stanniland H L Tamblyn-Saville C Tindle C Troop M G Watson J White

Officers in attendance: L Dore, D Hill, N Taylor and S Wormald.

(Meeting opened at 6.30pm).

The Chairman welcomed everyone to the meeting and read out the fire alarm/evacuation procedure. He also read out the procedure regarding filming/recording the meeting; there was no request to film/record the meeting.

**13. APOLOGIES**

Apologies for absence were received from Councillors M R Charlesworth, G Clarkson, D Depledge, C Entwistle, S A Greaves, G A N Oxby, J C Plevin, B L Schuller and R J Tomlinson.

**14. DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS**

(a) **Members**

Councillor L Stanniland declared a pecuniary interest in Agenda Item No. 3 – Petition,

(b) **Officers**

There were no declarations of interest by officers on matters to be discussed at the meeting.

(Councillor Stanniland left the meeting).

## 15. PETITION

Following a campaign to introduce one hour's free parking in the town centres as a way of increasing footfall and to support the many small and independent retailers, a petition containing over 2,500 signatures had been received in February 2021 and in accordance with Rules of Procedure No. 14, was presented to Council for debate.

The Lead Petitioner, Brendan Clarke-Smith MP, spoke in support of the proposal, having thanked Council for receiving the petition and being permitted to speak on the proposal.

Councillors J Evans, H M Brand, G Bowers and S Shaw spoke to the petition.

Councillor J White proposed that:

“The Council thanks everyone including the MP for sending the petition including the 2,585 people who signed it. The petition be received and referred to the appropriate Cabinet Member for consideration with a response to be provided to the Lead Petitioner in due course.”

Councillor Evans seconded the proposal.

**RESOLVED** that the petition be received and referred to the appropriate Cabinet Member for consideration with a response to be provided to the Lead Petitioner.

(Councillor Stanniland re-joined the meeting).

## 16. QUESTIONS BY THE PUBLIC

There were no questions from members of the public of which notice had been given in accordance with Rules of Procedure Number 10.

## 17. MINUTES OF THE MEETING HELD ON 19<sup>th</sup> May 2021

**RESOLVED** that the Minutes of the meeting held on 19<sup>th</sup> May 2021 be approved.

The Chairman's Consort, Millie Hunter, had been unable to attend the meeting on 19<sup>th</sup> May so at this point in the meeting, she was presented with the Consort Medal by the Vice-Chairman, Councillor M Richardson.

## 18. COMMUNICATIONS

### Chairman's Communications

“I have enjoyed my first month in office and have attended my first Civic event of the year at the Church of St Mary Magdalene, Newark, where I met the newly appointed Archdeacon of Newark, Reverend Victoria Ramsey. I was accompanied by my Consort Millie Hunter and we met the other County Civics for the first time.”

### Chief Executive's Communications

“As you know, the convention is that only Members speak at Full Council, with the exception of this Agenda item: 'Chief Executives Announcements'. I've only got one this evening – after fourteen years here I shall be retiring shortly, so I hope you will indulge me...”

It has been a great privilege to do this job. It's been the most satisfying thing I have done in my career and I am grateful for both the opportunity and the trust you placed in me to do it. I left school in Cornwall in the 1970's, (yes, that long ago), with a clutch of moderate A' Levels to my name. I joined my local Council (now an LGR casualty) on the then Work Experience



Programme and moved from Cornwall to London, then Hampshire, Bath and Rutland before coming here in 2007. As well as my professional qualification I also studied for an Honours Degree then a Masters Degree at the Open University so I hope in my own way I can provide an example that you can go for it, if you want to...

But since I joined Bassetlaw I have not stopped learning as we have all been on an organisational journey – and I know I have been on a personal one too, always learning new things and learning how to deal with the next thing that comes off the conveyor belt.

But we have done it!

By my calculations, the Council has removed or saved over £10m from its General Fund Budget since 2008/9 and seen off the cuts in Bassetlaw's Revenue Grant year after year as the austerity agenda has been played out locally.

Since 2010, every man, woman and child in Bassetlaw has lost the equivalent of £420 in Government funding and it's a tribute to Members and officers that the organisation has been able to adapt what it does to survive and change with the times.

The local government environment will continue to change and the Council will continue to change with it:

- (i) The management of the District's sports centres was transferred to Barnsley Premier Leisure and now provide a surplus to keep council tax levels down. The service offer has also been improved with significant investment in new fitness equipment.
- (ii) The £28m Housing Service was brought back in-house within 18-months; and the £1.8m saved so far has allowed the Council to increase its five-year HRA capital programme from £50m to over £72m and for Bassetlaw to build new council houses for the first time in a generation.
- (iii) The Council also brought 'The Savoy' cinema to Worksop, relocated the markets and refurbished the Old Market Square as part of that programme.
- (iv) Entrepreneurially, the Council has also established two local partnerships to sell services and develop local assets.
- (v) And Bassetlaw has literally opened up Queen's Buildings:
  - The DWP came to QB in 2014, the genesis for this was that Universal Credit would be an IT based system and we wanted to help local people who didn't have a computer.
  - The Police also co-locate with the Council now, keeping a local presence in Retford and Worksop, and now hopefully, the NHS will be joining as well. Bassetlaw makes up 34% of the geographical area of Nottinghamshire and strategically these initiatives have anchored key public services in the district.
- (vi) Hopefully these measures will ensure that if things do gravitate nearer the equator at any stage in the future, there will still be an important public sector hub in the north.
- (vii) The Council's service offer has to change as traditional letters from residents have all but disappeared, in contrast there have been significant increases in telephone calls in the last year: up by 34%, emails are up by 67% and digital service requests over the website are up by 35%.
- (viii) The Council has started a Skills Board so that youngsters get a better start in their lives.
- (ix) Funding has also been secured for:
  - a successful HLF bid for the Pilgrim's Gallery in Retford
  - refurbishing Retford Town Hall and Retford Market Square
  - the Middleton's site, which is going to be a massive asset for Worksop
  - the Bridge Place training project and the Creative Village
  - two phases of development for the Retford Enterprise Centre
  - new industrial units at Langold
  - the growth and investment in Harworth which has transformed it from a village into a new town
  - good partnership working with the County Council on the Worksop Bus Station project and the new Worksop Library

- Bassetlaw also helped establish the country's largest Business Improvement District to give local businesses a voice
- investing in The Canch and supporting Aurora in their HLF bid for the Old Library
- countless Green Flags; and lastly, three splash pools in Worksop, Retford and Langold.

All of these provide a lasting legacy for the future.

- (x) There have also been some outstanding national and regional performance from your Council on food safety, Individual Electoral Registration, neighbourhood planning conveyancing and Covid Grant payments.

Every year, Bassetlaw's accounts have been passed unqualified by the External Auditor and the Council has always received a positive Value-For-Money judgement.

(Oh, and Bassetlaw also won the national Financial Performance Award in 2009 – so puff your chests out!)

It has been an honour to work with such a committed group of officers, and through all levels of the organisation, Staff at your Council have always given their all and genuinely want to do the best they can for local people – the goodwill shown by them during the floods and the lockdowns was simply outstanding.

But, it's a good time for me to go now. The last year or so has been about holding the fort after the pandemic struck and the first lockdown was announced.

This period is coming to an end now and it's right for the organisation to do some new horizon scanning, refresh the strategic goals Members want to achieve and redefine the organisation once again.

Being a local authority Chief Executive is like being in a baton race – you don't have the baton forever. But the question is – how long will you have it for? And what will you do with it?

So I'm pleased to report to you that Bassetlaw has:

- Got FASTER
- Aimed HIGHER, and
- Become STRONGER

in the last eight years.

Thank you once again for your fellowship.”

#### Deputy Leader's Communications

“Thank you to Neil for his years of service. He has lead us through some difficult times and difficult strategic decisions. We will miss his energy and enthusiasm. He leaves us financially and economically sound. We have just been through the biggest crisis since World War II, delivering grants to businesses but we will always be busy. We wish Neil luck for the future.”

“I also want to congratulate Councillor J Evans on receiving the BEM in the Queen's Birthday Honours. She led the community through a regeneration programme and as a result of the Neighbourhood Plan, Harworth is now a thriving local community. She has received an award justly deserved.”

#### 19. QUESTIONS BY MEMBERS

There were no questions from Members in accordance with Rules of Procedure Number 11.

## 20. MOTIONS

The Agenda contained two motions, notice of which had been given in accordance with Rules of Procedure Number 12.

The Chair advised an error in the printed text of the first motion in the Agenda therefore the proposer would read the motion as originally submitted.

Proposed by Councillor A K Coultate and Seconded by Councillor M W Quigley, MBE

“This Council welcomes the Police, Crime, Sentencing and Courts Bill and the new powers which will assist in protecting our communities from those who trespass on land.”  
Councillor J White proposed an amendment to the motion which was seconded by Councillor S Fielding:

“This Council welcomes the Police, Crime, Sentencing and Courts Bill and the new powers which will assist in protecting our communities from those who trespass on land *and calls for the Government to ensure that provision is made to enable owners of land (public or private) to evict unlawful encampments faster than at present and speed up the legal process for eviction.*”

The Monitoring Officer confirmed the amended motion valid.

Councillors A K Coultate, J White, D G Pidwell, S Fielding and M W Quigley MBE, spoke to the amended motion.

**RESOLVED** that the amended motion be supported.

Proposed by Councillor H L Tamblyn-Saville and Seconded by Councillor H M Brand

“Bassetlaw District Council notes:

1. Human activity has already caused irreversible climate change, the impacts of which are being felt around the world.
2. In order to reduce the chance of runaway Global Warming and limit the effects of Climate Breakdown, it is imperative that we reduce our CO<sub>2</sub>eq (carbon equivalent) emissions from their current 6.5 tonnes per person per year to less than 2 tonnes as soon as possible;
3. Unfortunately, our current plans and actions are not enough. The world is on track to overshoot the Paris Agreement’s 1.5°C limit before 2050;
4. Councils throughout the country, including Nottinghamshire County Council, have responded by declaring a ‘Climate Emergency’ and committing resources to address this emergency;
5. That Bassetlaw District Council has appointed a Climate Change Officer to work with the local authority to reduce internal carbon emissions.”

“This Council believes that:

1. Climate change and sustainability are amongst the biggest issues of the 21st century and the effects of man-made and dangerous climate change are already manifestly occurring;
2. The Intergovernmental Panel on Climate Change (IPCC) detail that we are already seeing the consequences of a 1°C of global warming through more extreme weather, rising sea levels and diminishing Arctic sea ice, among other worrying changes;”

“Therefore, Council agrees to:

1. Reaffirm our commitment to the green agenda by declaring a climate emergency
2. Call on Westminster Government and the GLA family to provide the powers and resources to make a 2030 net zero carbon target possible;
3. Work with other governments (both within the UK and internationally) to determine and implement best practice methods to limit Global Warming to less than 1.5°C;
4. Engage with town and parish councils in the district to encourage them to set up their own Climate Emergency focus groups and report back to BDC on their progress at contributing to the district council target;
5. Report back to Full Council by the end of the municipal year, with a date for the district to become zero carbon.”

Councillors M Watson, J White, A Rhodes, J C Shephard, R B Carrington-Wilde, H Brand and H L Tamblyn-Saville spoke to the motion.

A recorded vote was requested by in excess of the required seven Members.

FOR: J R Anderson, G Bowers, H M Brand, A K Coultate, S Isard, J W Ogle, M W Quigley MBE, J M Sanger MBE, B Sofflet, L A Stanniland, H L Tamblyn-Saville, C Troop, M G Watson.

AGAINST: J P Bowker, D K Brett, R B Carrington-Wilde, D Challinor, K Dukes, T P Eaton BCA, J Evans, S Fielding, G Freeman, K M Greaves, J A Leigh, D J Merryweather, J N Naish, D G Pidwell, J Potts, D R Pressley, A Rhodes, M Richardson, N J Sanders, S Scotthorne, S E Shaw, J C Shephard, C Tindle, J White.

ABSTAINED: None.

**RESOLVED** that the motion not be supported.

## 21. REFERRALS

- (a) Cabinet – 16<sup>th</sup> March 2021 – Minute No. 252(c) Housing Strategy Refresh 2021-2026 (Key Decision No. 844)

Members received a referral from Cabinet which sought approval of the Housing Strategy Refresh 2021-2026.

**RESOLVED** that the Housing Strategy Refresh 2021-2026 be approved.

- (b) Cabinet – 1<sup>st</sup> June 2021 – Minute No. 10(a) – Renewal of a Public Space Protection Order – Dog Control (Key Decision No. 868)

Members received a referral from Cabinet which sought approval for the renewal of the Public Spaces Protection Order with amendments as agreed.

**RESOLVED** that the Renewal of the Public Spaces Protection Order with agreed amendments be approved.

- (c) Extraordinary Cabinet – 7<sup>th</sup> June 2021 – Minute No. 21(b) – Establishment of the Worksop Town Centre Masterplan Board (Key Decision No.865)

Members received a referral from Extraordinary Cabinet which sought the endorsement of the Portfolio Holder for Regeneration’s external appointment to the Worksop Town Centre Stakeholder Board.

**RESOLVED** that the Portfolio Holder for Regeneration's external appointment to the Worksop Town Centre Stakeholder Board be approved.

- (d) Appointments Committee – 9<sup>th</sup> June 2021 – Minute No. 5(a) – Appointment of the Interim Head of Paid Service / Chief Executive

Members received a referral from Appointments Committee which recommended Council to offer the post of Interim Head of Paid Service and Chief Executive with a proposed salary in accordance with the Council's Pay Policy, to the current Assistant Chief Executive.

**RESOLVED** that post of Interim Head of Paid Service and Chief Executive be offered to the current Assistant Chief Executive with a proposed salary in accordance with the Council's Pay Policy.

## 22. REPORT(S) OF THE DIRECTOR OF CORPORATE RESOURCES

- (a) Appointments to Outside Organisations

Council received a report which sought consideration of Member nominations to outside bodies:

- (i) A representative and substitute to serve on the Parking and Traffic Regulation Outside London Adjudication Joint Committee for 2021/22
- (ii) Councillor K Dukes to be appointed to the Sir Stuart and Lady Florence Goodwin Charity (formerly Rural) to replace Councillor B Sofflet.

**RESOLVED** that:

1. A representative and substitute be appointed to serve on the Parking and Traffic Regulation Outside London Adjudication Joint Committee for 2021/22.
2. Councillor K Dukes to replace Councillor B Sofflet on the Sir Stuart and Lady Florence Goodwin Charity (Formerly Rural).

## 23. LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

**RESOLVED** that, in accordance with Part 1 of Schedule 12A of the Local Government Act 1972, and after considering the public interest test as set out by the officer in the body of the report, Members agreed that the following items of business involved the likely disclosure of exempt information as defined in Paragraph 3, in accordance with Section 100A of the Act, the press and public be excluded from the meeting:

Agenda Item No. 11(a) Referrals – Paragraph 3

## 24. REFERRALS

- (a) Cabinet – 16<sup>th</sup> March 2021 – Minute No. 257(a) – Risk Based Verification Policy Review 2021 (Key Decision No. 858)

Members received a referral from Cabinet to approve the revised Risk Based Verification Policy 2021.

**RESOLVED** that the Risk Based Verification Policy Review 2021 be approved.

## 25. ANY OTHER BUSINESS WHICH THE CHAIRMAN CONSIDERS TO BE URGENT

- (a) Chief Executive

On behalf of all Members, the Chairman thanked the Chief Executive for his years of service to the Council. He presented him with a gift and wished him well in his retirement to much applause from everyone present.

As there was no other urgent business to be discussed the Chairman closed the meeting.

(Meeting closed at 8.10pm).

**R E F E R R A L**

**From**

**AUDIT AND RISK SCRUTINY COMMITTEE**

**HELD ON**  
**22<sup>ND</sup> JULY 2021**

**To**

**COUNCIL**  
**ON 23<sup>RD</sup> SEPTEMBER 2021**

**Public Interest Test**

The author of this referral, Ellen Hinsley, Democratic and Electoral Services Assistant, has determined that it is considered to be of a non-confidential nature.

**Minute no. 16(f) Local Code of Corporate Governance 2021/22**

**RESOLVED** that the Audit and Risk Scrutiny Committee recommend that Council approves the updated Local Code of Corporate Governance for 2021/22, and to implement the procedures as set out in the report.

Copies to: Chief Executive  
Interim Director of Corporate Resources  
Committee Administrator





**BASSETLAW DISTRICT COUNCIL**

**AUDIT & RISK SCRUTINY COMMITTEE**

**22 JULY 2021**

**REPORT OF THE MONITORING OFFICER**

**LOCAL CODE OF CORPORATE GOVERNANCE 2021/22**

Cabinet Member: Policy, Strategy &  
Communications

Contact: Stephen Wormald  
stephen.wormald@bassetlaw.gov.uk

**1. Public Interest Test**

- 1.1 The author of this report, Stephen Wormald, has determined that the report is not confidential.

**2. Purpose of the Report**

- 2.1 To consider and recommend to Council approval of the updated Local Code of Corporate Governance.

**3. Background and discussion**

- 3.1 Corporate governance is the system by which organisations are directed and controlled and it became an important concept following the Cadbury Committee's report in 1992 on financial aspects of corporate governance. As a consequence, all local authorities have sought to demonstrate compliance with best practice by drawing up a Local Code of Corporate Governance, based on CIPFA/SOLACE Guidance first published in 2007.
- 3.2 In April 2016, CIPFA and SOLACE published the publication "*Delivering Good Governance in Local Government: Framework*" which is in essence an updated version of the original 2007 publication. However, amendments to the framework include an update to the Core Principles and sub principles to ensure organisations demonstrate good governance by "*Achieving the Intended Outcomes While Acting in the Public Interest at all Times*". The document attached at Appendix 1 sets out the Council's process for monitoring and maintenance of the Code and provides the framework for the Council to achieve its aims and objectives.
- 3.3 The Code is a 'living document' in that it must be periodically reviewed and amended to ensure that it satisfies the changing financial and corporate environment. Responsibility for review of the Code will ultimately be the responsibility of Council, acting upon the recommendations of the Audit & Risk Scrutiny Committee, having taken account of monthly reviews carried out by Officers under the aegis of the

Corporate Governance Working Group. Council will be expected to take careful note of such recommendations. The Local Code of Corporate Governance is a forward looking document that sets out what the Council will do in the coming year.

3.5 The intention is that the Council is able to demonstrate that its practices and procedures fully comply with the CIPFA/SOLACE objectives and that the Local Code is fully observed. Compliance and monitoring of the Code is demonstrated through the 'vowel' test recommended by CIPFA/SOLACE Guidance, namely:

- Accountability
- Effectiveness
- Integrity
- Openness and Inclusivity
- Up to date

3.6 The Council will receive an annual report from the Chief Executive and Leader: the "Annual Governance Statement", which defines the position on whether the corporate governance arrangements as defined within the Code are adequate and operating effectively.

#### **4. Implications**

**a) For service users**

None from this report

**b) Strategic and Policy**

None from this report

**c) Financial – Ref: 22/140**

This Local Code of Corporate Governance needs to be approved so that an Annual Governance Statement can be produced at the end of the financial year 2021/22.

**d) Human Resources**

None from this report

**e) Legal – Ref: 323/07/2021**

The Council must maintain control frameworks to enable identification of any areas of the Council's activities where there are significant weaknesses in the financial controls, the governance arrangements or the management of risk. Recommended guideline requirements govern the considerations and these have been followed as outlined in the body of this report.

**f) Community Safety, Equalities, Environmental**

None arising.

**g) Key Decision**

None

**5. Options, Risks and Reasons for Recommendations**

The Council has an obligation to adopt best practice in respect of corporate governance.

**6. Recommendations**

The Audit & Risk Scrutiny Committee recommends that Council approves the updated Local Code of Corporate Governance for 2021/22, and to implement the procedures as set out in the report.

**Background Papers**

**Location**

Legal Services  
File Ref: MO



## **BASSETLAW DISTRICT COUNCIL LOCAL CODE OF CORPORATE GOVERNANCE**

### **Introduction**

1. Governance arrangements in the public services are vitally important and local government organisations need to ensure that they meet the highest standards, are up to date and are relevant. Governance is about how the Council ensures its resources are directed in accordance with agreed policy in accordance with priorities, and that there is sound and inclusive decision making with clear accountability for the use of those resources in order to achieve the desired outcomes for service users and communities.
2. CIPFA<sup>1</sup>/SOLACE<sup>2</sup> together produced a corporate governance framework updated in 2016. It is an integrated system that brings together an underlying set of legislative requirements, governance principles and management processes. The governance framework produced by CIPFA/SOLACE remains a discretionary code and is offered to local authorities as good practice.
3. This Local Code of Corporate Governance sets out the framework for governance at Bassetlaw District Council and is based on the CIPFA/SOLACE framework.

### **Policy Statement**

4. In conducting its business, Bassetlaw District Council is fully committed to the key principles of good governance as established by the Nolan Committee on Standards in Public Life.

These key principles are to:

- Focus on the organisation's purpose and on outcomes for citizens and service users
  - Promote values for the whole organization and demonstrate good governance through behavior
  - Perform effectively in clearly defined functions and roles
  - Take informed, transparent decisions and manage risk
  - Develop the capacity and capability of the governing body to be effective
  - Engage stakeholders and make accountability real.
5. The CIPFA/SOLACE framework for good governance adapts these core principles for the local authority context. As the CIPFA/SOLACE framework represents good practice, this Local Code of Corporate Governance is underpinned by the seven core principles.

<sup>1</sup> Chartered Institute of Public Finance and Accountancy

<sup>2</sup> Society of Local Authority Chief Executives

## The Seven Core Principles of Good Governance

6. The seven core principles of good governance as recognised by the CIPFA/SOLACE framework adopted by the Council are as follows:

CORE PRINCIPLES OF GOOD GOVERNANCE	
A	Behaving with integrity, demonstrating strong commitment to ethical values, and respecting the rule of law
B	Ensuring openness and comprehensive stakeholder engagement
C	Defining outcomes in terms of sustainable economic, social, and environmental benefits
D	Determining the interventions necessary to optimize the achievement of the intended outcomes
E	Developing the entity's capacity, including the capability of its leadership and the individuals within it
F	Managing risks and performance through robust internal control and strong public financial management
G	Implementing good practices in transparency reporting, and audit, to deliver effective accountability

## Applying the Principles of Good Governance

7. To achieve good governance, the Council will seek to apply each of the seven core principles, along with their supporting principles as detailed at section 13 of this report.
8. The Council will undertake a regular review of its governance arrangements indicating how the Council will address any gaps in the arrangements, how they will be dealt with and by whom.

## Review of the Council's Corporate Governance Arrangements

9. The Council takes its corporate governance arrangements seriously and as a result has put in place a rigorous process of reviewing the arrangements on a regular basis.

The process of review is as follows:-

- **Corporate Governance Working Group**

The Corporate Governance Working Group comprises the Monitoring Officer/ Council Solicitor and the Section 151 Officer. The Group meets monthly.

The purpose of the Corporate Governance Working Group is inter alia to review the Council's governance and risk management arrangements and identify a work programme for ensuring these arrangements remain robust and up-to-date. The Group also proactively reviews issues which may arise during the course of the Council's day to day business and takes steps to address them. When necessary, matters arising are escalated to the Head of Paid Service. The Group reports directly

to the Audit & Risk Scrutiny Committee, and minutes of the Group's meetings are provided to the Leadership.

- **Risk Management Group**

The Risk Management Group comprises all Chief Officers and officers identified as "Risk Owners", and chaired by the Director of Corporate Resources. The Group meets quarterly to review, manage and update the Council's Corporate Risk Register, and to identify new and emerging risks. When necessary, matters are escalated to the Chief Executive who will determine if immediate action is necessary. Quarterly reports arising from the meetings are referred to the Audit & Risk Scrutiny Committee.

- **The Audit & Risk Scrutiny Committee**

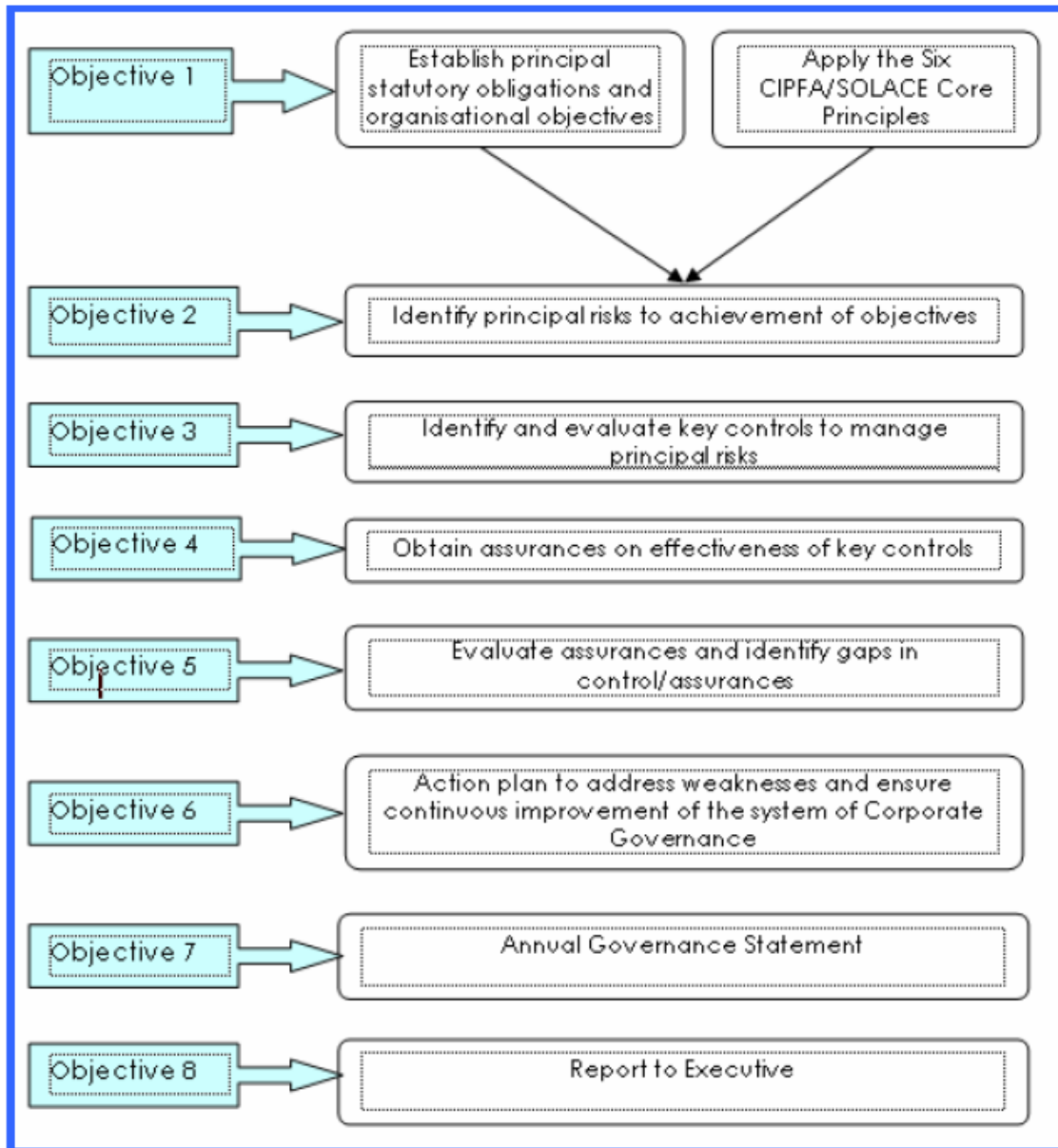
The Audit & Risk Scrutiny Committee has overall responsibility for the Council's governance and risk management arrangements and is the main Member review of the Council's governance and risk management arrangements. The Committee will make any recommendations to the Council on the governance and risk management arrangements.

- **The Council**

The Council has a responsibility to act upon the recommendations made by the Audit & Risk Scrutiny Committee in relation to the Council's policy on corporate governance and risk management. This will be subject to any such recommendations being made by the Committee but will, at the very least, occur at least once a year when the policies on corporate governance and risk management are reviewed.

## **The Annual Governance Statement**

10. In England, the preparation and publication of an Annual Governance Statement in accordance with the CIPFA/SOLACE framework is necessary to meet the statutory requirement set out in Regulation 6(1) of the Accounts & Audit (England) Regulations 2015 for authorities to prepare a statement on internal control in accordance with 'proper practices'.
11. To comply with this requirement, the Council will produce an Annual Governance Statement in accordance with guidance provided by CIPFA. The process that the Council will apply in gathering the evidence necessary to produce the Annual Governance Statement is illustrated below:



12. Approval of the Annual Governance Statement will be sought from the Audit & Risk Scrutiny Committee in June of each year and the Statement will accompany the Council's Annual Statement of Accounts.



## Applying the Principles of Good Governance

13. To achieve and maintain good governance, the Council will seek to apply each of the seven core principles above, along with their supporting principles, in the following way, representing the recommended best practice:

<b>Behaving with integrity, demonstrating strong commitment to ethical values, and respecting the rule of law</b>	
<b>Supporting Principles</b>	<b>The Council will:-</b>
Behaving with integrity	<ul style="list-style-type: none"> <li>• ensure members and officers behave with integrity through observing their respective Code of Conduct and supporting protocols as outlined in the Council Constitution</li> <li>• provide appropriate and ongoing training to both members and officers and ensure that a “lead by example” culture is reinforced and promoted</li> <li>• keep under review the effectiveness of the Council’s operating principles and update supporting policies and procedures accordingly</li> </ul>
Demonstrating strong commitment to ethical values	<ul style="list-style-type: none"> <li>• ensure the Council’s agreed ethical values and principles (i.e. Co-operative Council principles and Living Wage) are communicated, supported and adhered to</li> <li>• monitor agreed ethical standards and performance through rigorous implementation of existing scrutiny arrangements</li> <li>• ensure those organisations who deliver services on the Councils behalf, or work with the Council (BPL, S80, Bursahill) act with integrity and to the ethical standards expected</li> </ul>
Respecting the rule of law	<ul style="list-style-type: none"> <li>• through rigorous interpretation and application of the Constitution ensure the Council exercises all its powers and duties in accordance with the law</li> <li>• provide appropriate training and support to Cabinet Members, Chairs of Committees, statutory officers and key postholders together with clear delegation of authority as defined within the appropriate Schemes of Delegation</li> <li>• maintain under periodic review Schemes of Delegation and reserve powers within the Constitution taking account of relevant legislation, and ensure that it is monitored and updated when required</li> <li>• make a senior officer (the Section 151 Officer) responsible to the Council for ensuring that appropriate advice is given on all financial matters, for keeping proper records and accounts and for maintaining an effective system of internal financial control</li> <li>• make a senior officer (the Monitoring Officer) responsible to the Council for ensuring that agreed procedures are followed and that all applicable statutes and regulations are complied with</li> </ul>

<b>Behaving with integrity, demonstrating strong commitment to ethical values, and respecting the rule of law</b>	
<b>Supporting Principles</b>	<b>The Council will:-</b>
	<ul style="list-style-type: none"> <li>• make a senior officer (the Data Protection Officer) responsible to the Council to ensure GDPR is appropriately complied with</li> </ul>
<b>Ensuring openness and comprehensive stakeholder engagement</b>	
<b>Supporting Principles</b>	<b>The Council will:-</b>
Openness	<ul style="list-style-type: none"> <li>• ensure that the Council as a whole is open and accessible to the community, service users and its officers subject only to the need to preserve confidentiality in those specific circumstances where it is proper and appropriate to do so</li> <li>• commit to and support the principles of openness and transparency through the publishing of comprehensive, up-to-date and relevant data through the Open Data part of the Council's website</li> <li>• provide options, risks and reasons for the decisions being made both formally through the Councils committees and through Member and Officer Delegated Decisions, and including outcomes of formal and informal consultations as part of the decision making process</li> <li>• encourage attendance and participation at meetings where public interest is paramount and facilitate the filming and recording of public meetings. During the COVID-19 pandemic legislation was introduced to allow local authorities to hold meetings and make decisions without the need for members to be physically present at the meeting. The Council has held meetings remotely via MS Teams. The Council has maintained a commitment to openness and transparency by streaming meetings online via its You Tube channel and allowing public participation by inviting members of the public to attend meetings through MS Teams (Planning Committee for example) and by allowing the submission of written objections or questions to be read at meeting on their behalf.</li> </ul>
Engaging comprehensively with institutional stakeholders	<ul style="list-style-type: none"> <li>• use both established formal and informal communication mechanisms to effectively engage with key partners and stakeholders who play a key role in delivering public services locally</li> <li>• ensure members are represented on key outside organisations and members/officers attend all relevant meetings and working groups of any relevant combined authority area</li> <li>• work effectively across the county and cross-boundary to maximise engagement, exercise influence and secure organisation</li> <li>• encourage partner participation in scrutiny reviews of local services</li> </ul>

<b>Defining outcomes in terms of sustainable economic, social, and environmental benefits</b>	
<b>Supporting Principles</b>	<b>The Council will:-</b>
Defining outcomes	<ul style="list-style-type: none"> <li>• make a clear formal statement of the Council's purpose and vision and use it as a basis for strategic, corporate and service planning</li> <li>• ensure that the Council's purpose, vision, strategic plans, priorities and targets are developed through robust mechanisms, and in consultation with the local community and other key stakeholders, and that they are clearly articulated and disseminated</li> <li>• when articulating objectives ensure clearly defined outcomes are identified</li> <li>• monitor progress against agreed strategic objectives and outcomes, and publish reports on a timely basis to communicate the Council's activities, achievements, financial position and performance</li> <li>• take account of risks associated with defining outcomes and ensure these are clarified in the Council's decisions making processes</li> </ul>
Sustainable economic, social and environmental benefits	<ul style="list-style-type: none"> <li>• ensure a robust and inclusive framework is in place to consider economic, social and environmental implications associated with decisions made about future service provision</li> <li>• identify the risks associated with making decisions for the longer term and ensure these are clarified in the Council's decisions making processes</li> <li>• consider the sustainability of short terms decisions in the longer term and ensure these are articulated for the benefit of the public within the Council's decision making processes</li> <li>• maintain the Council's approach to fair access to services</li> </ul>

<b>Determining the interventions necessary to optimise the achievement of the intended outcomes</b>	
<b>Supporting Principles</b>	<b>The Council will:-</b>
Determining interventions	<ul style="list-style-type: none"> <li>• decide how value for money is to be measured and ensure that it has the information needed to review value for money and performance effectively</li> <li>• develop and maintain open and effective mechanisms for documenting evidence for decisions and recording the criteria, rationale and considerations on which decisions are based</li> <li>• ensure that those making decisions are provided with information that is fit for the purpose – relevant, timely and gives clear explanations of technical issues and their implications</li> <li>• ensure that professional advice on legal and financial matters is available and recorded well in</li> </ul>

<b>Determining the interventions necessary to optimise the achievement of the intended outcomes</b>	
<b>Supporting Principles</b>	<b>The Council will:-</b>
	advance of decision making, and used appropriately when decisions have significant legal or financial implications
Planning interventions	<ul style="list-style-type: none"> <li>• ensure robust planning and control cycles are established and maintained that cover strategic and operational plans, priorities and targets</li> <li>• engage with internal and external stakeholders to determine how services and other courses of action can be planned and delivered</li> <li>• ensure that risk management is embedded into the culture of the Council, with Members and managers and that risk is a key part of the arrangements made when working in partnership or collaborating with other organisations</li> <li>• ensure budgets are prepared taking into account agreed objectives, strategies and the Medium Term Financial Plan</li> <li>• develop a sustainable funding strategy through rigorous resource planning of both revenue and capital</li> </ul>
Optimising achievement of intended outcomes	<ul style="list-style-type: none"> <li>• ensure the Medium Term Financial Plan integrates and balances service priorities, affordability and other services constraints</li> <li>• develop an all-inclusive budget process taking into account the full cost of operations over the medium and longer term</li> <li>• ensure the Medium Term Financial Plan sets the context for ongoing decisions on significant delivery issues or responses to changes in the external environment</li> <li>• ensure the achievement of “social value” through service planning and commissioning</li> </ul>

<b>Developing the entity's capacity, including the capability of its leadership and the individuals within it</b>	
<b>Supporting Principles</b>	<b>The Council will:-</b>
Developing the entity's capacity	<ul style="list-style-type: none"> <li>• utilise the corporate performance management framework to monitor performance, operations and service delivery and identify areas for review</li> <li>• ensure that effective arrangements are in place through the Overview &amp; Scrutiny Committee for reviewing the performance of Cabinet</li> <li>• develop and maintain an effective scrutiny function which encourages constructive challenge and enhances the Council's performance overall and that of any organisation for which it is responsible or partner organisation with which it works</li> <li>• ensure that effective comparisons and benchmarking mechanisms are in place to assess resource requirements</li> <li>• develop and maintain a workforce plan</li> </ul>
Developing the capability of the entity's leadership and other individuals	<ul style="list-style-type: none"> <li>• set out a clear statement of the respective roles and responsibilities of the Council's Cabinet and Members as referenced within the Constitution</li> <li>• set out a clear statement of the respective roles and responsibilities of the Council's other committees and Members and senior officers as referenced in the Constitution and provide training as appropriate</li> <li>• provide training programmes tailored to individual needs for Members and officers to update their knowledge on a regular basis</li> <li>• determine and maintain under periodic review a Scheme of Delegation and reserve powers within the Constitution including a formal schedule of those matters specifically reserved for collective decision of the Council, taking account of relevant legislation, and ensure that it is monitored and updated when required The scheme of delegation to Officers was externally reviewed and amended, and the Council is currently in the process of external review of the remainder of the Constitution including the remaining scheme of delegation and financial procedure rules.</li> <li>• clearly set out the role of the Leader and Chief Executive within the Council Constitution</li> <li>• facilitate public participation through engagement events and consultation</li> <li>• support the health &amp; wellbeing of the workforce as identified in the HR Strategy</li> </ul>

**Managing risks and performance through robust internal control and strong financial management**

<b>Supporting Principles</b>	<b>The Council will:-</b>
Managing risk	<ul style="list-style-type: none"> <li>• ensure that risk management is embedded into the culture of the Council, with Members and managers at all levels recognising that risk management is part of their job</li> <li>• monitor, manage and review corporate and directorate risks on a regular basis ensuring mitigation plans are implemented and update reports are provided to Audit &amp; Risk Scrutiny committee</li> <li>• ensure that effective arrangements for whistle-blowing are in place to which officers and all those contracting with or appointed by the Council have access</li> </ul>
Managing performance	<ul style="list-style-type: none"> <li>• ensure the performance management framework is implemented at service level and effective monitoring of performance takes place</li> <li>• monitor, manage and review agreed corporate PI's and Council Plan objectives through CMT and portfolio holders providing formal reports to Cabinet for review followed by scrutiny by the Overview &amp; Scrutiny committee</li> <li>• keep an up to date Forward Plan to enable forthcoming key decisions to be scrutinised at the earliest opportunity by the Overview &amp; Scrutiny committee</li> <li>• ensure Overview &amp; Scrutiny committee have sufficient access to Cabinet portfolio holders and key officers for the purposes of challenging decisions made and forthcoming policy proposals in a constructive and inclusive manner</li> </ul>
Robust internal control	<ul style="list-style-type: none"> <li>• approve the Constitution which clearly sets out the respective roles and responsibilities of the Cabinet and other Committees within the Council. The Constitution will be kept under review amendments made to reflect changes as and when they occur. Following recent external review and amendment of the Officer scheme of delegation, the remainder of the Constitution is current undergoing a process of external review.</li> <li>• ensure the Constitution includes a Scheme of Delegation, which is reviewed regularly.</li> <li>• appoint the the Section 151 Officer as the officer responsible for ensuring and maintaining an effective system of internal control</li> <li>• ensure the system of internal control is based on a coherent accounting and budgeting framework including contract, financial and procurement procedure rules</li> <li>• ensure Internal Audit supports the Audit &amp; Risk Scrutiny Committee by reviewing elements of the Council's system of internal control and reporting regularly thereon, thus helping the Council to</li> </ul>

<b>Managing risks and performance through robust internal control and strong financial management</b>	
<b>Supporting Principles</b>	<b>The Council will:-</b>
	satisfy itself as to compliance with regulation and best practice.
Managing data	<ul style="list-style-type: none"> <li>• ensure effective arrangements are in place for the safe collection, control, use and sharing of data and that those arrangements are subject to audit on a regular basis</li> <li>• ensure ICT policies governing data collection, storage and use are reviewed and updated on a regular basis</li> <li>• keep staff trained and up to date on their personal responsibilities in relation to Data Protection and put arrangements in place to comply with GDPR</li> <li>• ensure appropriate data sharing protocols are in place to enable the safe sharing of data internally and with third parties</li> </ul>
Strong public financial management	<ul style="list-style-type: none"> <li>• ensure it has a robust mechanism for all financial decision making, whereby financial implications are assessed by finance professionals, on all reports to the various committees of the Council.</li> <li>• Through the S151 officer, advise Members of the Council on the robustness of estimates and the adequacy of reserves set within the budget process.</li> </ul>

<b>Implementing good practices in transparency, reporting, and audit to deliver effective accountability</b>	
<b>Supporting Principles</b>	<b>The Council will:-</b>
Implementing good practice in transparency	<ul style="list-style-type: none"> <li>• seek to minimise the number of reports considered in the confidential section of Council/Cabinet/Committee agendas and will only do so if it is considered legally necessary</li> <li>• publish all agendas, reports and minutes on the Open Data part of the Councils website and provide sufficient information about confidential items to enable the public to be kept informed</li> </ul>
Implementing good practices in reporting	<ul style="list-style-type: none"> <li>• undertake an annual assessment of the effectiveness of the committee framework and propose amendments to enhance operational effectiveness to full Council</li> <li>• present annual reports on the effectiveness of the scrutiny committees to Council</li> <li>• ensure portfolio holders will present reports to Cabinet and attend scrutiny committees to answer questions on such if requested to do so</li> <li>• publish reports on a timely basis to communicate its activities and achievements, its financial position and performance including the quarterly budget and performance reports, the Annual Statement of Accounts, and the Equalities Annual Report.</li> <li>• set service standards and ensure there is an effective performance monitoring process in place.</li> <li>• on an annual basis publish reports giving information on the Council's ambitions, strategy, plans and financial statements as well as information about its outcomes, achievements and the satisfaction of service users in the previous period.</li> </ul>
Assurance and effective accountability	<ul style="list-style-type: none"> <li>• ensure that professional advice on legal, financial and equality matters is available and recorded well in advance of decision-making and used appropriately when decisions have significant legal, financial or potential equality implications, including the issuing of unique references before a report is accepted for the final agenda.</li> <li>• determine that the Chief Executive is responsible and accountable for all aspects of operational management.</li> <li>• record in the minutes of the proceedings of a "budget decision meeting" the names of the Members who voted or abstained.</li> <li>• when working in partnership, put in place protocols for working together which include a shared understanding of respective roles and responsibilities of each organisation</li> <li>• when working in partnership, ensure that there are robust procedures for scrutinising decisions and behaviour and that these decisions and behaviour are compliant with any local authority rules/codes</li> </ul>



Implementing good practices in transparency, reporting, and audit to deliver effective accountability	
Supporting Principles	The Council will:-
	<p>or comply with any rules/codes developed for the purpose of the partnership</p> <ul style="list-style-type: none"> <li>• when working in partnership, ensure that partnership papers are easily accessible and meetings are held in public unless there are good reasons for confidentiality</li> </ul> <p>The partners must ensure that:</p> <ol style="list-style-type: none"> <li>a. the partnership receives good quality advice and support and information about the views of citizens and stakeholders, so that robust and well-reasoned decisions are made</li> <li>b. risk is managed at a corporate and operational level</li> </ol>



**R E F E R R A L**

**From**

**OVERVIEW AND SCRUTINY COMMITTEE**

**HELD ON 31<sup>ST</sup> AUGUST 2021**

**To**

**COUNCIL**

**ON 23<sup>RD</sup> SEPTEMBER 2021**

**Public Interest Test**

The author of this referral, Cara Hopkinson, Democratic and Electoral Services Manager, has determined that it is considered to be of a non-confidential nature.

**MINUTE No.42(a) – OVERVIEW AND SCRUTINY ANNUAL REPORT 2021/22**

**RESOLVED** that the Overview and Scrutiny Annual Report be noted and referred to Full Council in accordance with the Council's Constitution.

*Referred Reports will be submitted in their original form unless the Responsible Officer indicates otherwise.*

Copies to:           Head of Corporate Resources  
                          Policy and Scrutiny Officer  
                          Chief Executive  
                          Committee Administrator



**BASSETLAW DISTRICT COUNCIL**  
**OVERVIEW AND SCRUTINY COMMITTEE**  
**31 AUGUST 2021**

**REPORT OF THE DIRECTOR OF CORPORATE RESOURCES**  
**OVERVIEW AND SCRUTINY ANNUAL REPORT 2020/21**

Portfolio Holder: Policy, Strategy  
and Communications

Contact: Richard Gadsby

Policy and Communications

**1. Public Interest Test**

- 1.1 The author of this report has determined in preparing this Report that the contents are not of a confidential nature.

**2. Purpose of the Report**

- 2.1 To provide members of the Overview and Scrutiny Committee with a detailed summary of work undertaken by the Overview and Scrutiny function during 2020/21, in the format of an Annual Report.
- 2.2 To obtain approval to submit the Annual Report to Full Council, in line with both the Council's Constitution and [Statutory Guidance](#) on Overview and Scrutiny.

**3. Background and Discussion**

- 3.1 Overview and Scrutiny has undertaken a productive programme of scrutiny in the municipal year of 2020/21. Every year, Overview and Scrutiny report to Full Council on the progress made over the previous year, as well as briefly outlining the current work programme.
- 3.2 The Annual Report is appended to this cover report, and this details the achievements of the Overview and Scrutiny function throughout the last year, and considers the challenges and opportunities for the future.

**4. Implications**

- a) For service users  
None from this report.
- b) Strategic & Policy

The Overview and Scrutiny Committee has stated its commitment to fulfilling its role and remit as determined in the Council's Constitution. The report

emphasises a constructive working relationship between the Executive and Scrutiny, whilst recognising the need to work in more efficient and effective ways.

c) Financial – 22/3

None from this report.

d) Legal – 348/08/2021

None from this report.

e) Human Resources

None from this report.

f) Community Safety, Equal Opportunity, Environmental

The Overview and Scrutiny Committee is committed to equality in undertaking its statutory responsibilities.

g) Whether this is a key decision, and if so the reference number.

No

## **5. Options, Risks and Reasons for Recommendations**

5.1 This report has been prepared on behalf of the Overview and Scrutiny Committee with a view to informing Council of the Committee's undertaking of its statutory responsibilities.

5.2 Members are required to report to Council on an annual basis as determined in the Constitution.

## **6. Recommendations**

6.1 That Members note the Overview and Scrutiny Annual Report and refer the report to Full Council in accordance with the Council's Constitution.

### **Background Papers**

Notes of meetings and supporting papers

### **Location**

Policy and Communications Unit

# **SCRUTINY ANNUAL REPORT**

## **2020/21**

## Contents

Chair's Foreword.....	3
Introduction .....	4
Where Scrutiny fits in .....	4
Scrutiny's power of influence .....	5
Forward Plan / Key Decisions.....	5
Call in.....	5
Scrutiny Reviews .....	7
Review of Flooding .....	7
Review of the Bassetlaw, Newark and Sherwood Community Safety Partnership .....	10
Reports to Overview and Scrutiny.....	11
Annual Update on Leisure Management Contract and Performance.....	11
Complaints.....	12
Performance monitoring .....	13
Audit and Risk Scrutiny Committee.....	14
Annual audit letter.....	15
Looking forward .....	15
Delivering the 2021/22 Work Programme.....	15
East Midlands Ambulance Service (EMAS).....	15
Scrutiny of Finance .....	16
Conclusion .....	16



## Chair's Foreword

I am pleased to introduce the Scrutiny Annual Report for 2020/21. During this period, many of the Council's functions were hit by the effects of the Covid-19 pandemic. Council meetings including Overview and Scrutiny moved to virtual meetings for the first time.

Reassuringly, the Committee was able to quickly adapt to new ways of working whilst prioritising its workloads and alleviating pressures on teams.

Despite the disruption, Overview and Scrutiny was able to continue to perform its functions including monitoring the Council's Forward Plan to focus on 'pre-decision scrutiny', whilst also scrutinising key decisions taken by Cabinet to ensure they deliver for our communities and the Council. As normal, we were able to monitor performance information on a quarterly basis and consider annual reports on complaints, with a report on street homelessness forming the basis of the Annual Scrutiny of the Community Safety Partnership.

We also undertook a Scrutiny Review of Flooding through a Virtual Task and Finish Group – a first for Overview and Scrutiny in Bassetlaw. Holding the Review virtually worked to our advantage, as it was easier for more witnesses to attend whilst reducing the need to travel to a physical location to participate.

A Virtual meeting also facilitated the consideration of a detailed report and presentation on the performance of BPL Leisure Centres and impacts of COVID-19.

Finally, I would like to thank the members of the Overview and Scrutiny Committee, officers and all participants involved for continuing to make scrutiny a success during this period of rapid change and uncertainty. Whilst we learned many lessons from the Pandemic that we can put to use in the future, we look forward to returning to more normality.



Cllr John Shephard  
Chair of Overview and Scrutiny

## Introduction

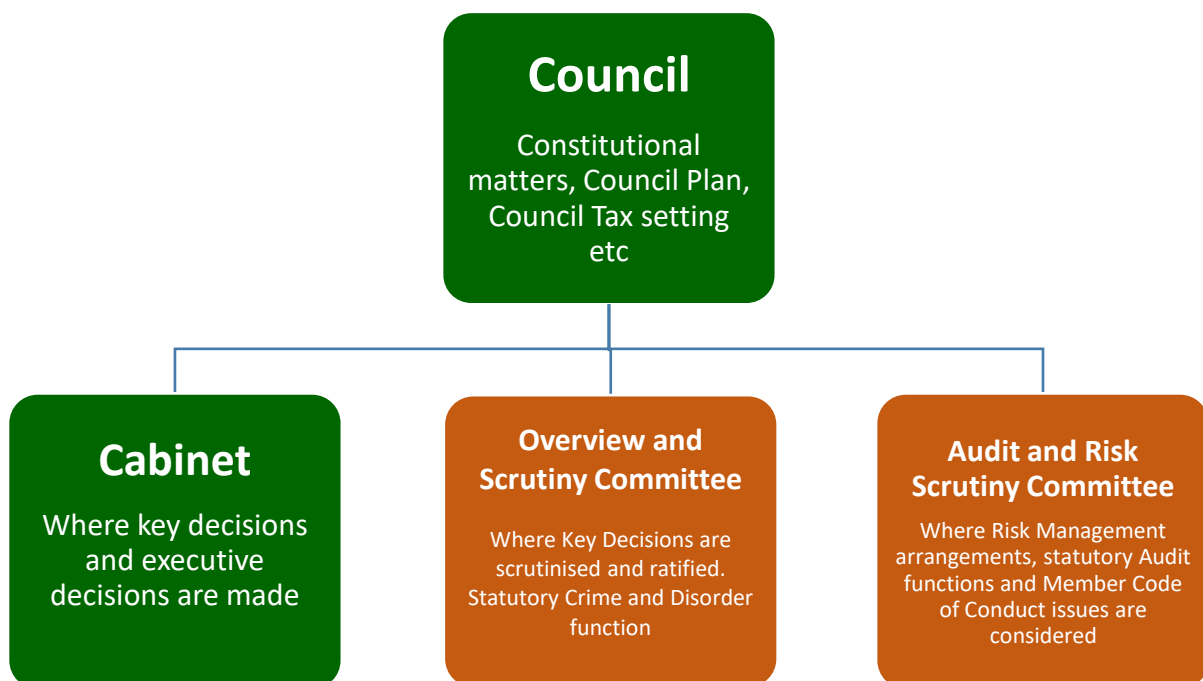
This Scrutiny Annual Report looks back over the work of Overview and Scrutiny in the municipal year of 2020/21. It explains the role of Overview and Scrutiny, looks at some of the topics covered over the year as well as looking to the future. The report takes into account the requirement to communicate Scrutiny's work to Full Council, as detailed in the 2019 [Statutory Guidance on Overview and Scrutiny in Local and Combined Authorities](#).

## Where Scrutiny fits in

The Local Government Act 2000 changed the way in which Councils are structured. Bassetlaw District Council operates a Cabinet system with a Leader. The Cabinet is made up of seven Elected Members and is responsible for the majority of decision-making at the Council.

As a balance to this more concentrated decision-making process, the Act introduced Overview and Scrutiny into local government. Councils operating the Leader and Cabinet model must have in place a scrutiny structure to challenge the decisions of Cabinet. It can, therefore, be a powerful tool to ensure that the Council is run effectively and efficiently.

Overview and Scrutiny does not have executive power, therefore cannot make executive decisions. The scrutiny function, however, does have a strong influencing voice within the Council. The relationship between the Cabinet and Scrutiny is shown below:-



## Scrutiny's power of influence

Overview and Scrutiny has a number of statutory powers and serves a variety of functions in the Council:-

- **Hold the Cabinet to account**
  - Act as a “critical friend” to the Council’s Executive
  - Review the Forward Plan and Key Decisions of Cabinet
  - Monitor the Council’s performance
  - Monitor agreed actions arising from Scrutiny Reviews
- **Review topics to improve service / local area**
  - Provide reports and recommendations to Cabinet for consideration
  - Address Councillor Call for Actions
  - Address referrals from Council and Cabinet
  - Set up Task and Finish Working Groups to look into topics in detail
- **Undertake external Scrutiny**
  - Scrutinise partners and external bodies where appropriate
  - Work along side health and Community Safety partners to influence how services are delivered at a local level.

Overview and Scrutiny Committee continue to scrutinise the following at least once a year:

- Leisure Management Contract performance (Barnsley Premier Leisure (BPL))
- Community Safety Partnership (Statutory Crime and Disorder Functions)
- Complaints to the Council and to the Ombudsman

### Forward Plan / Key Decisions

The Overview and Scrutiny Committee continues to review the Council’s Forward Plan at every meeting. The Forward Plan details forthcoming Key Decisions and decisions to be considered in private at least 28 days before the decision is taken. The Forward Plan is interrogated by the Committee and at pre-agenda meetings to allow effective pre-decision scrutiny to take place.

A Key Decision is a decision that affects multiple wards in Bassetlaw or involves spending a significant amount of money. Cabinet Key Decisions do not come into force until Overview and Scrutiny have endorsed the decision.

Where necessary, the Committee will ask for briefing notes or invite the relevant Cabinet Member / Officer to provide information on specific reports or issues.

### Call in

The Overview and Scrutiny Committee has the power to “call in” decisions of Cabinet before they are implemented. The call in is heard at the Overview and Scrutiny Committee and the decision is put on hold until the matter has been resolved. Call in continues to be a last course of action, as the Committee feel it is much more constructive to scrutinise forthcoming decisions of Cabinet *before* they are taken.

Overview and Scrutiny heard one request for call in of a Member Delegated Decision in 2020/21:-

- Member Delegated Decision No. 7 – 2020/21: Charging for use of toilets at No 73 Bridge Street.

Members who had requested the decision be considered for call-in raised questions around whether a cashless option was available for using these toilets, whether other public toilets in the district were being subject to paid use. They also sought a clearer understanding on the dignity, public health and accessibility impact of this decision, using statistics from various reports and surveys about who would use these toilets and how often they would use them. Committee members commented that the charging for use of these toilets would help in its own upkeep and maintenance, and it would deter people who would use these toilets for vandalism and drug-use.

Members raised questions around the security provision and noted that people with conditions that needed frequent use of a toilet could get a free “Just Can’t Wait” Toilet Card from the Bladder and Bowel Community which allows them to use toilets for free if they really need to. People can apply for this card at [www.bladderandbowel.org/help-information/just-cant-wait-card/](http://www.bladderandbowel.org/help-information/just-cant-wait-card/).

Members were advised that a cashless pay option was available for those toilets and that studies show that 5%-10% of the population, mostly women, had conditions which required frequent use of a toilet. The security guards would be therefore be flexible in allowing people to use the toilets for free, depending on their need and if they had a condition which required frequent use of a toilet.

The Committee approved the Member Delegated Decision without call-in by a majority vote.

## Scrutiny Reviews

In addition to its standing items, the Overview and Scrutiny can undertake Scrutiny Reviews of certain topics affecting council services and the local community. The Committee undertook the following review in 2020/21:-

### Review of Flooding

The Working Group sought to draw together lessons learned from past flooding events to enable the Council and key partners to become more resilient in the future. Each time a flooding event occurs, lessons can, and should be learned; the learnings shared, and acted upon. A number of mechanisms are in place for this to happen, however resource limitations, both human and financial, mean that ambitions are not always translated into completed actions.

Nationally, The Department for Environment, Food and Rural Affairs (Defra) is the policy lead for flood risk management however, flooding is a multifaceted, complex matter that is linked to a number of issues including climate change, rainfall, planning policy, property design and development, the geography of an area and key assets including drainage systems and networks of rivers, watercourses and their management. Different agencies are responsible for each, and all have key roles to play.

Bassetlaw District Council is responsible for Planning functions, being a Category 1 Responder under the Civil Contingencies Act - Category 1 are organisations at the core of the response to most emergencies. The Council is also a Risk Management Authority under the Flood and Water Management Act 2010. This requires the Council to co-operate and exchange information with other agencies and work to the National Flood and Coastal Erosion Risk Management Strategy for England and the local flood risk management strategies developed by Lead Local Flood Authorities.

Nottinghamshire County Council is the Lead Local Flood Authority for Nottinghamshire and therefore lead on management of flood risk in the area. The Lead Local Flood Authority works alongside partners to manage flooding from local sources: surface water, ordinary watercourses and groundwater. The Environment Agency are responsible for main rivers and have a strategic oversight role in flooding management, whilst internal drainage boards cover minor watercourses in some areas – known as drainage districts – to the east of Bassetlaw.

The group also looked at the work of the Internal Drainage Boards (IDBs) who are responsible for smaller watercourses in defined areas known as Internal Drainage Districts which cover some rural areas in Bassetlaw. The IDBs work in co-operation with Environment Agency, who are responsible for main rivers. Funding was highlighted as a concern; the IDB's reserves are depleted and both the IDB and Environment Agency are looking to their partners including BDC to make one off contributions for capital works and flood alleviation schemes such as pumping station refurbishments.

In addition, a national funding formula is in place that can leave out areas with low residential populations, impacting rural areas. The Environment Agency are leading on a number of projects and have others in the pipeline, however, these are dependent on funding being secured.

Flooding is likely to happen more frequently in the future therefore agencies must be effectively resourced and ready to respond to flooding events when unfortunately they do occur.

How effective that response is comes down to a number of aspects:- how well prepared Risk Management Authorities are; how close agencies work together; how effective their communications are both internally and externally and how well understood the roles and expectations of each agency are, in a real world scenario.

Local knowledge and technical expertise is an important yet unwritten feature of the role played by lower tier councils, however, structural changes within the authority driven mainly by financial pressures have left knowledge gaps in-house and it was no longer clearly understood in the Council where flooding responsibilities lie.

Within neighbourhoods, local communities should be empowered where possible to become more resilient and deliver local support in times of emergency. This may include flood warden training and discussions within local forums.

Some key individuals within the District Council were unaware of the content of flooding emergency plans or even of their existence. Equally, internal debriefing and communication were found to be specific areas requiring improvement. Due to COVID-19 priorities, some key Emergency Planning documents were overdue reviews and priorities had been diverted to the pandemic response.

The Review found that Bassetlaw District Council went above and beyond its basic duties in the response to the November 2019 floods. Much of that was to provide a local presence on the ground to support to people in need, and administering grants to affected properties. Notwithstanding some concerns around on-call arrangements and some internal and inter-agency communications issues, in general, the response by the Council was considered effective. However there was some deployment of resources that weren't ultimately needed and as some plans weren't known at the time, teams acted on instinct rather than being rehearsed.

Worksop Business Forum suggested that some businesses, particularly smaller ones do not have flood plans in place. The Council together with the Business Improvement District and Business Forums have a key role in supporting local businesses, including helping to promote flood resilience.

## **Outcomes**

The Overview and Scrutiny Task and Finish Working Group has concluded its review into Flooding in Bassetlaw. The report provides 11 key recommendations for consideration by Cabinet and partners. Overview and Scrutiny will monitor the outcomes from the review 12 months after receiving the formal response from

Cabinet, however, in addition, recommendation 1 will be monitored 6 months after the Cabinet Response. The recommendations are as follows:-

1. Bassetlaw District Council's Emergency Plan be kept up to date to take into account changes to working practices, structures, and implications following this Scrutiny Review. (6 month + 6 month review period)
2. That BDC considers creating a flooding Lead Member and that BDC use the opportunity of future management restructures to clarify and formalise the roles and responsibilities in regard to flooding at service, Senior Officer and Cabinet Member level.
3. That LRF partners ensure emergency planning for flooding is put back on the LRF agenda at the earliest opportunity; that plans are brought back up to date and cross-border highways working enhanced.
4. The Environment Agency and LRF partners be encouraged to jointly review communication plans, and that consideration be given to identify key-points-of-contact who will receive and relay daily information updates prior to and during flood events.
5. The EA and NCC continue to promote and deliver Flood Warden training to Parish Councils and local communities in Bassetlaw; candidates and needs for Local Traffic Schemes be established and fed back to NCC. BDC to help promote this through Parish Forums.
6. BDC and NCC agree optimal storage provision, restocking and deployment processes for sandbags, aqua-sacs and signage across Bassetlaw.
7. Establish a robust mechanism for preparing for and learning from flooding events and programme a mock exercise with key personnel covering internal debriefing, internal and external communication, action plan monitoring, and reporting to the LRF.
8. The Environment Agency work with partners and the Government to expedite local flood schemes and strengthen the funding formula to protect both Rural and Urban areas.
9. Regular flood awareness training be added into member development programme and attended by key officers. For example to include a presentation and handout pack on:
  - a. Flooding Roles, Responsibilities and Structures (including the LRF).
  - b. Sandbag policy.
  - c. Preparedness and assisting in an emergency.

- d. Communication and informing residents.
  - e. Key contacts (including Parish Clerks and Flood Wardens).
  - f. Managing expectations.
  - g. Specific training for Planning Committee Members on the process used for determining flood risk in Planning Applications.
10. Councils, Canal and River Trust, Environment Agency, Internal Drainage Boards and other partners continue to work closely to mitigate local flood risk and ensure assets are kept safe and effective.
11. The Head of People and Culture and Head of Neighbourhoods be called to the Overview and Scrutiny Committee to outline the on-call and out-of-hours staffing arrangements in relation to flooding response.

### **Review of the Bassetlaw, Newark and Sherwood Community Safety Partnership**

Section 19 of the Police and Justice Act requires every local authority to have a Crime and Disorder Committee with the power to review or scrutinise decisions made, or other action taken, in connection with the discharge by responsible authorities of their crime and disorder functions. Responsible authorities are effectively the statutory partners within a community safety partnership, i.e. police, local authorities, (county and district), Fire and Rescue Authority, Probation Trusts and Clinical Commissioning Groups.

Bassetlaw District Council is part of a merged Community Safety Partnership (CSP) with Newark & Sherwood District Council and between 2008 and 2013 held a joint meeting each year, however, since the 2014/15 municipal year, both authorities have held individual meetings due to different administration structures.

Whilst the topic of Children and Young People had been originally identified for the Review, due to the Pandemic, the Committee chose instead to focus on Street Homelessness in its session on 23 February 2021, with a report from the Council's Community Safety and Safeguarding Manager and Strategic Housing Manager which provided the following update:

#### **Project Stepping Stones**

Members were informed of the work of the Bassetlaw, Newark & Sherwood Community Safety Partnership and a wide range of partners within Worksop in relation to low-level crime, ASB and drug related activity. After three years the project has had significant success and the vast majority have not returned to rough sleeping after engaging with and receiving support from the project.

#### **Rough Sleepers and Homeless Provision**

Members were advised of the response by Bassetlaw District Council from 23rd March 2020 at the beginning of the COVID 19 Lockdown to the need to procure accommodation for those rough sleeping in the district. The impact of COVID



speeded up Central Government's continuing response to the homeless and the provision of funding for the Rough Sleeping Initiative.

### **Severe Winter Emergency Accommodation Provision (SWEP)**

Members received details of the plans for rough sleepers under SWEP. The requirement for two metre social distancing means that hostel type accommodation with shared facilities is prohibited. The emergency accommodation for winter will be self-contained supported accommodation. The Council has received capital and revenue funding from the Ministry of Housing, Communities and Local Government to provide facilities. Members raised questions on homelessness in ex-veterans, learning from the project and funding for the Outreach Worker after March 2021.

## **Reports to Overview and Scrutiny**

Overview and Scrutiny may also request reports to committee on a periodic basis. The following reports were considered in 2020/21:-

### **Annual Update on Leisure Management Contract and Performance**

The Chief Executive, Finance Manager and Contracts Manager of Barnsley Premier Leisure (BPL) and the Council's Strategic Leisure & Healthy Communities Manager attended the virtual committee meeting in October 2020. This session considered performance levels for the financial year 2019/20 and also looked at the impact of Covid-19 on service provision and finance.

Members were advised that BPL's financial performance had grown year on year throughout the entire contract. They had built up a budget surplus which allowed them to reinvest in the leisure centres and other sporting sites in Bassetlaw to keep them fresh, current and encourage participation. In partnership with organisations such as the Integrated Care Partnership, the NHS Bassetlaw Clinical Commissioning Group and Integrated Wellbeing Service, BPL had run referral schemes for physical activity and rehabilitation for cardiac, cancer and fall patients.

The financial success of the contract had also resulted in investments in decoration, gym equipment, as well as replacing machinery and plant to reduce the carbon footprint of the leisure centres.

There was also a growth on the levels of usage with 1.1 million visitors in a year. Prior to the Coronavirus Pandemic and the lockdowns resulting from this, BPL had been expecting to surpass the £1.55 million from the previous year.

Some other successes included the increased use of people with disabilities accessing sporting opportunities provided by BPL such as the Kipper Club and the Disability Dance Group.

Figures for usage in Quarter 1 2020/21 demonstrated that golf was popular, due to the socially distanced nature of the sport and Quarter 2 had shown that people were returning to the leisure centres under the COVID-secure measures implemented.

Members were provided with a report on BPL's actions and performance over the course of pandemic. Highlights of the report included how BPL introduced COVID safe measures during lockdown including implementing social distancing rules, cancelling face to face activities and utilising MS Teams and online exercise programmes through the Home Workout Hub. Memberships were frozen and marketing campaigns and rebranding exercises took place. Closure of the centres allowed escalation of repairs, such as replacing the gym roof at Bircotes Leisure Centre.

The process of reopening was discussed, including social distancing measures and a new marketing campaign called 'Time to feel good again' was launched to encourage members to come back.

BPL staff worked through lockdown with community partners in providing food to foodbanks and volunteering to support the NHS and other key workers.

BPL used the lockdown to reduce the environmental impact in their leisure sites, for example, using pool covers and reducing plant room operations to keep things ticking over.

Members were shown a presentation covering BPL's financial performance. Graphs showed the actual income month by month for the year and the cumulative variance between both the previous year and the pre-Coronavirus budget.

BPL used several financial measures provided by the Government such as

- the Coronavirus Job Retention Scheme (Furlough Scheme) from 20th April
- Funding from the Government to cover employee wages;
- Coronavirus Business Interruption Scheme;
- Successful business grant application from Bassetlaw District Council for one site
- VAT cut 20% to 5% on eat-in or takeaway food until January 2021;
- Zero VAT was applied for BPL purchasing Personal Protective Equipment (PPE)

Members welcomed the report and also praised BPL's quick response in allowing the public to use of the leisure centres to support the community during the Bassetlaw Floods in November 2019.

Overview and Scrutiny will continue to receive an annual report on BPL performance in order to scrutinise BPL's leisure provisions in Bassetlaw. The Committee look forward to being able to view a new Performance Dashboard which will be placed on the Member Portal and aid the sharing of performance information and assist scrutiny.

## **Complaints**

The Overview and Scrutiny Committee continue to monitor complaints on an annual basis.

Members were presented with an annual summary of complaints dealt with by the Council during 2019/20. The Head of Corporate Services reminded the meeting that the Council has a three stage complaints process, i.e. firstly it is referred to the Head of Service and then secondly, if the complainant remains dissatisfied, the complaint is then investigated by the Chief Executive. If the matter is not resolved through the Council's process, the matter can be referred through to the Ombudsman.

A breakdown of service areas and categories for complaints was considered, and it was noted that there had been a slight rise in the number of complaints received (116) on the previous year (111). The number of Stage 2 complaints had reduced from the previous year, (i.e. 11 compared to 17). Only 1 of the Stage 2 complaints was upheld, 6 were not upheld and 4 were partially upheld.

The Committee were also provided with an annual summary of complaints dealt with by the Local Government and Social Care Ombudsman for 2019/20. As part of the Council's complaints process procedure, complainants may exercise their right to seek advice from the Local Government and Social Care Ombudsman (LGSCO). The LGSCO received 13 complaints and enquires about the Council for 2019/20, compared to 14 in 2018/19.

The Committee heard that there were 16 decisions were made during the period by the Ombudsman of which 2 were upheld, 2 were not upheld, 7 were closed after initial enquiries and 5 referred back for resolution.

The Committee will continue to monitor complaints and ombudsman referrals on an annual basis.

### **Performance monitoring**

The Committee continues to monitor performance of the Council through a suite of Key Performance Indicators (KPIs) which are reported on a quarterly basis. An identical set of indicators is also reported to Cabinet. The Chair and Vice Chair of Overview and Scrutiny will discuss the performance report at pre-agenda meetings, and where necessary, ask for officers to provide additional information. Committee members may also raise questions at or before the meeting.

KPI outturns are classified as follows:-

- **Green** – Exceeding target
- **Amber** – On target / within tolerance
- **Red** – Below Target

In addition, a number of data only PIs are reported. Informative notes are provided for each KPI and exceptions are highlighted. Overview and Scrutiny monitored over 30 KPIs on a quarterly basis, across a number of service areas:

- Corporate Services;
- Finance & Property;
- Neighbourhoods;
- Regeneration

Critical PIs are brought before the committee in the form of a Corporate Health Check. In addition, a number of Housing Service PIs are reported following the return of the Housing Service to the Council. During the first wave of COVID-19, Cabinet agreed to a temporary change in monitoring and reporting arrangements to help analyse the impacts of the pandemic on performance. These reports were brought before Overview and Scrutiny for further analysis and consideration by Members.

## **Audit and Risk Scrutiny Committee**

The Audit and Risk Scrutiny Committee continues to fulfil three specific responsibilities:

1. Undertaking statutory Audit functions in respect of the Council's financial and non-financial operations;
2. Considering all aspects of the Council's Risk Management arrangements; and
3. Considering aspects of the Council's arrangements for Member Code of Conduct.

In 2020/21, the Committee received reports on a number of items, including:-

- Internal Audit Progress Reports 2020/21
- Internal Audit Annual Report 2019/20
- Internal Audit Plan 2021/22
- External Auditors Completion Report, Letter of Representation and Audited Statement of Accounts for 2019/20
- Annual Audit Letter 2019/20
- External Audit Strategy Memorandum 2020/21
- Write Offs Annual Report 2019/20
- Budget Monitoring and Capital Programme Updates
- Risk Management Strategy and Framework
- Corporate Risk Management Quarterly Reports
- Code of Conduct - End of Year Analysis
- Local Code of Corporate Governance 2020/21
- Annual Governance Statement and Report 2019/20
- Regulation of Use of Powers Act 2000 (RIPA) Review of Use of Powers and Policy
- Partnership Governance and the Partnership Register
- Budget Reports 2021/22 to 2025/26
- Briefing note on Retford Train Station Project

It should be noted that in accordance with the Constitution, the Chair of Audit and Risk is a member of the Overview and Scrutiny Committee.

## Annual audit letter

MAZARS, as the Council's appointed external auditor, issued an unqualified audit opinion and audit certificate on the 9 December 2020. On the same date, Mazars also issued an unqualified conclusion of the Council's arrangements for securing value for money as required by the National Audit Office's Code of Audit Practice. This means that the financial statements give a true and fair view of the Council's financial position and of its expenditure and income for the year ended 31 March 2020.

## Looking forward

### Delivering the 2021/22 Work Programme

The Committee will continue to programme work in advance by keeping their Work Programme under review at each meeting. Changes to Committee membership for 2021/22 also allows for new conversations and fresh ideas to shape the Work Programme. The return to physical meetings also presents opportunities for wider debate and deliberation.

Towards the start of the municipal year, all Elected Members and Senior Officers were given the opportunity to suggest topics for Overview and Scrutiny and these suggestions were shortlisted in June.

For 2021/22 the chosen topics will include:

- **Town Centre Safety**
- **The Environment Bill – implications on Bassetlaw including recycling**
- **Planning Enforcement**
- **Barriers to Carbon Neutrality – Bassetlaw District Council**
- **Allotment Scheme Update**
- **East Midlands Ambulance Service – performance update**

The Committee may select other topics of focus during the course of the municipal year, and will continue to scrutinise the **BPL Leisure Contract Performance** and the **Bassetlaw, Newark and Sherwood Community Safety Partnership**, as well as receiving quarterly **performance reports** and the **Annual Complaints and Local Government and Housing Ombudsmen Reports**.

### East Midlands Ambulance Service (EMAS)

The Committee were to receive an update from EMAS in 2019/20 and 2020/21 however due to the Covid-19 pandemic, the item was deferred until 2021/22 where it will be considered through a virtual Task and Finish Group session.

## **Scrutiny of Finance**

The Council is considering ways to strengthen this element of Scrutiny. This will be addressed in the Review of the Constitution and through member training prior to key financial reports.

## **Conclusion**

2020/21 has been a productive year for Overview and Scrutiny, despite the disruption of the pandemic, Scrutiny were ahead of the curve in utilising virtual meetings to drive forward its Work Programme. The topics for 2021/22 are broad ranging and help to ensure that the Council's Scrutiny Function serves the best interests of Bassetlaw and its communities.

**BASSETLAW DISTRICT COUNCIL**

**COUNCIL**

**23<sup>rd</sup> September 2021**

**REPORT OF THE DIRECTOR OF CORPORATE SERVICES**

**DESIGNATION OF THE COUNCIL MONITORING OFFICER AND DEPUTY**

Cabinet: Policy, Strategy and  
Communications  
Contact: Stephen Brown

**1. Public Interest Test**

The author of this report, Stephen Brown, has determined that the report is not confidential.

**2. Purpose of the Report**

To approve the designation of the Council's Monitoring Officer and Deputy Monitoring Officer.

**3. Background and Discussion**

3.1 At its meeting of the 24<sup>th</sup> September 2020 the Council considered a number of interim management arrangements. One of these was the designation of the Council Solicitor as the Monitoring Officer.

3.2 Section 5 of the Local Government and Housing Act 1989 requires the Council to designate one of its officers as Monitoring Officer. The Monitoring Officer may not also be the Council's Chief Financial Officer (Section 151 officer) or the Chief Executive / Head of Paid Service.

3.3 The functions of the Monitoring Officer include:

- Oversight and reporting on the operation of the Council's Constitutional arrangements and decision making processes;
- Reporting on unlawfulness and maladministration;
- Investigating allegations of the breach of the Code of Conduct; and
- Seeking rulings from the Council's Independent Person and arranging meetings of the Standards Sub-Committee.

3.4 At the 6<sup>th</sup> July 2021 Cabinet approved the proposals for the restricting of the Legal & Licensing section which included formalising the arrangements for the Monitoring Officer and to make provision for a Deputy Monitoring Officer. The Council is now asked to give formal approval to those arrangements.

#### **4. Implications**

- a) For service users

None from this report.

- b) Strategic & Policy

None from this report.

- c) Financial - Ref:22 /250

Nil from this report.

- d) Legal – Ref:344 /09/ 2021

The statutory requirement for the designation of a Monitoring Officer are set out in the report.

- e) Human Resources

The job evaluation implications of these designations was incorporated into the revised staffing structure for Legal & Licensing and approved by Cabinet in July.

- f) Community Safety, Equalities, Environmental

Nil from this report.

- g) General Data Protection Regulations

Nil from this report.

- h) Whether this is a key decision, and if so the reference number.

This is not a key decision.

#### **5. Options, Risks and Reasons for Recommendations**

The Council has a duty to designate a Monitoring Officer under the Local Government and Housing Act 1989. It may make provisions to have a Deputy.

#### **6. Recommendations**

6.1 That Council designate the Council Solicitor as the Monitoring Officer.

6.2 That the Council designate the Principal Solicitor (Regulatory) as the Deputy Monitoring Officer.

#### **Background papers**

The Local Government and Housing Act 1989

#### **Location**



**BASSETLAW DISTRICT COUNCIL**

**COUNCIL**

**23 SEPTEMBER 2021**

**REPORT OF DIRECTOR OF CORPORATE RESOURCES**

**ANNUAL TREASURY REPORT 2020/21**

Cabinet Member: Finance  
Contact: Dave Hill

**1. Public Interest Test**

- 1.1 The author of this report, Dave Hill, has determined that the report is not confidential.

**2. Purpose of the Report**

- 2.1 To present the Annual Report on Treasury Management Activity for 2020/21, and to demonstrate how the Treasury Management activity links to the Treasury Management Strategy, including the Prudential Indicators approved by full Council on 5<sup>th</sup> March 2020.

**3. Background and Discussion**

**The Annual Treasury Management Report**

- 3.1 The annual Treasury management report for 2020/21 was presented to ARSC on 22 July 2021 and to Cabinet on 13 July 2021.
- 3.2 Under the Treasury Management Code of Practice an Annual outturn report is required to be presented to Council to detail and explain activities in the year. The report is presented here for information at **Appendix A**, and it includes the Prudential Indicators that the Council is required to report and monitor.
- 3.3 There are no issues to highlight to Members on these indicators.

**4. Implications**

- a) For service users

None directly from this report, however the amount of revenue and capital resources available has a direct impact on service delivery, and the success of the Treasury Management function has a direct impact on the availability of resources to fund that service delivery.

- b) Strategic & Policy

The revenue budgets and Capital Programme align with the Council Plan. The report on Treasury Management activity complies with the approved policies within the Treasury Management Strategy 2020/21.

- c) Financial – Ref: 22/374

All of the financial implications are set out in the body of the report.

- d) Legal – Ref: 305/07/2021

As contained within the body of this report.

- e) Human Resources

None from this report.

- f) Community Safety, Equalities, Environmental

None from this report.

- g) GDPR

None from this report

- h) This is key decision number 878.

## **5 Options, Risks and Reasons for Recommendations**

### **5.1 Treasury Management 2020/21**

There are no options for Members to consider at this stage since past performance is being reported. Treasury Management is an important Council function since it deals with large value money transactions. The potential risk in this area is very high, however the Council has in place sound systems of financial control to minimise these risks. These controls are reviewed on an annual basis in order to provide the assurance that risk is being minimised. Additionally, by monitoring the Prudential Indicators, this also serves to minimise the risk in this area.

## **6 Recommendations**

- 6.1 That Council receives the Annual Report on Treasury Management Activity and comments as appropriate, as required by the Chartered Institute of Public Finance and Accountancy's Code of Practice on Treasury Management.

- 6.8 That Members note that the Treasury Management activities are consistent with the objectives identified in the Treasury Management Strategy for 2020/21.

### **Background Papers**

### **Location**

Capital Final Accounts 2020/21 files.	Accountancy Office
Treasury Management Strategy 2020/21 to 2022/23.	Accountancy Office
SOA files and working papers 2020/21 ABS reports.	Accountancy Office

**BASSETLAW DISTRICT COUNCIL****EXTRAORDINARY CABINET****13<sup>th</sup> JULY 2021****REPORT OF THE INTERIM DIRECTOR OF CORPORATE RESOURCES****ANNUAL TREASURY MANAGEMENT REVIEW 2020/21**

Cabinet Member: Finance  
 Contact: David Hill

**1. Public Interest Test**

- 1.1 The author of this report, David Hill, has determined that the report is not confidential.

**2. Purpose of the Report**

- 2.1 To present Cabinet with the Annual Report on Treasury Management Activity for 2020/21 and to demonstrate how the Treasury Management activity links to the Treasury Management Strategy, including the Prudential Indicators approved by full Council on 5<sup>th</sup> March 2020.

**3. Background and Discussion****Treasury Management Outturn Report**

- 3.1 Under the Treasury Management Code of Practice an Annual outturn report is required to be presented to Council to detail and explain activities in the year. The report is presented here for information at **Appendix A**, and it includes the Prudential Indicators that the Council is required to report and monitor.
- 3.2 Key highlights from the report include:
- The Council has complied with the approved policies, limits and indicators set out within the Treasury Management Strategy for 2020/21.
  - A temporary increase in limit on Money Market Fund deposits was agreed in December 2020 (from £4M to £10M) to allow the Council to safely manage the Covid-19 grants distributed to businesses on behalf of the Government.
  - The final outturn on the capital financing / treasury management budget was a net underspend of £0.255M. The main reason for this underspend is the level of borrowing forecast to finance the capital programme during 2020/21 has not been required (due to slippage as a result of the Covid Pandemic) and as such the amount of interest payable is lower than budgeted. The capital programme as planned and approved will continue to progress during 2021/22.

#### 4. **Implications**

- a) For service users

None directly from this report, however the success of the Treasury Management function has a direct impact on the availability of resources to fund that service delivery.

- b) Strategic & Policy

The report on Treasury Management activity complies with the approved policies within the Treasury Management Strategy 2020/21.

- c) Financial – Ref: 22/374

All of the financial implications are set out in the body of the report. With regard to the capital financing outturn, the net underspend of £0.255M represents a variance of 5.22% on the revised budget:

<b>Heading</b>	<b>Revised Budget (£000s)</b>	<b>Outturn (£000s)</b>	<b>Variance (£000s)</b>
Interest Payable	4,339	4,081	258
Interest Receivable	(139)	(57)	(82)
Minimum Revenue Provision	676	597	79
<b>Net Financing Costs</b>	<b>4,876</b>	<b>4,621</b>	<b>255</b>

- a) Legal – Ref: 305/07/2021

None from this report.

- b) Human Resources

None from this report.

- c) Community Safety, Equalities, Environmental

None from this report.

- d) GDPR

None from this report.

- e) This is key decision number 878.

#### 5 **Options, Risks and Reasons for Recommendations**

##### 5.1 **Treasury Management 2020/21:**

There are no options for Members to consider at this stage since past performance is being reported. Treasury Management is an important Council function since it deals with large value money transactions. The potential risk in this area is very high, however the Council has in place sound systems of financial control to minimise these risks. These controls are reviewed on an annual basis in order to provide the assurance that risk is being minimised. Additionally, by monitoring the Prudential Indicators this serves to minimise the risk in this area.

## **6 Recommendations**

- 6.1 That Cabinet receives the Annual Report on Treasury Management Activity and comments as appropriate for referral onto the Council for information, as required by the Chartered Institute of Public Finance and Accountancy's Code of Practice on Treasury Management.
- 6.2 That Members note that the Treasury Management activities are consistent with the objectives identified in the Treasury Management Strategy for 2020/21.
- 6.3 That Members recommend the approval of the actual prudential and treasury indicators to full Council on 23<sup>rd</sup> September 2021.

### **Background Papers**

Treasury Management Strategy 2020/21 to 2022/23.

### **Location**

Accountancy Office





**Bassetlaw**  
DISTRICT COUNCIL  
— North Nottinghamshire —

---

# **Annual Treasury Management Review**

## **2020/21**

---

# Annual Treasury Management Review 2020/21

---

## Contents

1. Introduction .....	2
2. The Council's Capital Expenditure and Financing.....	3
3. The Council's Overall Borrowing Need .....	4
4. Treasury Position as at 31/03/2021.....	5
5. The Strategy for 2020/21 .....	7
6. Borrowing Rates in 2020/21 .....	9
7. Borrowing Outturn .....	11
8. Investment Outturn.....	11
9. Other Issues .....	12
Appendix 1: Prudential and Treasury Indicators .....	14
Appendix 2: Graphs.....	16
Appendix 3: Investment Portfolio .....	18
Appendix 4: Approved countries for investments as at 31/03/2021 .....	19



# Annual Treasury Management Review 2020/21

---

## 1. Introduction

This Council is required by regulations issued under the Local Government Act 2003 to produce an annual treasury management review of activities and the actual prudential and treasury indicators for 2020/21. This report meets the requirements of both the CIPFA Code of Practice on Treasury Management, (the Code), and the CIPFA Prudential Code for Capital Finance in Local Authorities, (the Prudential Code).

During 2020/21 the minimum reporting requirements were that the full Council should receive the following reports:

- an annual treasury strategy in advance of the year (Council 05/03/2020)
- a mid-year treasury update report (Cabinet 01/12/2020)
- an annual review following the end of the year describing the activity compared to the strategy (this report)

In addition, this Council has received quarterly treasury management update reports on the following dates 01/09/2020 and 11/02/2021 which were received by the Cabinet.

The regulatory environment places responsibility on members for the review and scrutiny of treasury management policy and activities. This report is, therefore, important in that respect, as it provides details of the outturn position for treasury activities and highlights compliance with the Council's policies previously approved by members.

This Council confirms that it has complied with the requirement under the Code to give prior scrutiny to all of the above treasury management reports by the Audit and Risk Scrutiny Committee before they were reported to Council. Member training on treasury management issues was undertaken during the year on 19/11/2020 in order to support members' scrutiny role.

## 2. The Council's Capital Expenditure and Financing

The Council undertakes capital expenditure on long-term assets. These activities may either be:

- Financed immediately through the application of capital or revenue resources (capital receipts, capital grants, revenue contributions etc.), which has no resultant impact on the Council's borrowing need; or
- If insufficient financing is available, or a decision is taken not to apply resources, the capital expenditure will give rise to a borrowing need.

The actual capital expenditure forms one of the required prudential indicators. The table below shows the actual capital expenditure and how this was financed.

General Fund (£000s)	2019/20 Actual	2020/21 Revised Budget	2020/21 Actual
<b>Capital expenditure</b>	<b>4,747</b>	<b>3,993</b>	<b>7,456</b>
Financed in year	4,747	3,993	6,550
<b>Unfinanced capital expenditure</b>	-	-	<b>906</b>

Housing Revenue Account (£000s)	2019/20 Actual	2020/21 Revised Budget	2020/21 Actual
<b>Capital expenditure</b>	<b>11,377</b>	<b>18,927</b>	<b>8,421</b>
Financed in year	8,320	18,927	8,421
<b>Unfinanced capital expenditure</b>	<b>3,057</b>	-	-

### 3. The Council's Overall Borrowing Need

The Council's underlying need to borrow to finance capital expenditure is termed the Capital Financing Requirement (CFR). This figure is a gauge of the Council's indebtedness and represents any capital expenditure which has not yet been paid for by revenue or other resources. New capital expenditure aside, this will be written down over time an annual revenue charge known as the Minimum Revenue Provision (MRP).

**Gross borrowing and the CFR** - in order to ensure that borrowing levels are prudent over the medium term and only for a capital purpose, the Council should ensure that its gross external borrowing does not, except in the short term, exceed the total of the capital financing requirement in the preceding year plus the estimates of any additional capital financing requirement for the current and next two financial years. This essentially means that the Council is not borrowing to support revenue expenditure. This indicator allowed the Council some flexibility to borrow in advance of its immediate capital needs in 2020/21. The table below highlights the Council's gross borrowing position against the CFR. The Council has complied with this prudential indicator.

	31-Mar-20 Actual	31-Mar-21 Budget	31-Mar-21 Actual
CFR General Fund (£000s)	24,940	28,577	25,249
CFR HRA (£000s)	95,414	103,183	95,414
<b>Total CFR</b>	<b>120,354</b>	<b>131,760</b>	<b>120,663</b>
Gross borrowing position	98,863	115,498	98,863
Under / over funding of CFR	21,491	16,262	21,800

**The authorised limit** - the authorised limit is the "affordable borrowing limit" required by s3 of the Local Government Act 2003. Once this has been set, the Council does not have the power to borrow above this level. The table below demonstrates that during 2020/21 the Council has maintained gross borrowing within its authorised limit.

**The operational boundary** - the operational boundary is the expected borrowing position of the Council during the year. Periods where the actual position is either below or over the boundary are acceptable subject to the authorised limit not being breached.

**Actual financing costs as a proportion of net revenue stream** - this indicator identifies the trend in the cost of capital, (borrowing and other long term obligation costs net of investment income), against the net revenue stream.

<b>General Fund (£000s)</b>	<b>2020/21</b>
Authorised limit	28,352
Maximum gross borrowing position during the year	13,085
Operational boundary	27,352
Average gross borrowing position	13,085
Financing costs as a proportion of net revenue stream	7.24%
<b>H.R.A. (£000s)</b>	<b>2020/21</b>
Authorised limit	113,408
Maximum gross borrowing position during the year	85,778
Operational boundary	109,408
Average gross borrowing position	85,778
Financing costs as a proportion of net revenue stream	13.42%

## 4. Treasury Position as at 31/03/2021

The tables below sets out the Council's debt position (excluding borrowing by PFI and finance leases) at the end of 2020/21, in comparison with the previous year:

<b>DEBT PORTFOLIO - GENERAL FUND (£000s)</b>	<b>31-Mar-20 Principal</b>	<b>Rate/ Return</b>	<b>31-Mar-21 Principal</b>	<b>Rate/ Return</b>
Fixed rate funding:				
-PWLB	7,360	4.284%	7,360	4.284%
-Market	5,725	4.593%	5,725	4.593%
<b>Total debt</b>	<b>13,085</b>	<b>4.419%</b>	<b>13,085</b>	<b>4.419%</b>
<b>CFR</b>	<b>24,940</b>		<b>25,249</b>	
<b>Over / (under) borrowing</b>	<b>(11,855)</b>		<b>(12,164)</b>	
<b>Total MMF investments</b>	<b>1,951</b>		<b>2,306</b>	
<b>Total bank deposits</b>	<b>364</b>		<b>444</b>	
<b>Net debt</b>	<b>10,770</b>		<b>10,335</b>	

<b>DEBT PORTFOLIO - H.R.A. (£000s)</b>	<b>31-Mar-20 Principal</b>	<b>Rate/ Return</b>	<b>31-Mar-21 Principal</b>	<b>Rate/ Return</b>
Fixed rate funding:				
-PWLB	60,003	3.851%	60,003	3.851%
-Market	25,775	4.593%	25,775	4.593%
<b>Total debt</b>	<b>85,778</b>	<b>4.074%</b>	<b>85,778</b>	<b>4.074%</b>
<b>CFR</b>	<b>95,414</b>		<b>95,414</b>	
<b>Over / (under) borrowing</b>	<b>(9,636)</b>		<b>(9,636)</b>	
<b>Total MMF investments</b>	<b>8,769</b>		<b>10,364</b>	
<b>Total bank deposits</b>	<b>1,636</b>		<b>1,996</b>	
<b>Net debt</b>	<b>75,373</b>		<b>73,418</b>	

The maturity structure of the debt portfolio was as follows:

<b>General Fund (£000s)</b>	<b>31-Mar-20 actual</b>	<b>2020/21 original limits</b>	<b>31-Mar-21 actual</b>
12 months and within 24 months	-	909	909
24 months and within 5 years	1,636	727	727
5 years and within 10 years	727	727	727
10 years and over	10,722	10,722	10,722
<b>H.R.A. (£000s)</b>	<b>31-Mar-20 actual</b>	<b>2020/21 original limits</b>	<b>31-Mar-21 actual</b>
12 months and within 24 months	-	4,091	4,091
24 months and within 5 years	7,364	3,273	3,273
5 years and within 10 years	14,273	14,273	14,273
10 years and over	64,141	64,141	64,141

The tables below sets out the Council's investment position at the end of 2020/21, in comparison with the previous year:

INVESTMENT PORTFOLIO	Actual 31-Mar-20		Actual 31-Mar-21	
	£000s	%	£000s	%
<b>Treasury investments</b>				
Banks	2,000	16%	2,440	16%
Building Societies - rated	0		0	
Local authorities	0		0	
DMADF (H M Treasury)	0		0	
Bond funds	0		0	
Property funds	0		0	
Money Market Funds	10,720	84%	12,670	84%
<b>TOTAL TREASURY INVESTMENTS</b>	<b>12,720</b>	<b>100%</b>	<b>15,110</b>	<b>100%</b>

The maturity structure of the investment portfolio was as follows:

	31-Mar-20 Actual £000s	31-Mar-21 Actual £000s
Investments		
Longer than 1 year	-	-
Up to 1 year	12,720	15,110
<b>Total</b>	<b>12,720</b>	<b>15,110</b>

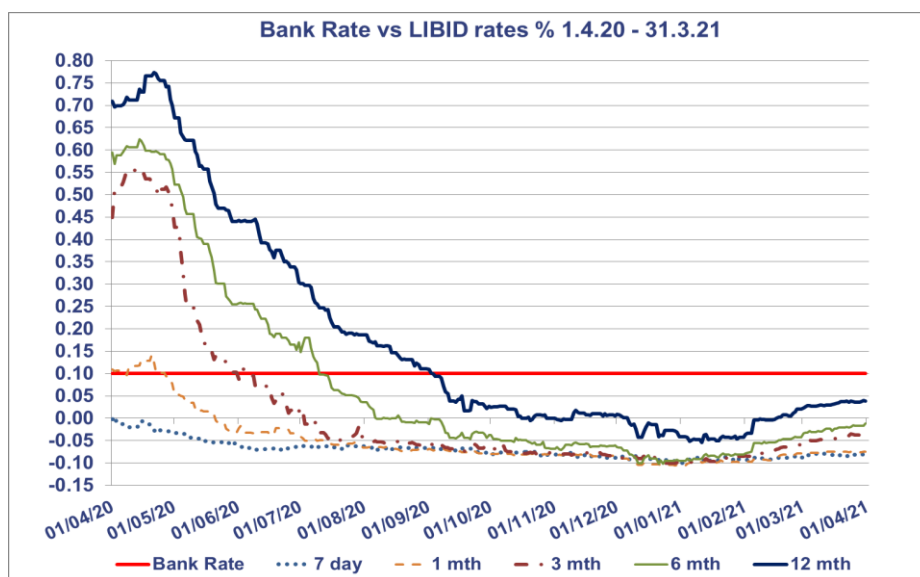
As at 31<sup>st</sup> March 2021, the Council also held non-treasury investments (e.g. loans and equity investments) to the value of £0.4M - including £0.3M in connection with Bersahill Limited and £40k in relation to S80 Partnership Limited.

## 5. The Strategy for 2020/21

### Highlights:

- Investment returns plunged during 2020/21, predominantly owing to the Covid-19 pandemic (following the cut in UK Bank Rate from 0.75% to 0.10% in March 2020)
- Investment balances were kept to a minimum through the agreed strategy of internal borrowing, in turn reducing borrowing costs and counterparty risk exposure
- A temporary increase in limit on Money Market Fund deposits was agreed in December 2020 (from £4M to £10M) to allow the Council to safely manage the Covid-19 grants distributed to businesses on behalf of the Government

### 5.1 Investment strategy and control of interest rate risk



Investment returns which had been low during 2019/20, plunged during 2020/21 to near zero or even into negative territory. The expectation for interest rates within the treasury management strategy for 2020/21 was that Bank Rate would continue at the start of the year at 0.75 % before rising to end 2022/23 at 1.25%. This forecast was invalidated by the Covid-19 pandemic bursting onto the scene in March 2020 which caused the Monetary Policy Committee to cut Bank Rate in March, first to 0.25% and then to 0.10%, in order to counter the hugely negative impact of the national lockdown on large swathes of the economy. The Bank of England and the Government also introduced new programmes of supplying the banking system and the economy with massive amounts of cheap credit so that banks could help cash-starved businesses to survive the lockdown. The Government also supplied huge amounts of finance to local authorities to pass on to businesses. This meant that for most of the year there was much more liquidity in financial markets than there was demand to borrow, with the consequent effect that investment earnings rates plummeted.

This authority does not have sufficient cash balances to be able to place longer term deposits so as to earn higher rates. While the Council has taken a cautious approach to investing, it is also fully appreciative of changes to regulatory requirements for financial institutions in terms of additional capital and liquidity that came about in the aftermath of the financial crisis. These requirements have provided a far stronger basis for financial institutions, with annual stress tests by regulators evidencing how institutions are now far more able to cope with extreme stressed market and economic conditions.

Investment balances have been kept to a minimum through the agreed strategy of using reserves and balances to support internal borrowing, rather than borrowing externally from the financial markets. External borrowing would have incurred an additional cost, due to the differential between borrowing and investment rates as illustrated in the charts shown above and below. Such an approach has also provided benefits in terms of reducing the counterparty risk exposure, by having fewer investments placed in the financial markets.

## **5.2 Borrowing strategy and control of interest rate risk**

During 2020/21, the Council maintained an under-borrowed position. This meant that the capital borrowing need, (the Capital Financing Requirement), was not fully funded with loan debt, as cash supporting the Council's reserves, balances and cash flow was used as an interim measure. This strategy was prudent as investment returns were low and minimising counterparty risk on placing investments also needed to be considered.

A cost of carry remained during the year on any new long-term borrowing that was not immediately used to finance capital expenditure, as it would have caused a temporary increase in cash balances; this would have incurred a revenue cost – the difference between (higher) borrowing costs and (lower) investment returns.

The policy of avoiding new borrowing by running down spare cash balances, has served well over the last few years. However, this was kept under review to avoid incurring higher borrowing costs in the future when this authority may not be able to avoid new borrowing to finance capital expenditure and/or the refinancing of maturing debt.

Against this background and the risks within the economic forecast, caution was adopted with the treasury operations. The Director of Finance therefore monitored interest rates in financial markets and adopted a pragmatic strategy based upon the following principles to manage interest rate risks

- if it had been felt that there was a significant risk of a sharp FALL in long and short term rates, (e.g. due to a marked increase of risks around relapse into recession or of risks of deflation), then long term borrowings would have been postponed, and potential rescheduling from fixed rate funding into short term borrowing would have been considered.
- if it had been felt that there was a significant risk of a much sharper RISE in long and short term rates than initially expected, perhaps arising from an acceleration in the start date and in the rate of increase in central rates in the USA and UK, an increase in world economic activity or a sudden increase in inflation risks, then the portfolio position would have been re-appraised. Most likely, fixed rate funding would have been drawn whilst interest rates were lower than they were projected to be in the next few years.

## 6. Borrowing Rates in 2020/21

### Highlights:

- Forecasts expected only gradual rises in borrowing rates during 2020/21 to 2022/23
- Significantly volatility during the year, predominantly owing to the Covid-19 pandemic
- Additional 1% margin on PWLB loans announced in October 2019 subsequently reversed in March 2020 (HRA) and November 2020 (non-HRA)
- Council planning to purchase assets for yield will be unable to access the PWLB (except for the refinancing of existing loans)
- Only a gentle rise in gilt yields and PWLB rates expected over the next three years

Interest rate forecasts expected only gradual rises in medium and longer term fixed borrowing rates during 2020/21 and the two subsequent financial years. Variable, or short-term rates, were expected to be the cheaper form of borrowing over the period.

Link Asset Services Interest Rate View														
	Dec-19	Mar-20	Jun-20	Sep-20	Dec-20	Mar-21	Jun-21	Sep-21	Dec-21	Mar-22	Jun-22	Sep-22	Dec-22	Mar-23
Bank Rate View	0.75	0.75	0.75	0.75	0.75	1.00	1.00	1.00	1.00	1.00	1.25	1.25	1.25	1.25
3 Month LIBID	0.70	0.70	0.70	0.80	0.90	1.00	1.00	1.00	1.10	1.20	1.30	1.30	1.30	1.30
6 Month LIBID	0.80	0.80	0.80	0.90	1.00	1.10	1.10	1.20	1.30	1.40	1.50	1.50	1.50	1.50
12 Month LIBID	1.00	1.00	1.00	1.10	1.20	1.30	1.30	1.40	1.50	1.60	1.70	1.70	1.70	1.70
5yr PWLB Rate	2.30	2.40	2.40	2.50	2.50	2.60	2.70	2.80	2.90	2.90	3.00	3.10	3.20	3.20
10yr PWLB Rate	2.60	2.70	2.70	2.70	2.80	2.90	3.00	3.10	3.20	3.20	3.30	3.30	3.40	3.50
25yr PWLB Rate	3.20	3.30	3.40	3.40	3.50	3.60	3.70	3.70	3.80	3.90	4.00	4.00	4.10	4.10
50yr PWLB Rate	3.10	3.20	3.30	3.30	3.40	3.50	3.60	3.60	3.70	3.80	3.90	3.90	4.00	4.00

Forecast as at 11/11/2019

PWLB rates are based on, and are determined by, gilt (UK Government bonds) yields through H.M.Treasury determining a specified margin to add to gilt yields. The main influences on gilt yields are Bank Rate, inflation expectations and movements in US treasury yields. Inflation targeting by the major central banks has been successful over the last 30 years in lowering inflation and the real equilibrium rate for central rates has fallen considerably due to the high level of borrowing by consumers: this means that central banks do not need to raise rates as much now to have a major impact on consumer spending, inflation, etc. This has pulled down the overall level of interest rates and bond yields in financial markets over the last 30 years. We have seen, over the last two years, many bond yields up to 10 years in the Eurozone turn negative on expectations that the EU would struggle to get growth rates and inflation up from low levels. In addition, there has, at times, been an inversion of bond yields in the US whereby 10 year yields have fallen below shorter term yields. In the past, this has been a precursor of a recession.

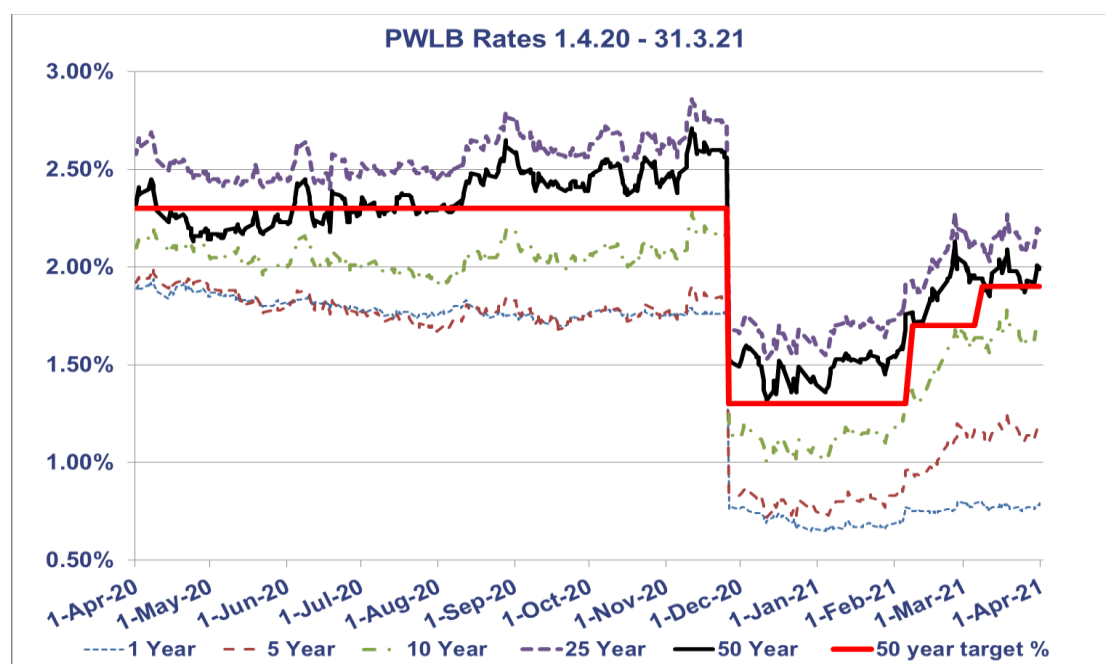
Gilt yields fell sharply from the start of 2020 and then spiked up during a financial markets melt down in March caused by the pandemic hitting western countries; this was rapidly countered by central banks flooding the markets with liquidity. While US treasury yields do exert influence on UK gilt yields so that the two often move in tandem, they have diverged during the first three quarters of 2020/21 but then converged in the final quarter. Expectations of economic recovery started earlier in the US than the UK but once the UK vaccination programme started making rapid progress in the new year of 2021, gilt yields and gilt yields and PWLB rates started rising sharply as confidence in economic recovery rebounded. Financial markets also expected Bank Rate to rise quicker than in the forecast tables in this report. At the close of the day on 31 March 2021, all gilt yields from 1 to 5 years were between 0.19 – 0.58% while the 10-year and 25-year yields were at 1.11% and 1.59%.



HM Treasury imposed **two changes of margins over gilt yields for PWLB rates in 2019/20** without any prior warning. The first took place on 9th October 2019, adding an additional 1% margin over gilts to all PWLB period rates. That increase was then, at least partially, reversed for some forms of borrowing on 11th March 2020, but not for mainstream non-HRA capital schemes. A consultation was then held with local authorities and **on 25th November 2020, the Chancellor announced the conclusion to the review of margins over gilt yields for PWLB rates**; the standard and certainty margins were reduced by 1% but a prohibition was introduced to deny access to borrowing from the PWLB for any local authority which had purchase of assets for yield in its three year capital programme. The new margins over gilt yields are as follows: -

- **PWLB Standard Rate** is gilt plus 100 basis points (G+100bps)
- **PWLB Certainty Rate** is gilt plus 80 basis points (G+80bps)
- **PWLB HRA Standard Rate** is gilt plus 100 basis points (G+100bps)
- **PWLB HRA Certainty Rate** is gilt plus 80bps (G+80bps)
- **Local Infrastructure Rate** is gilt plus 60bps (G+60bps)

There is likely to be only a gentle rise in gilt yields and PWLB rates over the next three years as Bank Rate is not forecast to rise from 0.10% by March 2024 as the Bank of England has clearly stated that it will not raise rates until inflation is sustainably above its target of 2%; this sets a high bar for Bank Rate to start rising.



## 7. Borrowing Outturn

### Borrowing

No borrowing was undertaken during the year owing to a combination of factors:

1. As highlighted in the next section, the Council had an average investment balance over the year of £21.5M, therefore had sufficient cash available to manage its spending requirements without borrowing (resulting in a saving of £0.258M against its budgeted interest costs).
2. The Coronavirus Pandemic has had a significant impact on the UK economy and many organisations are facing considerable financial pressures. By avoiding new borrowing it helps to minimise cash balances which in turn helps to mitigate credit and counterparty risk.
3. The uncertainty surrounding Brexit and the Coronavirus Pandemic has led to significantly reduced investment returns, therefore the risks of holding additional cash currently outweigh the benefits.

### Borrowing in advance of need

The Council has not borrowed more than, or in advance of its needs, purely in order to profit from the investment of the extra sums borrowed.

### Rescheduling

No rescheduling was done during the year as the average 1% differential between PWLB new borrowing rates and premature repayment rates made rescheduling unviable.

### Repayments

There were no loan repayments made during the year.

### Summary of debt transactions

There were no debt transactions during the year, as such the average interest rate for the portfolio remained at 4.12%. Interest payable for the year totalled £4.1M, compared to a budget of £4.3M.

	GF	HRA	OVERALL
Interest Payable - Budget (£000s)	0.628	3.711	<b>4.339</b>
Interest Payable - Outturn (£000s)	0.579	3.502	<b>4.081</b>
Principal Outstanding (£000s)	85,778	13,085	<b>98,863</b>
Average Rate (%)	4.419	4.074	<b>4.120</b>

## 8. Investment Outturn

**Investment Policy** – the Council’s investment policy is governed by MHCLG investment guidance, which has been implemented in the annual investment strategy approved by the Council on 05/03/2020. This policy sets out the approach for choosing investment counterparties, and is based on credit ratings provided by the three main credit rating agencies, supplemented by additional market data, (such as rating outlooks, credit default swaps, bank share prices etc.).

The investment activity during the year conformed to the approved strategy, and the Council had no liquidity difficulties.

**Resources** – the Council’s cash balances comprise revenue and capital resources and cash flow monies. The Council’s core cash resources are summarised overleaf:

Balance Sheet Resources (£000s)	31-Mar-20	31-Mar-21
Balances (General Fund and HRA)	6,676	7,887
Earmarked reserves	9,096	9,391
Provisions	2,129	2,969
Usable capital receipts (excluding capital grants unapplied and the Major Repairs Reserve)	4,064	2,339
Total	21,965	22,586

#### Investments held by the Council

- The Council maintained an average balance of £21.503m of internally managed funds.
- The internally managed funds earned an average rate of return of 0.23%.
- The comparable performance indicator is the average 7-day LIBID rate, which was -0.07058%.
- Total investment income was £0.052M compared to an original budget of £0.131M. As mentioned in the above section the uncertainty surrounding Brexit and the Coronavirus Pandemic has led to significantly reduced investment returns. The UK Bank Rate was cut twice in March 2020 (initially from 0.75% to 0.25% and later to 0.10%) which in turn reduced the returns generated by the Council's investments.

## 9. Other Issues

### 9.1 IFRS 9 fair value of investments

IFRS9 came into effect for councils in 2018/19 and changed the way that certain investments were categorised and valued, including the recognition of any potential losses on investment through the General Fund revenue account. Due to the low-risk strategy that Bassetlaw has adopted, the risk of credit losses arising from its treasury investments is deemed immaterial, however the expected credit loss model also applies to the Council's third party loans which as at 31<sup>st</sup> March 2021 totalled £0.2M. An assessment has been carried out in relation to these loans and determined that there is no expected loss allowance is required, since there is no evidence to suggest an increase in credit risk and as lender the Council has first charge over the property associated with Bersahill Limited. Officers will monitor this on a regular basis and raise any issues via the appropriate channels. In addition the loss allowance will be a key consideration for any new loans agreed going forwards.

The Council has no material shares or equity investments therefore these are held on the Balance sheet at cost (as a proxy for Fair Value). Again officers will monitor this on a regular basis and raise any issues via the appropriate channels.

### 9.2 Non-treasury management investments.

Bassetlaw District Council does not have any material non-treasury investments, for example commercial properties as at 31/03/2021.

The revising lending terms of PWLB will restrict access to all PWLB borrowing in any year in which the capital programme includes expenditure on an asset purchased purely to obtain yield, therefore at present the Council has no intention of undertaking such investments.

### **9.3 Sources of borrowing**

The changes in margins over gilt yields have not resulted in changes to the Council's current borrowing strategy e.g. postponing all new long-term borrowing until the new margins were introduced in November 2020 or using alternative borrowing sources to the PWLB.

### **9.4 Changes in risk appetite**

The 2018 CIPFA Codes and guidance notes have placed enhanced importance on risk management. Where an authority changes its risk appetite e.g. for moving surplus cash into or out of certain types of investment funds or other types of investment instruments, this change in risk appetite and policy will be brought to members' attention in treasury management update reports.

### **9.5 Counterparty limits**

In December 2020 the Council approved a temporary increase in limit on its Money Market Fund deposits from £4M to £10M (ref 20-2020/21 4.12.20). This came in response to the unprecedented levels of support announced by the government to help deal with the coronavirus outbreak, including additional Business Rates Relief and Business Grants which were paid to local councils in order to distribute to eligible businesses. This allowed the Council to manage an increase in cash balances without increasing credit risk. These revised limits remain in effect at the time of writing.

### **9.6 Sovereign limits**

The Council's investment strategy has been reviewed for 2021/22 and whilst the UK credit rating was downgraded to AA- in March 2020, the Council will only invest in non-UK entities with a sovereign rating of AA or above.

### **9.7 IFRS 16**

Implementation of IFRS 16 Leases remains the most significant known change to the Code beyond 2020/21. Due to the impact of COVID-19 and the resulting resource issues facing finance staff, CIPFA has made the decision to delay implementing IFRS 16 until 1 April 2022 (previously delayed from 1 April 2020 to 1 April 2021). This means that the first accounts to be produced incorporating the standard will be for the year 2022/23. While the work required to implement the standard is significant, the Council is well placed to do so having begun preparation for implementation in 2019/20.

## Appendix 1: Prudential and Treasury indicators

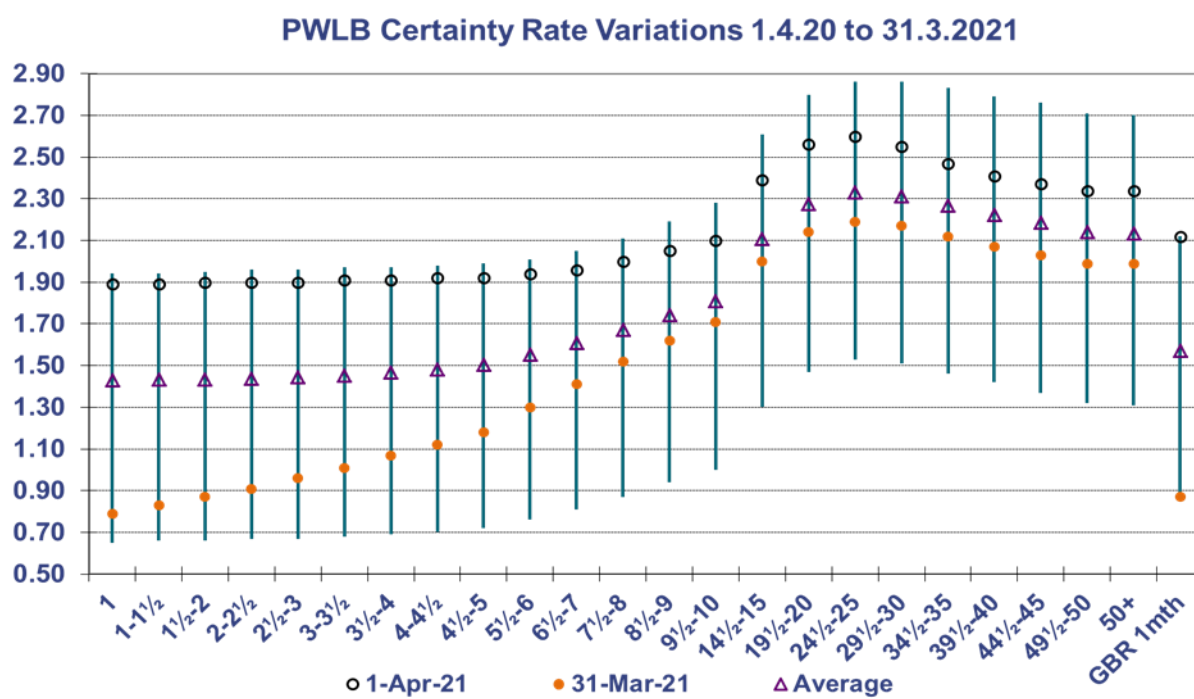
1. PRUDENTIAL INDICATORS	2019/20	2020/21	2020/21
	Actual	Revised Budget	Actual
	£'000	£'000	£'000
<b>Capital Expenditure</b>			
General Fund	4,747	18,854	7,456
HRA	11,377	22,379	8,421
<b>TOTAL</b>	<b>16,124</b>	<b>41,233</b>	<b>15,877</b>
<b>Ratio of financing costs to net revenue stream</b>			
General Fund	6.91%	7.24%	6.94%
HRA	13.23%	13.42%	12.67%
<b>Gross borrowing requirement General Fund</b>			
brought forward 1 April	25,537	25,537	24,940
carried forward 31 March	24,940	28,577	25,249
in year borrowing requirement	<b>(597)</b>	<b>3,040</b>	<b>309</b>
<b>Gross borrowing requirement HRA</b>			
brought forward 1 April	92,357	95,414	95,414
carried forward 31 March	95,414	103,183	95,414
in year borrowing requirement	<b>3,057</b>	<b>7,769</b>	-
<b>Gross debt</b>	<b>120,354</b>	<b>131,760</b>	<b>120,951</b>
<b>CFR</b>			
General Fund	24,940	28,577	25,249
HRA	95,414	103,183	95,414
<b>TOTAL</b>	<b>120,354</b>	<b>131,760</b>	<b>120,663</b>
<b>Annual change in Cap. Financing Requirement</b>			
General Fund	(597)	3,040	309
HRA	3,057	7,769	-
<b>TOTAL</b>	<b>2,460</b>	<b>10,809</b>	<b>309</b>

2. TREASURY MANAGEMENT INDICATORS	2019/20	2020/21	2020/21
	actual	budget	actual
	£'000	£'000	£'000
<b>Authorised Limit for external debt -</b>			
General Fund Borrowing	26,336	28,352	28,352
HRA Borrowing	105,344	113,408	113,408
<b>TOTAL</b>	<b>131,680</b>	<b>141,760</b>	<b>141,760</b>
<b>Operational Boundary for external debt -</b>			
borrowing	126,680	136,760	136,760
<b>TOTAL</b>	<b>126,680</b>	<b>136,760</b>	<b>136,760</b>
<b>Actual external debt</b>	<b>98,863</b>	<b>115,498</b>	<b>98,863</b>

<b>Maturity structure of fixed rate borrowing during 2020/21</b>	<b>upper limit</b>	<b>lower limit</b>
under 12 months	50%	0%
12 months and within 24 months	50%	0%
24 months and within 5 years	50%	0%
5 years and within 10 years	50%	0%
10 years and over	100%	0%
<b>Maturity structure of investments during 2020/21 (£000s)</b>	<b>upper limit</b>	<b>lower limit</b>
Longer than 1 year	n/a	
Up to 1 year	15,110	
Total	15,110	

## Appendix 2: Graphs

### a) PWLB borrowing rates

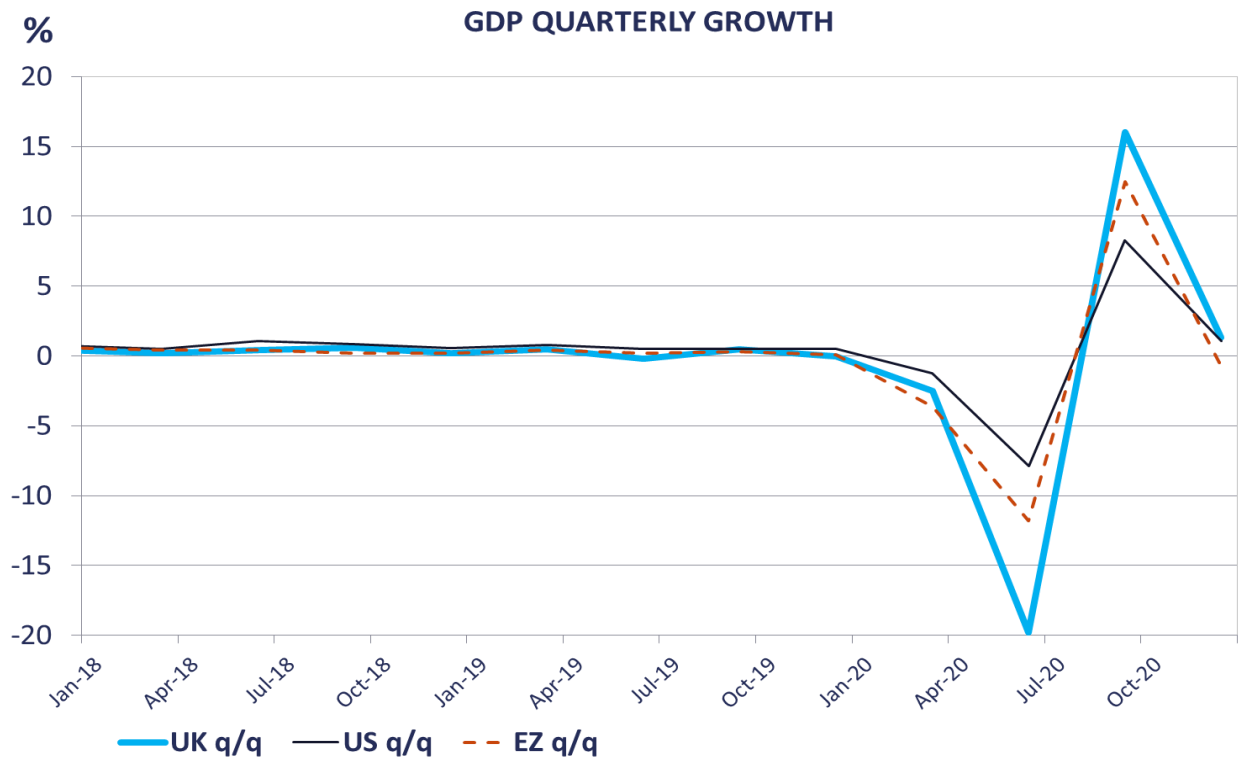


	1 Year	5 Year	10 Year	25 Year	50 Year
<b>Low</b>	0.65%	0.72%	1.00%	1.53%	1.32%
<b>Low date</b>	04/01/2021	11/12/2020	11/12/2020	11/12/2020	11/12/2020
<b>High</b>	1.94%	1.99%	2.28%	2.86%	2.71%
<b>High date</b>	08/04/2020	08/04/2020	11/11/2020	11/11/2020	11/11/2020
<b>Average</b>	1.43%	1.50%	1.81%	2.33%	2.14%
<b>Spread</b>	1.29%	1.27%	1.28%	1.33%	1.39%

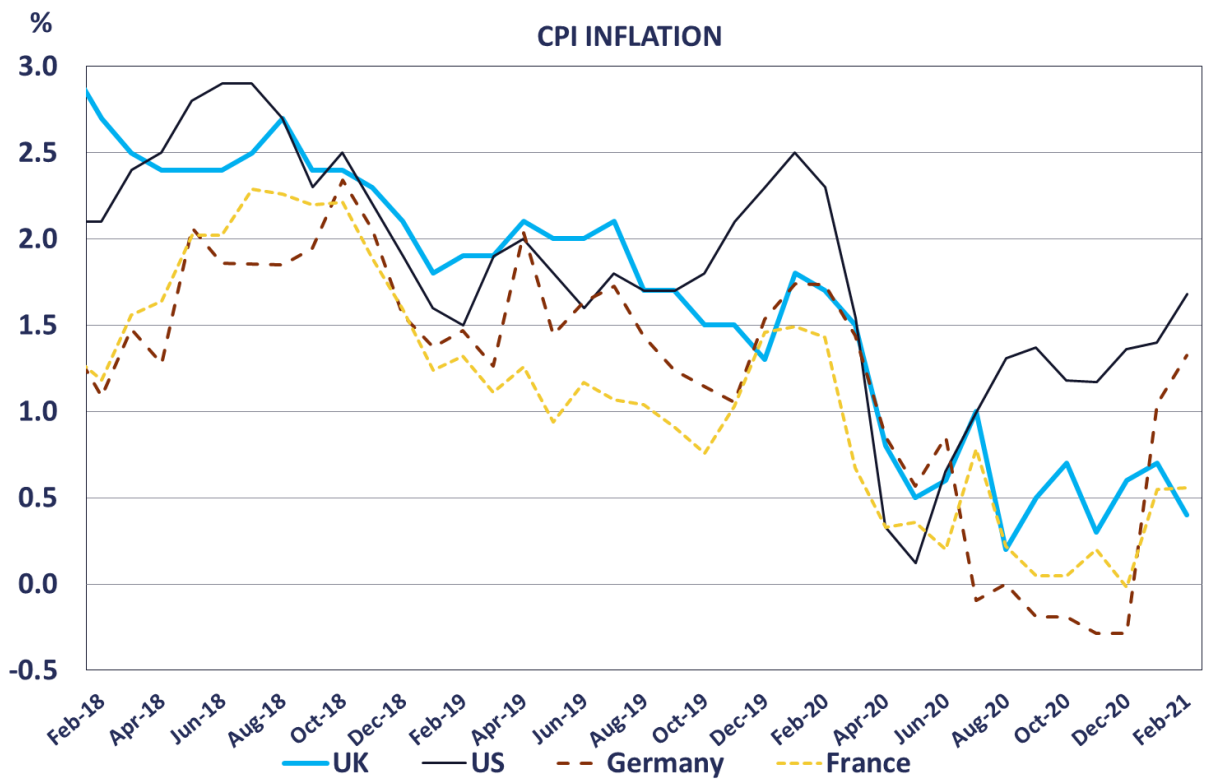
### b) Money market investment rates and forecasts 2020/21

	Bank Rate	7 day	1 mth	3 mth	6 mth	12 mth
<b>High</b>	0.10	0.00	0.14	0.56	0.62	0.77
<b>High Date</b>	01/04/2020	02/04/2020	20/04/2020	08/04/2020	14/04/2020	21/04/2020
<b>Low</b>	0.10	-0.10	-0.11	-0.10	-0.10	-0.05
<b>Low Date</b>	01/04/2020	31/12/2020	29/12/2020	23/12/2020	21/12/2020	11/01/2021
<b>Average</b>	0.10	-0.07	-0.05	0.01	0.07	0.17
<b>Spread</b>	0.00	0.10	0.25	0.66	0.73	0.83

**c) UK, US and EZ GDP growth**



**d) Inflation UK, US, Germany and France**





## Appendix 3: Investment Portfolio

Investments held as at 31/03/2021 compared to our counterparty list:

Current Investment List

Borrower	Principal (£)	Interest Rate	Start Date	Maturity Date	Lowest LT / Fund Rating	Historic Risk of Default	Expected Credit Loss (£)
MMF Fidelity	3,550,000	0.01%		MMF	AAAcm		
MMF BlackRock	5,150,000	0.00%		MMF	AAAcm		
MMF CCLA	3,570,000	0.04%		MMF	AAAcm		
Handelsbanken Plc	2,440,000	0.01%		Call	AA-	0.000%	2
<b>Total Investments</b>	<b>£15,110,000</b>	<b>0.01%</b>				<b>0.000%</b>	<b>£2</b>

## Appendix 4: Approved countries for investments as at 31/03/2021

*Based on lowest available rating*

### **AAA**

- Australia
- Denmark
- Germany
- Luxembourg
- Netherlands
- Norway
- Singapore
- Sweden
- Switzerland

### **AA+**

- Canada
- Finland
- U.S.A.

### **AA**

- Abu Dhabi (UAE)
- France

### **AA-**

- Belgium
- Hong Kong
- Qatar
- U.K.

## **ABBREVIATIONS USED IN THIS REPORT**

**ALMO:** an Arm's Length Management Organisation is a not-for-profit company that provides housing services on behalf of a local authority. Usually an ALMO is set up by the authority to manage and improve all or part of its housing stock.

**CE:** Capital Economics - is the economics consultancy that provides Link Group, Treasury solutions, with independent economic forecasts, briefings and research.

**CFR:** capital financing requirement - the council's annual underlying borrowing need to finance capital expenditure and a measure of the council's total outstanding indebtedness.

**CIPFA:** Chartered Institute of Public Finance and Accountancy – the professional accounting body that oversees and sets standards in local authority finance and treasury management.

**CPI:** consumer price index – the official measure of inflation adopted as a common standard by countries in the EU. It is a measure that examines the weighted average of prices of a basket of consumer goods and services, such as transportation, food and medical care. It is calculated by taking price changes for each item in the predetermined basket of goods and averaging them.

**ECB:** European Central Bank - the central bank for the Eurozone.

**EU:** European Union.

**EZ:** Eurozone -those countries in the EU which use the euro as their currency.

**Fed:** the Federal Reserve System, often referred to simply as "the Fed," is the central bank of the United States. It was created by the Congress to provide the nation with a stable monetary and financial system.

**FOMC:** the Federal Open Market Committee – this is the branch of the Federal Reserve Board which determines monetary policy in the USA by setting interest rates and determining quantitative easing policy. It is composed of 12 members--the seven members of the Board of Governors and five of the 12 Reserve Bank presidents.

**GDP:** gross domestic product – a measure of the growth and total size of the economy.

**G7:** the group of seven countries that form an informal bloc of industrialised democracies--the United States, Canada, France, Germany, Italy, Japan, and the United Kingdom--that meets annually to discuss issues such as global economic governance, international security, and energy policy.

**Gilts:** gilts are bonds issued by the UK Government to borrow money on the financial markets. Interest paid by the Government on gilts is called a coupon and is at a rate that is fixed for the duration until maturity of the gilt, (unless a gilt is index linked to inflation); while the coupon rate is fixed, the yields will change inversely to the price of gilts i.e. a rise in the price of a gilt will mean that its yield will fall.

**HRA:** housing revenue account.

**IMF:** International Monetary Fund - the lender of last resort for national governments which get into financial difficulties.

**LIBID:** the London Interbank Bid Rate is the rate bid by banks on deposits i.e., the rate at which a bank is willing to borrow from other banks. It is the "other end" of the LIBOR (an offered, hence "ask" rate, the rate at which a bank will lend).

**MHCLG:** the Ministry of Housing, Communities and Local Government - the Government department that directs local authorities in England.

**MPC:** the Monetary Policy Committee is a committee of the Bank of England, which meets for one and a half days, eight times a year, to determine monetary policy by setting the official interest rate in the United Kingdom, (the Bank of England Base Rate, commonly called Bank Rate), and by making decisions on quantitative easing.

**MRP:** minimum revenue provision - a statutory annual minimum revenue charge to reduce the total outstanding CFR, (the total indebtedness of a local authority).

**PFI:** Private Finance Initiative – capital expenditure financed by the private sector i.e. not by direct borrowing by a local authority.

**PWLB:** Public Works Loan Board – this is the part of H.M. Treasury which provides loans to local authorities to finance capital expenditure.

**QE:** quantitative easing – is an unconventional form of monetary policy where a central bank creates new money electronically to buy financial assets, such as government bonds, (but may also include corporate bonds). This process aims to stimulate economic growth through increased private sector spending in the economy and also aims to return inflation to target. These purchases increase the supply of liquidity to the economy; this policy is employed when lowering interest rates has failed to stimulate economic growth to an acceptable level and to lift inflation to target. Once QE has achieved its objectives of stimulating growth and inflation, QE will be reversed by selling the bonds the central bank had previously purchased, or by not replacing debt that it held which matures. The aim of this reversal is to ensure that inflation does not exceed its target once the economy recovers from a sustained period of depressed growth and inflation. Economic growth, and increases in inflation, may threaten to gather too much momentum if action is not taken to 'cool' the economy.

**RPI:** the Retail Price Index is a measure of inflation that measures the change in the cost of a representative sample of retail goods and services. It was the UK standard for measurement of inflation until the UK changed to using the EU standard measure of inflation – Consumer Price Index. The main differences between RPI and CPI is in the way that housing costs are treated and that the former is an arithmetical mean whereas the latter is a geometric mean. RPI is often higher than CPI for these reasons.

**TMSS:** the annual treasury management strategy statement reports that all local authorities are required to submit for approval by the full council before the start of each financial year.

**VRP:** a voluntary revenue provision to repay debt, in the annual budget, which is additional to the annual MRP charge, (see above definition).

**BASSETLAW DISTRICT COUNCIL**

**COUNCIL**

**23<sup>rd</sup> September 2021**

**REPORT OF DIRECTOR OF CORPORATE RESOURCES**

**COMMUNITY GOVERNANCE REVIEW**

Cabinet: Policy and Community  
Engagement  
Contact: Stephen Brown  
Ext: 3767

**1. Public Interest Test**

The author of this report, Stephen Brown, has determined that the report is not confidential.

**2. Purpose of the Report**

To invite the Council to consider commencing a Community Governance Review to address a number of matters raised by Parish Councils and members of the community.

**3. Background and Discussion**

3.1 The Local Government and Public Involvement in Health Act 2007 amended the responsibility for parish area reviews from what is now the Local Government Boundary Commission for England (LGBCE) to principal councils, subject to adherence to regulations and directions from the Department for Communities and Local Government and the Electoral Commission. The process for considering a change is now termed a Community Governance Review (CGR).

3.2 A Community Governance Review is a review of the whole or part of a district to consider one or more of the following:

- creating, merging, altering or abolishing parishes;
- the naming of parishes and the style (i.e. whether to call it a town council or village council etc.) of new parishes;
- the electoral arrangements for parishes – the ordinary year of election, the size of the council, the number of councillors to be elected and parish warding;
- grouping parishes under a common parish council, or de-grouping parishes.

3.3 Under the legislation the District Council must aim to ensure that community governance in the area under review:

- reflects the identities and interests of the community in that area
- is effective and convenient
- takes into account any other arrangements for the purpose of community representation or community engagement

When considering this, the Council must have regard to two key principles:-

- the impact of community governance arrangements on community cohesion; and
- the size, population and boundaries of any new local community or parish.

A review involves the following stages:

- 1) Setting terms of reference of the review
- 2) Publicising the terms of reference (for the purposes of the Act, the review formally commences when the terms of reference are published);
- 3) Undertaking consultations with local government electors for the area and any other person or body (including the Parish Council) who appears to have an interest in the review. The County Council are advised.
- 4) Considering representations
- 5) Preparing and publishing draft proposals
- 6) Undertaking consultation on the draft proposals
- 7) Considering representations
- 8) Publishing recommendations
- 9) Making an order to bring into effect any decisions arising from the review
- 10) A Review must be concluded within 12 months of the publication of the terms of reference.

3.4 Consultation must take place with local government electors, appropriate local authorities and other relevant persons, including political parties and local community interest groups. Representations received must be taken into account.

3.5 A review may be triggered by:

- i) a request from a parish council,
- ii) in response to a community governance petition (which must comply with a number of requirements), or
- iii) by the authority itself. Depending on its complexity, a review should take between nine and 12 months to complete.

3.6 The District Council has received an approach from Beckingham cum Saundby Parish Council to review the number of seats on its Council. It must therefore give consideration to this matter. In the interests of effective governance, the District Council is recommended to consider the benefits of undertaking a review of its area in one go, rather than carrying out small scale reviews in a piecemeal fashion. In order to ascertain the potential demand for any review, all Parish Councils, District Councillors and MP's were written to. It was made clear this was an informal approach

as the District Council had yet to give any consideration to the issue. Torworth Parish Council have asked for the Parish boundary with Ranskill, in the vicinity of the A638 to be reviewed as a result of a recent development. Rampton and Woodbeck Parish Council have requested an increase in the number of Parish Councillors. Misson have done the same. Holbeck & Welbeck Parish Council have indicated that they wish to explore the possibility of merging, possibly with a neighbouring small Parish Council.

- 3.7 Residents from the Blyth Road development, Worksop contacted the District. This is a new development on the edge of the town. For all intents and purposes it looks like a natural extension of the town. The development is however within the Parish of Carlton-in-Lindrick. Residents were not aware of this until they received their Council Tax bills. In the May elections these residents are in Carlton Ward (thus voting at Carlton-in-Lindrick) and Worksop North County electoral division. A number of residents have contacted the Council assuming this were administrative faults that could be quickly amended. The District Council does not have the power to amend Ward boundaries, but can make recommendations to the Local Government Boundary Commission.
- 3.7 There are detailed considerations that the District Council must undertake under the legislation. To assist Parishes, a summary was produced of these and is provided attached at Appendix A.
- 3.8 The Council is required to give consideration to these requests from Parish Councils. If it is determined to agree to them (and the Council would need to give its reasons for refusal), the review process commences with the publication of Terms of Reference for the Review - draft attached at Appendix B.

#### **4. Implications**

- a) For service users

The intention of a Community Governance Review is to ensure that Parish Councils reflect the identities and interests of the community and are effective and convenient.

- b) Strategic & Policy

None.

- c) Financial - Ref: 22 /369

Resources involved will be mainly employee time. There will be a cost of printing and distribution of consultation documents estimated at £200. There is no specific budget for Community Governance Reviews and therefore all costs will have to be absorbed within existing Corporate Services budgets. There is no power to re-charge the cost of the review, because the statutory duty to conduct the Review rests with this Council.

- d) Legal – Ref: 343/09/2021

Chapter 3 of Part 4 of the Local Government and Public Involvement in Health Act 2007 devolves power to District Councils to undertake Community Governance Reviews.

- e) Human Resources  
Nil from this report.
- f) Community Safety, Equalities, Environmental  
  
The social cohesion aspects of local communities must be considered within any review.
- g) General Data Protection Regulations  
Any individual data would not be utilised within the process.
- h) Whether this is a key decision, and if so the reference number.  
  
No.

## 5. **Options, Risks and Reasons for Recommendations**

The Council can either agree to the requests for a review or not. If it decides not to agree, it must give its reasons. The risks are that the Council fails to comply with the statutory requirements relating to Community Governance Reviews in the 2007 Act. As there are no District or Parish elections in 2013, this does provide a window of opportunity to progress the proposed changes (subject to support) and ensure any consequential Parish electoral changes are in place prior to 2014.

## 6. **Recommendations**

- 6.1 To note the requests to review Parish amalgamations, warding and Numbers of Parish Councillors
- 6.2 Agree to undertake a Community Governance Review of the Parishes of Beckingham-cum-Saundby, Misson, Rampton and Woodbeck, and Ranskill and Torworth and consider the boundary between the Carlton-in-Lindrick Parish and Worksop. Authorises Officers to progress the requirements of the Review process.
- 6.3 Agree the Terms of Reference of the review as detailed in Appendix B, including the timetable and arrangements for public consultation.
- 6.4 Note that further reports will be brought to Council in order that decisions may be made in respect of draft proposals and final recommendations of the Review.

### **Background Papers**

### **Location**

'Guidance on Community Governance Reviews, March 2010' – Department for Communities and Local Government and The Local Government Boundary Commission for England

Corporate Services, Queen's Buildings  
[www.communities.gov.uk](http://www.communities.gov.uk)

E-mail from the Clerk of Beckingham-cum-Saundby Parish Council 16<sup>th</sup> June 2021

Corporate Services, Queen's Buildings

E-mail from Clerk of Torworth Parish Council 28<sup>th</sup> June 2021

Corporate Services, Queen's Buildings

E-mail from Clerk of Rampton & Woodbeck Parish Council 13<sup>th</sup> July 2021.

Corporate Services, Queen's Buildings



**COMMUNITY**

**GOVERNANCE**

**REVIEWS**

**A SUMMARY**



## **The review process**

**Legislation:** the Local Government & Public Involvement in Health Act 2007 significantly changed the way that Community Governance Reviews are undertaken. It streamlined the process and delegated powers to principal authorities (districts and unitaries). They now have responsibility for undertaking such reviews, for deciding on the outcome and for implementing the outcome. Central government no longer has a direct role in the process.

One other important change brought in by the 2007 Act was that local communities can cause a principal authority to undertake a Community Governance Review, if they can organise a petition demonstrating sufficient support among the electorate for certain changes. Sufficient support is 50% signing in an area with fewer than 500 electors or 250 signing in an area with between 500 and 2,500 electors or 10% signing in an area with more than 2,500 electors. However, principal authorities are still able to refuse a review if one was held within the last two years or they are currently running a full review of their area.

**Guidance:** 'Guidance on Community Governance Reviews' was published in updated form by the Department for Communities & Local Government and the Local Government Boundary Commission for England in 2010. Aimed largely at principal authorities, it offers advice about undertaking a review and implementing its recommendations. It can be accessed at: <http://www.communities.gov.uk/publications/localgovernment/guidancecommunitygovernance2010>

Also available on the Department's website is a model reorganisation order – the statutory instrument principal authorities must use to implement changes from a Community Governance Review. It can be accessed at: <http://www.communities.gov.uk/publications/localgovernment/modelreorganisationorder>

**Criteria:** the Act requires principal authorities to take account of certain criteria when conducting a review, namely:

- The identities and interests of the community in an area; and
- The effective and convenient governance of the area.

They are also advised to consider factors such as:

- What impact proposed community governance arrangements might have on community cohesion; and
- Whether the size (area), population and boundaries proposed for local governance make sense on the ground and contribute to the above criteria.

The guidance refers to people's sense of place and their historic attachment to areas.

Overall, local council arrangements should lead to: improved local democracy; greater community engagement; and better local service delivery.

**Process:** the main steps that surround a Community Governance Review are listed in the box below. Please note this is included for quick reference and is not formal guidance.

Trigger for a review	<ul style="list-style-type: none"> <li>• A valid community petition; or</li> <li>• A principal authority's own decision.</li> </ul>
Decision to hold a review	<ul style="list-style-type: none"> <li>• A principal authority takes a formal decision;</li> <li>• Which can be to review all or a part of its area;</li> <li>• Though it must have valid grounds for refusal if there has been a petition.</li> </ul>
Terms of reference	<ul style="list-style-type: none"> <li>• A principal authority must draw up and publish terms;</li> <li>• Stating the matters and geographic area to be covered;</li> <li>• Notifying other local authorities which have an interest.</li> </ul>
Undertaking a review	<ul style="list-style-type: none"> <li>• A principal authority must consult electors in affected area(s);</li> <li>• It should consult other bodies with an interest, including any affected local councils;</li> <li>• It must then consider any representations received.</li> </ul>
Making recommendations	<ul style="list-style-type: none"> <li>• Bearing in mind representations, the criteria and other factors;</li> <li>• Including alternative forms of governance in the area e.g. residents associations, neighbourhood forums;</li> <li>• The principal authority formally recommends an outcome from the review;</li> <li>• It must publish its recommendations and the reasons for them, informing those with an interest.</li> </ul>
Implementing a review	<ul style="list-style-type: none"> <li>• A principal authority makes a Reorganisation Order to put into effect any changes;</li> <li>• Which must include a detailed map of the boundaries;</li> <li>• It publishes the Order and map for public inspection;</li> <li>• It must inform specified bodies e.g. Ordnance Survey;</li> <li>• It should include in the Order any agreed incidental issues e.g. the transfer of assets.</li> </ul>
Next steps	<ul style="list-style-type: none"> <li>• An Order is often written to come into force the following April;</li> <li>• Typically a new local council is then elected in May.</li> </ul>

The guidance expects that the core of the Community Governance Review process, from the publication of terms of reference through to the Reorganisation Order, can be completed within one year.

## PARISH AREAS

- **Introduction**

The legislation requires that the Council must have regard to the need to secure that community governance with the area under review:

1. Reflects the identities and interests of the community in that area, and
2. Is effective and convenient, and
3. Takes into account any other arrangements for the purposes of community representation or community engagement in the area.

- **Parishes**

The Council is anxious to ensure that electors should be able to identify clearly with the parish in which they are resident because it considers that this sense of identity and community lends strength and legitimacy to the parish structure, creates a common interest in parish affairs, encourages participation in elections to the parish council, leads to representative and accountable government, engenders visionary leadership and generates a strong, inclusive community with a sense of civic values, responsibility and pride.

The Council will endeavour to select boundaries that are and are likely to remain easily identifiable.

- **Viability**

The Council is anxious to ensure that parishes should be viable and should possess a precept that enables them to actively and effectively promote the well-being of their residents and to contribute to the real provision of services in their areas in an economic and efficient manner.

Some parishes are anxious to take on the new power of well-being provided in the Local Government and Public Involvement in Health Act 2007; others hold Quality Parish status, while others are anxious to enter into charters with principal councils for the provision of local services. The Council sees these initiatives as important measures of effective and convenient local government and will respect them in this review.

## **NAMES AND STYLES**

- **The naming of parishes**

With regard to the naming of parishes, the Council will endeavour to reflect existing local or historic place-names, and will give a strong presumption in favour of names proposed by local interested parties. The Council notes that Government considers that composite names of parishes are rarely in the interests of effective and convenient local government and encourages avoidance of composite names other than in exceptional circumstances where the demands of history, local connections or the preservation of local ties make a pressing case for the retention of distinctive traditional names. The Council will consider this when making any proposals regarding naming of parishes.

The 'name' of a parish refers to the geographical name of the area concerned, whereas its status or 'style' allows for that area to be known as a town, community, neighbourhood or village, rather than as a parish. The status or style of the parish will be reflected in the name of any council of the parish. So, for example, the council of a parish which has the style "town" will be known as the 'town council' and its councillors as the 'town councillors', etc.

There are legal requirements (as defined in Section 76 of the Local Government Act 1972), particularly with regard to subsequent notification, with regard to the naming of parishes, and the Council will be mindful of these.

### **Alternative styles**

The Local Government and Public Involvement Act 2007 has introduced 'alternative styles' for parishes. If adopted, the 'alternative style' would replace the style "parish". However, only one of these three prescribed styles can be adopted:-

"community", "neighbourhood" or "village".

A parish shall cease to have an alternative style if the parish begins to have the status of a town.

Where new parishes are created, the Council will make recommendations as to the geographical names of the new parishes and as to whether or not it should have one of the alternative styles.

## **ELECTORAL ARRANGEMENTS**

- **What does “Electoral Arrangements” mean?**

An important part of the Council’s review will comprise giving consideration to “Electoral Arrangements”. The term covers the way in which a council is constituted for the parish. It covers:

- The ordinary year in which elections are held;
  - The number of councillors to be elected to the council;
  - The division (or not) of the parish into wards for the purpose of electing councillors;
  - The number and boundaries of any such wards;
  - The number of councillors to be elected for any such ward
  - The name of any such ward
- 
- **Ordinary year of election**

The Local Government Act 1972 states that ordinary election of parish councillors shall take place in 1976, 1979 and every fourth year thereafter (i.e. 2019, 2023, 2027 etc.) However, the Government has indicated that it would want the parish electoral cycle to coincide with the cycle for the district/borough council, so that the costs of elections can be shared. If the review finds that it will be appropriate to hold an election for parish councillors, for example to a newly formed parish, at an earlier or later date than the next scheduled ordinary elections, the terms of office of any newly elected parish councillors will be so reduced as to enable the electoral cycle to revert to the normal cycle in the borough at the next ordinary elections. However, it is anticipated that this review will be complete prior to the next Town/Parish Council elections in May 2023.

- **What considerations cover the number of parish councillors?**

The Government has advised, and this Council concurs that “it is an important democratic principle that each person’s vote should be of equal weight so far as possible, having regard to other legitimated competing factors, when it comes to the election of councillors”. Likewise, the Council notes that the number of parish councillors for each parish council shall be not less than five. There is no maximum number. The Aston Business School found the following levels of representation –

<b>Electorate</b>	<b>Councillor Allocation</b>
Less than 500	5 – 8
501 – 2,500	6 – 12
2,501 – 10,000	9 – 16
10,001 – 20,000	13 – 27
Greater than 20,000	13 – 31

The National Association of Local Councils (NALC) suggested that the minimum number of councillors should be seven and the maximum 25.

The government's guidance is that "each area should be considered on its own merits, having regard to its population, geography and pattern of communities". This Council is prepared to pay particular attention to its existing levels of representation, the broad pattern of existing council sizes, which have stood the test of time and the take up of seats at elections in its consideration of the matter.

It is recognised that the conduct of parish council business does not usually require a large body of councillors. By law, the Council in this review must have regard to the following factors when considering the number of councillors to be elected for the parish:

- The number of local government electors for the parish;
- Any change in that number which is likely to occur in the period of five years beginning with the day when the review starts.

The Council will also take into account the following considerations:

- To ensure that the allocation of councillors to parishes is equitable across the district, while acknowledging that local circumstances may occasionally merit variation.
- To appreciate that there are different demands and consequently different levels of representation are appropriate between urban and more rural parishes in the district.

The Council also acknowledges that there may be exceptions to the above, where some weight will be given to the following considerations in forming the proposals;

- A high precept and high levels of service provision;
- Where representation may be required to meet the challenges of population sparsity;
- Supporting a warding arrangement in a particular parish and achieving a good parity of representation between wards.

- **Parish Warding**

The Act requires that in considering whether a parish should be divided into wards for the purposes of elections for the parish council, the Council should consider the following:

- Whether the number, or distribution, of the local government electors for the parish council would make a single election of councillors impracticable or inconvenient;
- Whether it is desirable that any areas of the parish should be separately represented on the council.

The government's guidance is that "the warding of parishes in largely rural areas that are based predominantly on a single centrally located village may not be justified. Conversely, warding may be appropriate where the parish encompasses a number of villages with separate identities, a village with a large rural hinterland or where, on the edges of towns, there has been some urban overspill into the parish".

With regard to urban parishes, the government has suggested, "there is likely to be a stronger case for the warding of urban parishes ....". In urban areas community identity tends to focus on a locality, whether this be a housing estate, a shopping centre or community facilities. Each locality is likely to have its own sense of identity.

The Council will be mindful of this guidance, noting further that "each case should be considered on its merits and on the basis of the information and evidence provided during the course of this review."

The Council also wishes to emphasise that warding arrangements should be clearly and readily understood by and should have relevance for the electorate in a parish; they should reflect clear physical and social differences within a parish: one parish but comprising different parts. Furthermore, ward elections should have merit; not only should they meet the two tests laid down in the Act, but they should also be in the interests of effective and convenient local government. They should not be wasteful of a parish's resources.

- **The number and boundaries of parish wards**

In reaching conclusions on the boundaries between parish wards, the Council will take into account community identity and interests in an area and will consider whether any particular ties or linkages might be broken by the drawing of particular ward boundaries.

Equally, the Council, during its consultations in this review is mindful that proposals which are intended to reflect community identity and local linkages should be justified in terms of sound and demonstrable evidence of those identities and linkages.

The Council has noted the desirability of fixing boundaries which are, and will remain, easily identifiable, as well as taking into account any local ties which might be broken by the fixing of any particular boundaries. The Council also emphasises that ward boundaries should be clearly understood; they should represent the most appropriate parting of local attachments within a parish that comprises different parts. The Electoral Commission has suggested that the district wards should not split an unwarded parish and that no parish ward should be split by such a boundary. The relevant legal provisions do not apply to reviews of parish electoral arrangements, but the Commission has requested the Council to bear this in mind, which the Council will do.

- **The number of councillors to be elected for parish wards**

The Council has noted that it is required to have regard to the following when considering the size and boundaries of the wards and the number of councillors to be elected for each ward;

- The number of local government electors for the parish;
- Any change in the number, or distribution, of the local government electors, which is likely to occur in the period of five years beginning with the day when this review starts.

The government has advised, and this Council concurs that "it is an important democratic principle that each person's vote should be of equal weight so far as possible, having regard to other legitimated factors, when it comes to the elections of councillors." While there is no provision in legislation that each town/parish councillor should represent, as nearly as may be, the same number of electors, the Council considers that it is not in the interests of effective and convenient local government, either for voters or councillors, to have significant differences in levels of representation between different parish wards.

The Council is likewise anxious to avoid the risk that, where one or more wards of a parish are over represented by councillors, the residents of those wards (and their councillors) could be perceived as having more influence than others on the council. During the review process and in its consultations, the Council is committed to consistently showing the ratios of electors to councillors that would result from its proposals.

- **Naming of parish wards**

With regard to the names of parish wards, the Council will endeavour to reflect existing local or historic place names, and will give a strong presumption in favour of ward names proposed by local interested parties,

## **REORGANISATION OF COMMUNITY GOVERNANCE ORDERS AND COMMENCEMENT**

The review will be completed when the Council adopts the reorganisation of Community Governance Orders. Copies of this order, the map(s) that show the effects of that order in detail, and the documents(s) which set out the reasons for the decisions that the Council has taken (including where it has decided to make no change following a review) will be deposited at the Council's offices and on its website.

In accordance with the Guidance issued by the government, the Council will issue maps to illustrate each recommendation at a scale that will not normally be smaller than 1:10,000.

These maps will be deposited with the Secretary of State at the Department of Communities and Local Government and at the Council's Offices at Queen's Buildings, Potter Street, Worksop, Nottinghamshire S80 2AH

Prints will also be supplied, in accordance with the regulations, to Ordnance Survey, the Registrar General, the Land Registry, the Valuation Office Agency, the Boundary Commission for England and the Electoral Commission.

The provisions of the Order would take effect, for financial and administrative purposes, from 1st April in the designated year.

The electoral arrangements for new parishes will come into force at the next elections to parish councils, namely May 2023.

## **CONSEQUENTIAL MATTERS**

- **General Principles**

The Council notes that a Reorganisation Order may cover any consequential matters that appear to the Council to be necessary or proper to give effect to the Order. These may include:

- The transfer and management or custody of property;
- The setting of precepts for new parishes;
- Provision with respect to the transfer of any functions, property, rights and liabilities;
- Provision for the transfer of staff, compensation for loss of office, pensions and other staffing matters.

In these matters, the Council will be guided by Regulations that have been issued following the 2007 Act.

In particular, the Council notes that the Regulations regarding the transfer of property, rights and liabilities require that any apportionments shall use the population of the area as estimated by the proper officer of the Council as an appropriate proportion.

Furthermore, the Council notes that the regulations regarding the establishment of a precept for a new parish require the Council to calculate the first anticipated precept for a newly



constituted parish council and for the amount of that precept to be included in the Reorganisation Order.

- **District ward boundaries**

The Council is mindful that it may be necessary, although it is not anticipated, for it to recommend the Electoral Commission to make alterations to the boundaries of district wards or county electoral divisions to reflect the changes made at parish level. The Council notes that it will be for the Electoral Commission to decide if related alterations should be made and when they should be implemented, and that the Commission may find it appropriate to direct the Boundary Committee for England to conduct an electoral review of affected areas.

The Council notes that the Electoral Commission will require evidence that the Council has consulted on any such recommendations for the alterations to the boundaries of district wards to County electoral divisions as part of the review. Of course, such recommendations for alterations may only become apparent during the course of the review. Even so, the Council will endeavour to include any such draft recommendations for alterations at the earliest possible opportunity for consultation that will arise after they become apparent.

Where any such consequential matters affect Nottinghamshire County Council, the Council will also seek the views of that Council with regard to alterations to electoral division boundaries in accordance with the government's guidance.



## **BASSETLAW DISTRICT COUNCIL COMMUNITY GOVERNANCE REVIEW 2021 TERMS OF REFERENCE**

---

### **A review of parishes and related matters under the Local Government and Public Involvement in Health Act 2007**

#### **INTRODUCTION**

##### **Aims of the review**

Bassetlaw District Council has resolved to undertake a Community Governance Review (CGR) pursuant to Part 4, Chapter 3 of the Local Government and Public Involvement in Health Act 2007, to consider the following parish matters:

##### **Parish Matters to be considered**

- To review the boundary between Ranskill and Torworth Parish Councils in the vicinity of the A638
- Rampton and Woodbeck Parish Council –to increase the number of Parish Councillors.
- Beckingham –cum-Saundby Parish Council - reduce the number of Parish Councillors.
- Holbeck & Welbeck Parish Council have indicated that they wish to explore the possibility of merging, possibly with a neighbouring small Parish Council.
- To review the Ward boundary between Carlton-in-Lindrick and the non parished area of Worksop and make recommendations accordingly to the Local Government Boundary Commission for England.

In undertaking the Review, the Council will be guided by Part 4 of the Local Government and Public Involvement in Health Act 2007, the relevant parts of the Local Government Act 1972, Guidance on Community Governance Reviews issued in accordance with section 100(4) of the Local Government and Public Involvement in Health Act 2007 by the Department of Communities and Local Government and The Electoral Commission in April 2008. Also the following regulations which guide, in particular, consequential matters arising from the Review: Local Government (Parishes and Parish Councils) (England) Regulations 2008 (SI2008/625); Local Government Finance (New Parishes) Regulations 2008 (SI2008/626).

The Council is required to have regard to Guidance on Community Governance Reviews issued by the Secretary of State for Communities and Local Government. This Guidance was published in April 2008 and it has been considered when drawing up the Terms of Reference (TOR).

## **What is a Community Governance Review (CGR)?**

A CGR is a review of the whole or part of the district to consider one or more of the following:

- Creating, merging, altering or abolishing parishes;
- The naming of parishes and the style of new parishes;
- The electoral arrangements for parishes (the ordinary year of election; council size, the number of councillors to be elected to the council, and parish warding), and
- Grouping parishes under a common parish council or de-grouping parishes.

The Council is required to ensure that community governance within the area under review will be:

- Reflective of the identities and interests of the community in that area; and
- Is effective and convenient.

In doing so the CGR is required to take into account:

- The impact of community governance arrangements on community cohesion; and
- The size, population and boundaries of a local community or parish.

## **Why undertake a community governance review?**

A CGR provides an opportunity for principal authorities to review and make changes to community governance within their area. Such reviews can be undertaken when there have been changes in population or in reaction to specific or local new issues to ensure that the community governance for the area continues to be effective and convenient and it reflects the identities and interests of the community.

The government has emphasised that recommendations made in CGR ought to bring about improved community engagement, more cohesive communities, better local democracy and result in more effective and convenient delivery of local services.

Government guidance further states that it is good practice to conduct a (full) CGR at least every 10-15 years and keep the area under review in the interim. The most recent similar reviews under previous legislation which considered such matters resulted in the:-

- The Bassetlaw (Parishes) Order 1993 (S.I. 1993 No.2966)
- The District of Bassetlaw (Electoral Changes) Order 2000 (S.I.2000 No.3285).
- Community Governance Reviews undertaken by Bassetlaw District Council in 2014, 2017 and 2019.

Specifically, this CGR will consider:

- To review the boundary between Ranskill and Torworth Parish Councils in the vicinity of the A638
- Rampton and Woodbeck Parish Council –to increase the number of Parish Councillors.
- Misson Parish Council – to increase the number of Parish Councillors.
- Beckingham –cum-Saundby Parish Council - reduce the number of Parish Councillors.

- Holbeck & Welbeck Parish Council have indicated that they wish to explore the possibility of merging, possibly with a neighbouring small Parish Council.

To review the Ward boundary between Carlton-in-Lindrick and the non parished area of Worksop and make recommendations accordingly to the Local Government Boundary Commission for England

### **Who will undertake the CGR?**

As the principal authority, the District Council is responsible for undertaking any CGR within its electoral area. The body responsible for overseeing this process is the Full Council. It will oversee the CGR and produce draft and final recommendations; the Council will approve the final recommendations before a Community Governance Order is made.

## **CONSULTATION**

### **How the Council proposes to conduct consultations during the Review?**

Before making any recommendations or publishing final proposals, the District Council will take full account of the views of local people. The District Council will comply with the statutory consultative requirements by:

- Consulting local government electors for areas under review.
- Consulting any other person or body (including a local authority) which appears to the District Council to have an interest in the review.
- Notifying and consulting the County Council.
- Taking into account any representations received in connection with the review.

Information relating to the CGR will be available on the Council's website and key documents will be on deposit at the District Council's offices at Queen's Buildings, Potter Street, Worksop, Nottinghamshire S80 2AH.

When taking account of written representations the District Council is bound to have regard to the need to secure that community governance within the areas under review:

- Reflects the identities and interests of the community in that area; and
- Is effective and convenient.

The District Council will publish its recommendations as soon as practicable and take such steps as it considers sufficient to ensure that persons who may be interested in the CGR are informed of the recommendations and the reasons behind them. The District Council will notify each consultee and any other persons or bodies who have made written representations of the outcome of the review.

### **A timetable for the CGR**

A CGR must, by statute, be concluded within a twelve month period from the day on which the CGR starts. A CGR starts when the District Council publishes its Terms of Reference and concludes when the District Council publishes the recommendations made in the CGR.

The following is the review timetable:

### **Action Timetable Outline of action**

Terms of Reference (TOR) are published

**Start Date:** 1 October 2021

District Council publishes Terms of Reference and notifies stakeholders, clearly defining extent of CGR

**Introductory stage:** 1 October 2021 – 1 January 2022

Submissions are invited. District Council invites proposals from stakeholders on future arrangements under the Terms of Reference.

**Draft Proposals are prepared:**

Draft proposals to be considered by full Council – 3 March 2022

District Council publishes Draft Proposals and notifies stakeholders.

**Consultation on draft proposals:** March – May 2022

Consultation with stakeholders.

**Final Recommendations published:**

Submissions considered and final recommendations produced. Final Recommendations are published and decision by Council 23 June 2022.

**Effective Date: 1 September 2022**

Order made. Thereafter Council publishes the Reorganisation Order and requests the Electoral Commission to approve any consequential changes.

## **ELECTORATE FORECASTS**

In considering the electoral arrangements of the parishes stated within these Terms of Reference, the District Council is required to consider any change in the number or distribution of the electors which is likely to occur in the period of five years beginning with the day when the review starts. The District Council has used the Register of Electors 2021 to provide existing local government electorate figures. Electorate forecasts will be prepared using all available information.

## **THE PRESENT STRUCTURE OF PARISHES AND THEIR ELECTORAL ARRANGEMENTS**

### **Present Structures of parish governance in the areas to be reviewed**

#### **Parish Number of Councillors**

Beckingham cum Saundy: 11

Rampton & Woodbeck: 7

Misson: 7

#### **Parishes**

The Council wishes to ensure that electors should be able to identify clearly with the parish in which they are resident. It considers that this sense of identity and community lends strength and legitimacy to the parish structure, creates a common interest in parish affairs, encourages participation in elections to the parish council, leads to representatives and accountable government, engenders visionary leadership and generates a strong, inclusive community with a sense of civic values, responsibility and pride. The Council considers that parishes should reflect distinctive and recognisable communities of interest, with their own sense of identity; the feeling of local community and the wishes of local inhabitants are primary considerations in this Review.

The Council is anxious to balance carefully the considerations of changes that have happened over time, through population shifts or additional development for example, and that have led to a different community identity with historic traditions in its area. The Council notes the government's Guidance that community cohesion should be taken into account in this Review.

The Council also notes the Government's strongly stated Guidance that it "expects to see a trend in the creation, rather than the abolition, of parishes" and that "the abolition of parishes should not be undertaken unless clearly justified". The Council also notes that the government also considers that, where existing parishes are abolished, "It would be undesirable to see the area becoming unparished with no community governance arrangements in place.

## **ELECTORAL ARRANGEMENTS**

### **What does 'Electoral Arrangements' mean?**

An important part of our Review will comprise giving consideration to 'Electoral Arrangements'.

The term covers the way in which a council is constituted for the parish. It covers:

- The ordinary year in which elections are held;
- The number of councillors to be elected to the council;
- The division (or not) of the parish into wards for the purpose of electing councillors;
- The number and boundaries of any such wards;
- The number of councillors to be elected for any such ward;
- The name of any such ward.

### **Ordinary year of election**

The Local Government Act 1972 states that ordinary election of parish councils shall take place in 1976, 1979 and every fourth year thereafter (i.e. 2019, 2023, 2027, etc.). However, the government has indicated that it would want the parish electoral cycle to coincide with the cycle for the district council, so that the costs of elections can be shared.

If the Review finds that it is appropriate to create new posts for parish councillors then these will come in to effect at the next ordinary day of election i.e. 4 May 2023.

### **A council for a parish**

The legislation lays down the different duties that the Council has with regard to the creation of a council for a parish:

- Where the number of electors is 1,000 or more – a parish council must be created;
- Where the number of electors is 151-999 – a parish council may be created, with a parish meeting being the alternative form of parish governance;
- Where the number of electors is 150 or fewer – a parish council is not created.



## What considerations cover the number of parish councillors?

The government has advised, and this Council concurs that, “it is an important demographic principle that each person’s vote should be of equal weight so far as possible, having regard to other legitimated competing factors, when it comes to the elections of councillors.

Likewise, the Council notes that the number of parish councillors for each parish council shall not be less than five. There is no maximum number. There are no rules relating to the allocations of councillors. However, in dealing with a request the following guidelines, which are based on recommendations from the National Association of Local Councils, will be followed:

### Number of Parish Councillors Guidelines

<u>Electors</u>	<u>Councillors</u>	<u>Electors</u>	<u>Councillors</u>
Up to 900	7	10,400	17
1,400	8	11,900	18
2,000	9	13,500	19
2,700	10	15,200	20
3,500	11	17,000	21
4,400	12	18,900	22
5,400	13	20,900	23
6,500	14	23,000	24
7,700	15	45,000	25
9,000	16		

The government’s guidance is that “each area should be considered on its own merits, having regard to its population, geography and the pattern of communities” and therefore the Council is prepared to pay particular attention to existing levels of representation, the broad pattern of existing council sizes which have stood the test of time and the take-up of seats at elections in its consideration of this matter.

By law, the Council must have regard to the following factors when considering the number of councillors to be elected for the parish:

- The number of local government electors for the parish;
- Any change in that number which is likely to occur in the period of five years beginning with the day when the review starts.

### Parish warding

The Act requires that in considering whether a parish should be divided into wards for the purposes of elections of the parish council the Council should consider the following:

Whether the number, or distribution, of the local government electors for the parish would make a single election of councillors impracticable or inconvenient;

Whether it is desirable that any area or areas of the parish should be separately represented on the council.

The government’s guidance is that “the warding of parishes in largely rural areas that are based predominately on a single centrally-located village may not be justified. Conversely, warding may be appropriate where the parish encompasses a number of villages with

separate identities, a village with a large rural hinterland or where, on the edges of towns, there has been some urban overspill into the parish.”

The Council will be mindful of all this guidance, noting further that “each case should be considered on its merits and on the basis of the information and evidence provided during the course of the review.”

The Council notes that warding arrangements should be clearly and readily understood by and should have relevance for the electorate of the parish; they should reflect clear physical and social differences within a parish; one parish but comprising different parts.

The Council recognises that ward elections should have merit; not only should they meet the two tests laid down in the Act, but they should also be in the interests of effective and convenient local government. They should not be wasteful of a parish’s resources.

### **District Warding and County Division Boundaries**

At present only one of the proposed areas for consideration in this review might require any alterations to the boundaries of District Wards or County Divisions.

The Electoral Commission is responsible for deciding whether boundary changes of this nature should be made and will require evidence that the Council has consulted on any such recommendations. If the need for changes becomes apparent during the course of this review the Council will endeavour to incorporate them within the consultation at the earliest opportunity.

### **REORGANISATION OF COMMUNITY GOVERNANCE ORDERS AND COMMENCEMENT**

The Review will be completed when the Council adopts the Reorganisation of Community Governance Order. Copies of this Order, the map(s) that show the effects of the order in detail, and the document(s) which set out the reasons for the decisions that the Council has taken (including where it has decided to make no change following a Review) will be deposited at the Council’s Offices, website and Community Offices.

In accordance with the Guidance issued by the Government, the Council will issue maps to illustrate each recommendation at a scale that will not normally be smaller than 1:10,000.

These maps will be deposited with the Secretary of State at the Department of Communities and Local Government and at the Council’s office at Queen’s Buildings, Potter Street, Worksop. Prints will also be supplied, in accordance with the regulations, to Ordnance Survey, the Registrar General, the Land Registry, the Valuation Office Agency, the Boundary Commission for England and the Electoral Commission.

It is proposed that the Order will take effect for financial and administrative purposes on 1 September 2022.

The electoral arrangements for a new or existing parish council will come into force at the next elections to the parish council which will be on 4 May 2023.

### **CONSEQUENTIAL MATTERS**

#### **General principles**

The Council notes that a Reorganisation Order may cover any consequential matters that appear to the Council to be necessary or proper to give effect to the Order. These may include:

- The transfer and management or custody of property;
- The setting of precepts for new parishes;
- Provision with respect to the transfer of any functions, property, rights and liabilities;
- Provision for the transfer of staff, compensation for loss of office, pensions and other staffing matters.

In these matters, the Council will be guided by Regulations that have been issued following the 2007 Act.

### **How to contact us**

Should you wish to submit a written representation regarding this review, please address this to:

Head of Corporate Services  
Bassetlaw District Council  
Queen's Buildings  
Potter Street  
Worksop  
S80 2AH

Alternatively your submission may be emailed to:

[electoralregistration@bassetlaw.gov.uk](mailto:electoralregistration@bassetlaw.gov.uk)

Should you require any further information or need clarification on the review process, please contact:

Stephen Brown  
Head of Corporate Services  
Telephone: 01909 533767  
Email: [stephen.brown@bassetlaw.gov.uk](mailto:stephen.brown@bassetlaw.gov.uk)

### **Publication of Terms of Reference**

These Terms of Reference will be published on the District Council web site <http://www.bassetlaw.gov.uk> and will be available for inspection at the offices at Queen's Buildings, Potter Street, Worksop S80 2AH

Notices advertising this Community Governance Review and the availability of these Terms of Reference will also be posted within each Parish.

### **Date of publication**

1 October 2021

---



**BASSETLAW DISTRICT COUNCIL**

**COUNCIL**

**23<sup>RD</sup> SEPTEMBER 2021**

**REPORT OF THE MONITORING OFFICER**

**APPOINTMENTS TO COUNCIL COMMITTEES AND OUTSIDE ORGANISATIONS  
2021/22 MUNICIPAL YEAR**

Cabinet Member: Strategy, Policy &  
Communications

Contact: S Wormald

**1. Public Interest Test**

- 1.1 **Cara Hopkinson has determined in preparing this report that this matter is not confidential.**

**2. Purpose of the Report**

- 2.1 To advise Council of proposed amendment to councillors appointed to Council Committees and Outside Organisations for the remainder of the 2021/22 Municipal Year.

**3. Background and Discussion**

- 3.1 At its Annual General Meeting each year, the Council appoints councillors to committees and as representatives on outside organisations for the coming Municipal Year.

- 3.2 Following on from the Council AGM on 19<sup>th</sup> May 2021 when changes occur that affect the representatives appointed to committees or outside organisations at that meeting for the ensuing municipal year, these must be presented to and ratified by Full Council.

- 3.3 The following changes to Council Committees are proposed:

Audit and Risk Committee:

Add: Councillor D Depledge

Remove: TBC

Licensing Committee:

Add Councillor G Clarkson

Remove: TBC

Overview and Scrutiny Committee:

Add: Councillor M Introna

Remove: TBC

Joint Employee Council:

Add: Councillor J Sanger MBE

Remove: TBC

Health and Safety Committee:

Add: TBC

Remove: Councillor G Clarkson

3.4 The following changes to Outside Organisations are proposed:

Bassetlaw Community and Voluntary Service:

Add: TBC

Remove: Councillor G Clarkson

Sir Stuart Goodwin Charity (Former Borough):

Add: TBC

Remove: Councillor G Clarkson

**4. Implications**

a) For service users

None from this report.

b) Strategic & Policy

The Council is meeting its statutory responsibilities in responding to changes to members nominated to sit on Council Committees and appointed as representatives on Outside Organisations during 20121/22 Municipal Year.

c) Financial - Ref: 22/429

Nil from this report

d) Legal Ref: 362/09/2021

As set out in this report, appointments are made in accordance with the provisions of the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990.

e) Human Resources

Nil from this report.

f) Community Safety, Equalities, Environmental

None arising from this report.

g) General Data Protection Regulations

None arising from this report.

g) Whether this is a key decision, and if so the reference number.

This is a not a key decision.

## **5. Options, Risks and Reasons for Recommendations**

5.1 The Council has a duty to respond to changes affecting representation on Council committees and outside organisations.

## **6. Recommendations**

6.1 That Council approves the proposals for the amendments to Council Committees as set out at 3.3 of the report.

6.2 That Council approves the proposals for the amendments to Outside Organisations as set out at 3.4 of the report.

**Background Papers**

**Location**





**BASSETLAW DISTRICT COUNCIL**

**COUNCIL**

**23 SEPTEMBER 2021**

**REPORT OF THE HEAD OF REGENERATION**

**NEIGHBOURHOOD PLANNING: REQUEST TO MODIFY  
A DESIGNATED NEIGHBOURHOOD AREA – RETFORD  
TOWN CENTRE**

Cabinet Member: Regeneration  
Contact: Beverley Alderton-Sambrook

**1. Public Interest Test**

- 1.1 The author of this report, Beverley Alderton-Sambrook, has determined that the contents are not confidential.

**2. Purpose of the Report**

- 2.1 On 18 June 2021 the District Council received an application seeking to modify the boundary of Retford Town Centre Neighbourhood Area, as originally designated in March 2021 for the purpose of producing a neighbourhood plan. The request accords with statutory processes as defined in the Neighbourhood Planning (General) Regulations 2012 (as amended) and the Town and Country Planning Act 1990.
- 2.2 Following the conclusion of a statutory public consultation on the proposal, the Council must now decide whether to approve the application and allow the boundary of the Neighbourhood Area to be modified.

**3. Background**

- 3.1 The Localism Act 2011 makes provision for communities to develop a shared vision for their neighbourhood, expressed in the form of a neighbourhood plan. The statutory land use policies contained within a neighbourhood plan should be in general conformity with the strategic policies in the development plan for the wider local area, but offer the scope to reflect local distinctiveness and support area-specific aspirations. Neighbourhood plans have the ability to promote more development in an area than that set out by the District Council (but cannot be used to block development proposals already set out in higher level plans) and can, for example, identify where new development should go and how it should be designed.
- 3.2 Proposals must be consulted upon extensively, undergo independent examination and then be put to a local referendum before they can be adopted as part of the statutory development plan for the District.
- 3.3 Once 'made', a neighbourhood plan forms part of the development plan, and sits alongside the Bassetlaw Core Strategy and Development Management Policies Development Plan Document (DPD). Decisions on planning applications will be

made using the Core Strategy DPD, relevant neighbourhood plan, the National Planning Policy Framework (NPPF), and any other material considerations.

- 3.4 The District Council, as Local Planning Authority, has a statutory duty to provide advice or assistance to a qualifying body that is producing a neighbourhood plan. In addition, the District Council has a statutory duty to act at certain stages of the neighbourhood plan development process, and to do so in accordance with specified timescales. The formal designation of a neighbourhood area, and any subsequent requests for modification, is one such element of the District Council's responsibilities.

#### **4. Supporting Evidence**

- 4.1 On 4 March 2021, the District Council formally designated Retford Town Centre Neighbourhood Area and the associated qualifying, Retford Town Centre Neighbourhood Planning Group (a neighbourhood forum), in conjunction with the proposed development of a neighbourhood plan for the specified area. The two designations were made in response to a joint formal designation request, received by the District Council on 18 December 2020.
- 4.2 A representation was received during the determination of the original neighbourhood area application, proposing modification of the boundary to incorporate the full extent of Bridgegate and its environs within the Neighbourhood Area. It was determined that the proposal may have merits, but that it would not be appropriate to amend the boundary at that point in time, as it was not a fully-developed proposal, and had not been subject to public consultation. Instead, it was recommended that the original proposal should be approved, and that Retford Town Centre Neighbourhood Planning Group actively consider the proposal as one of their first tasks. The option to modify the boundary could then be the subject of a subsequent application.
- 4.3 Subsequent to the initial designation being confirmed, Retford Town Centre Neighbourhood Planning Group agreed to explore the proposed modification, and worked with the District Council's Neighbourhood Planning Team to consider various options. Once a proposal had been refined, this was subject to a period of informal public consultation, led by the Neighbourhood Planning Group. Flyers were delivered to all properties within the area, seeking views and encouraging discussion. The results of the consultation gave the Neighbourhood Planning Group the confidence that there was general support for the proposal, and that a formal application should be submitted.

#### **Formal Request to Modify the Designated Neighbourhood Area**

- 4.4 The modification of a designated Neighbourhood Area by the Local Planning Authority is permitted under section 61G (6) of the Town and Country Planning Act 1990. In practice, modification is covered by the same legislation, formal processes, and principles as the original designation, effectively representing a re-designation.
- 4.5 Regulation 5 of the Neighbourhood Planning (General) Regulations 2012 (as amended 2016), requires a qualifying body (e.g. a parish council or neighbourhood forum) to make a request of the District Council for designation of the area (the 'neighbourhood area') that will be covered by that body's neighbourhood plan.
- 4.6 A request to this effect was submitted to Bassetlaw District Council on 18 June 2021 by the designated Neighbourhood Forum, Retford Town Centre Neighbourhood Planning Group (Appendix 1). As required by the regulations, the

application includes a map of the proposed boundary, and a statement to explain why this is considered appropriate. The application is clear that it concerns a proposed modification to the original Neighbourhood Area, with the existing and proposed boundaries clearly defined on the accompanying map.

- 4.7 The boundary of the proposed extension has been identified using the same principles as per the original Neighbourhood Area designation, that being to align with recognised geographical features as far as possible, and to provide a clear distinction between 'town centre' and neighbouring land uses. The northern and western boundaries follow the centre line of Amcott Way and Hospital Road, respectively, providing a clear boundary with the neighbourhoods beyond. The southern boundary has been drawn to provide a clear distinction between the Neighbourhood Area and Kings' Park, maintaining the same distinction between 'park' and 'town centre' uses as achieved by the existing boundary.

### **Consultation**

- 4.8 Regulation 6 of the Neighbourhood Planning (General) Regulations 2012 (as amended 2016) requires that the District Council publicise designation requests, for a minimum of six weeks, on its website and in any other manner that it deems appropriate to bring the requests to the attention of those who live, work or undertake business in the area that a neighbourhood plan will cover.
- 4.9 The District Council undertook consultation on the application for a seven-week period from 21 June to 9 August 2021. The submission documents were made available via the District Council's website, and publicised by means of 15 public notices within and adjoining the proposed extension area, and a formal notice in the Retford Times newspaper. The information was also made available in non-digital format on request. Two responses were received during the consultation period, and are addressed below.

### **Determination**

- 4.10 The application to modify the Neighbourhood Area has been assessed in accordance with the regulations, as detailed in the accompanying Determination Report (Appendix 2), and summarised below.
- 4.11 Two representations were received during the consultation period, both expressing support for the proposed modification to the boundary. The first respondent considered the proposal to be more inclusive of the community, businesses, and charities than the existing boundary, and perceived that it would better support the aims of the Neighbourhood Forum in terms of health and wellbeing. The second respondent considered that the proposed extension area felt very much like a part of the Town Centre, and hence incorporation would be appropriate.
- 4.12 The overall conclusion reached is that the proposed modification of the Neighbourhood Area meets all of the requirements detailed in Section 61G of the 1990 Act and, on this basis, the application should be approved.
- 4.13 Under Section 61H of the 1990 Act, The District Council is, in addition, required to consider whether the Neighbourhood Area should be classed as a business area, this being an area wholly or predominantly business in nature. Classification as a business area does not alter the process of developing a neighbourhood plan, but provisions for two referenda to be held in order to 'make' the resultant Plan, one for residents and one for businesses. The existing Neighbourhood Area was designated as a business area, owing to the predominance of business uses in the area. Through the determination process, it has been concluded that the

addition of the proposed extension area will not significantly change this composition. Designation as a business area, accordingly, remains appropriate, and will optimise public involvement.

- 4.14 The two recommendations above are detailed in the Draft Decision Statement included as Appendix 3, in accordance with Regulation 7 of the Neighbourhood Planning (General) Regulations 2012 (as amended 2016).

## **5. Implications**

- a) For service users:

A Council decision on this matter will give comfort to members of Retford Town Centre Neighbourhood Planning Group that their endeavours have Member support. The modification to the boundary will also provide a new means to give voice to local aspirations in the area covered by the proposed extension.

- b) Strategic & Policy:

The requested modification will support the development of the Retford Town Centre neighbourhood Plan, which will, in turn, assist in delivering the District Council's corporate growth strategy as required by the hierarchical Local Plan. The development of the Neighbourhood Plan will provide a mechanism to enhance the relevance of planning policy, through the incorporation of place-specific detail, whilst also empowering the community to identify and manage their own spatial development priorities. Identification and refinement of the neighbourhood area is the first stage of this process.

- c) Financial – Ref: 22/604

There are no immediate financial implications arising from the report. Local authorities have a legal obligation to assist qualifying bodies to prepare neighbourhood plans, including processing and determining applications concerning neighbourhood area designations and modifications. Any costs have been funded from the Neighbourhood Planning budget (a grant of £5,000 was awarded to the District Council following the original designation of the Neighbourhood Area) and through grants awarded to Retford Town Centre Neighbourhood Planning Group. A further government grant can be claimed once the Neighbourhood Plan passes independent examination (currently £20,000), with the amount increased for designated business areas to cover the costs of hosting two referenda (to a total of £30,000 under the current funding offer). Any further budget implications will be identified through further reports to be brought to Cabinet as necessary.

- d) Legal - Ref: 351/09/2021

The report details statutory processes as set out in the Neighbourhood Planning (General) Regulations 2012 (as amended 2016), and the Town and Country Planning Act 1990. The determination process has been undertaken to ensure that the District Council's obligations in respect to the application received are met and clearly documented.

- e) Human Resources:

There are no human resource implications arising from this report.

f) Community Safety and Environmental:

There are no community safety or environmental implications arising from this report.

g) Equalities – Ref: NP-MRTC-0821

A completed Equality Impact Assessment Screening report is included as Appendix 4, identifying no negative implications arising from this report, and positive outcomes in respect to impact on socio-economic factors, the provision of legislative clarity, and the assignment of value to local knowledge and aspirations.

h) General Data Protection Regulation (GDPR):

There are no GDPR implications arising from this report.

i) Whether this is a key decision and, if so, the reference number:

Modification of the Retford Town Centre Neighbourhood Area is regarded as a key decision, owing to the Neighbourhood Area, as a whole, intersecting three electoral wards, namely East Retford North, East Retford East, and East Retford West. The case has been allocated the reference **Key Decision No. 864**, as per the original designation request.

## 6. Options, Risks and Reasons for Recommendations

6.1 The decision on this item has two parts; Members are required to choose one option from each of the two parts outlined below in order to formulate a decision:

6.2 **Part 1**, in respect to the request to modify Retford Town Centre Neighbourhood Area:

- a) **To approve the modification request.** This option will allow ongoing work to develop the Retford Town Centre Neighbourhood Plan to be expanded to cover the extension area. There are no obvious risks to this decision, as the application has been assessed as meeting all statutory requirements and government guidance.
- b) **To not approve the modification request.** Development of the Neighbourhood Plan can continue, but the proposed extension area will remain outside of it. Reasons will need to be provided and published to clarify the basis on which the decision has been reached.

6.3 **Part 2**, subject to approval of Retford Town Centre Neighbourhood Area, whether to designate it as a business area:

- a) **To designate the Neighbourhood Area as a business area.** This option would reflect the character of the Neighbourhood Area. It will not change the process of developing the Neighbourhood Plan, but will provision for two referenda to be held in order to 'make' the resulting Plan; one for residents of the area, and one for businesses. A supplement to the basic government grant is available, when required, to cover the additional costs involved.
- b) **To not designate the Neighbourhood Area as a business area.** This option will not prevent the development of the Neighbourhood Plan, but only residents of the Neighbourhood Area will be able to vote in a

referendum as to whether to ‘make’ the resulting Plan. This may limit interest in the project overall, particularly from the business community.

**7. Recommendation**

7.1 It is recommended that Members select the following configuration of options from those listed above in order to formulate a decision:

- **Part 1: Option a)** – To approve the application to modify Retford Town Centre Neighbourhood Area;
- **Part 2: Option a)** – To identify Retford Town Centre Neighbourhood Area as a business area;

7.2 Subject to the above configuration of options, it is recommended that the District Council contacts Retford Town Centre Neighbourhood Planning Group to congratulate them on their successful application, and to offer ongoing support with the development of their Neighbourhood Plan.

<b>For more information contact:</b>	<p><b>Will Wilson</b> Lead Neighbourhood Planner</p> <p>01909 533 495      <a href="mailto:will.wilson@bassetlaw.gov.uk">will.wilson@bassetlaw.gov.uk</a></p>
<b>Background papers available for inspection:</b>	<p>Electronic copies of the documents submitted to the District Council can be found at:</p> <p><a href="https://www.bassetlaw.gov.uk/planning-and-building/planning-services/neighbourhood-plans/all-neighbourhood-plans/retford-town-centre-neighbourhood-plan/">https://www.bassetlaw.gov.uk/planning-and-building/planning-services/neighbourhood-plans/all-neighbourhood-plans/retford-town-centre-neighbourhood-plan/</a></p>
<b>List of appendices:</b>	<p><b>Appendix 1: Neighbourhood Area Modification Request (including boundary map)</b></p> <p><b>Appendix 2: Determination Report - Neighbourhood Area Modification</b></p> <p><b>Appendix 3: Draft Decision Statement</b></p> <p><b>Appendix 4: Equality Impact Assessment Screening</b></p>

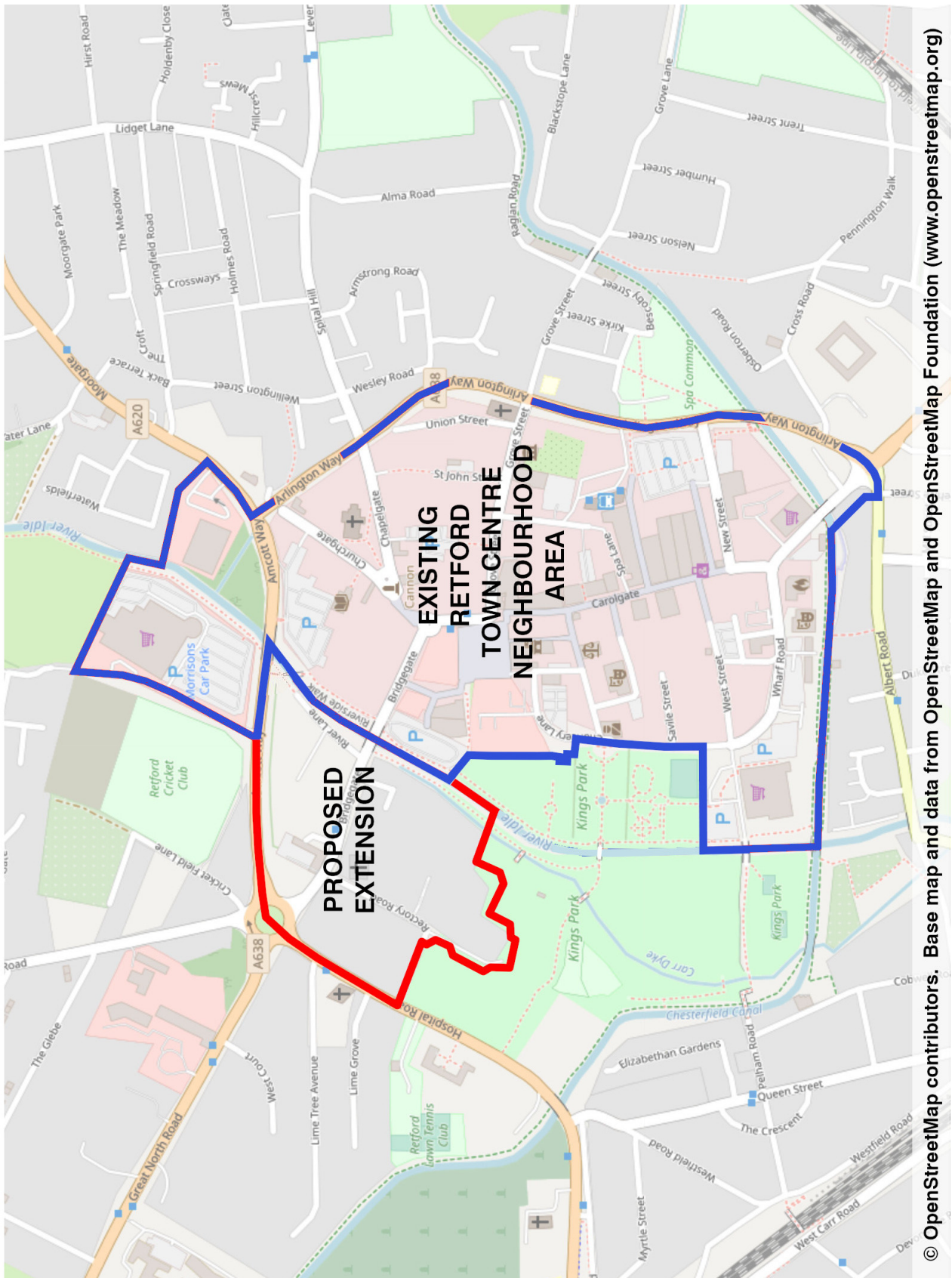
## **Regulation 5: Application for the Designation of a Neighbourhood Area**

1. This application documents a formal request to modify the boundary of the Retford Town Centre Neighbourhood Area, as originally designated by Bassetlaw District Council on 4 March 2021. The application is submitted by Retford Town Centre Neighbourhood Planning Group, the formally-designated qualifying body in respect of the existing Retford Town Centre Neighbourhood Area.
2. The proposed modification, as detailed on the accompanying map (see pages 2 and 3) concerns a north-westward extension of the existing Neighbourhood Area, so as to include the full extent of Bridgegate and environs. The boundary of the proposed extension follows established and distinct geographical features to the north (Amcott Way) and west (Hospital Road). To the south, the proposed boundary has been drawn to provide a clear distinction between the Neighbourhood Area and Kings' Park.
3. The premise of an extension to this effect was raised following the formal consultation on the original application to designate the Neighbourhood Area. It was determined by the District Council that it would be inappropriate to modify the boundary at that stage, without the opportunity for public consultation, and that the proposal should be considered subsequent to designation, as is being done here.
4. This proposed extension is considered appropriate for the following reasons:
  - The proposal has been subject to careful consideration. Retford Town Centre Neighbourhood Planning Group has worked with Bassetlaw District Council to respond to the request to include the full extent of Bridgegate within the Neighbourhood Area and to establish a provisional boundary. As per the existing boundary, the proposed extension has been drawn to follow recognised geographical features, and to encompass the core area of 'town centre' activities, so as to maintain a clear sense of purpose for the proposed Retford Town Centre Neighbourhood Plan.
  - The area, as proposed, remains distinct from adjoining / neighbouring areas, given its role as Retford Town Centre, and the consequent focus of retail, business, public service, tourism, and transport functions located there.
  - The proposal does not overlap other existing designated neighbourhood areas.
  - The proposal has been the subject of public consultation during May and June 2021, with notifications issued to all properties within the extension area. The consultation demonstrated general support for the proposal.
5. We consider that Retford Town Centre Neighbourhood Planning Group is the appropriate body to lead neighbourhood planning in this area. We continue to fulfil all of the requirement of a neighbourhood forum, as per section 61F (5) of the Town and Country Planning Act 1990, and will actively welcome new members from the proposed extension area should the application be approved.

**Submitted on behalf of the Retford Town Centre Neighbourhood Planning Group to Bassetlaw District Council by Frederick Brand, Chair**

**18 June 2021**

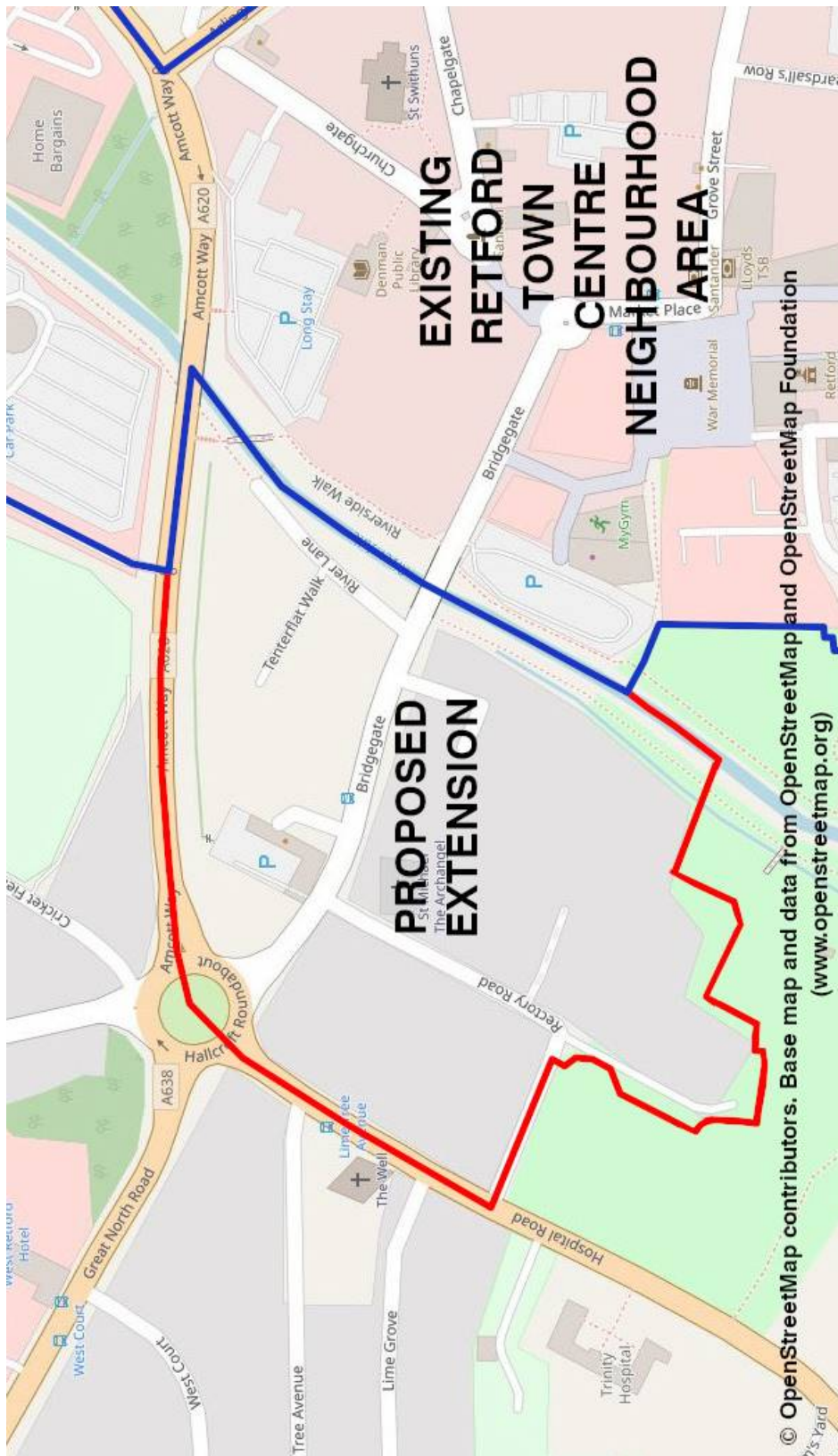
**Map 1: Proposed Neighbourhood Area Extension in Context**



© OpenStreetMap contributors. Base map and data from OpenStreetMap and OpenStreetMap Foundation ([www.openstreetmap.org](http://www.openstreetmap.org))



Map 2: Proposed Neighbourhood Area Extension in Detail



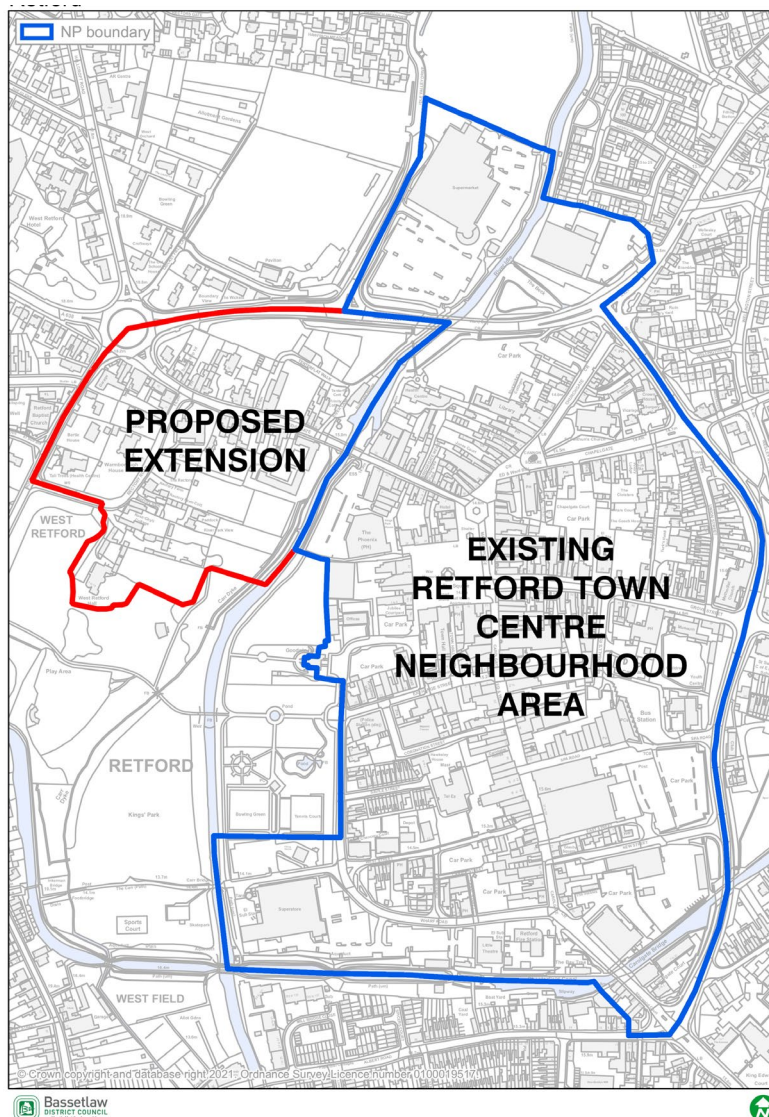
## Bassetlaw District Council

### Determination Report: Request to modify a designated Neighbourhood Area (Retford Town Centre)

#### Application summary

Variables	Details
Name of Neighbourhood Area	Retford Town Centre Neighbourhood Area
Type of neighbourhood area	Non-parished, urban
Qualifying Body	Retford Town Centre Neighbourhood Planning Group
Application received	18 June 2021
Consultation period	21 June 2021 – 9 August 2021 (7 weeks)
Notes	Proposed modification (extension) of original Neighbourhood Area, as formalised in March 2021.

#### Map of proposed extension in relation to existing Neighbourhood Area





activities. The northern and western boundaries follow the centre line of Amcott Way and Hospital Road, respectively, providing a clear boundary with the neighbourhoods beyond. The southern boundary has been drawn to provide a clear distinction between the Neighbourhood Area and Kings' Park, maintaining the same distinction between 'park' and 'town centre' uses as achieved by the existing boundary.

**3: Does the area intersect another designated area? (Section 61G (7))**

**No.** There are no adjoining or intersecting neighbourhood areas, other than the existing Retford Town Centre Neighbourhood Area, to which the extension is proposed to be integrated.

**4: For joint area application, are all relevant bodies included? (Section 61G (2))**

N/A – this is not a joint area application.

**5: Were any comments received during the consultation period? If so, do they have implications for the application?**

**Yes.** Two responses were received during the consultation (see Representation A and B below).

**Representation A**

**Overview:** The representation expressed support for the proposed modification to the boundary, considering it more inclusive of the community, businesses, and charities, and would better support the aims of the Neighbourhood Forum in terms of health and wellbeing.

**Assessment:** The comments are welcomed, and useful in terms of determining the application.

**Judgement:** The representation helps to affirm the relevance of the proposed modification to the boundary.

**Representation B**

**Overview:** The representation supports the proposed modification to the boundary, considering that the extension area feels very much like part of the Town Centre. Comments were also made about the development of the Neighbourhood Plan itself, but these are not relevant to the determination of the application.

**Assessment:** The comments are welcomed, and useful in terms of determining the application. The comments concerning the development of the Neighbourhood Plan will be shared with the Neighbourhood Planning Group, subject to the prior agreement of the respondent.

**Judgement:** The representation supports the requested modification to the Neighbourhood Area boundary.

### **Implications of the representations on the application**

The representations received both support the modification of the boundary as proposed, with no adverse comments voiced.

#### **6: Are any modifications required to this or any adjoining neighbourhood area? (Section 61G (6))**

**No.** On the basis of the assessment above, it is proposed that the modification to the existing Neighbourhood Area boundary should be formalised as proposed in the application.

#### **7: Should the area be designated as a business area? (Section 61H)**

**Yes.** The Retford Town Centre Neighbourhood Area is already designated as a business area, owing to it being predominantly 'business' in nature. It is considered that the proposed extension will not significantly alter this composition. Identification as a business area will provision for two referenda being held in order to 'make' the resultant neighbourhood plan; one for residents, and one for businesses (the default position being one referendum for residents only). This will ensure that business

#### **8: Any special circumstances to be taken into account?**

**No.**

#### **9: Recommendation:**

**Approve / ~~Approve with Modifications~~ / Refuse**

**Business Area / ~~Not a Business Area~~**

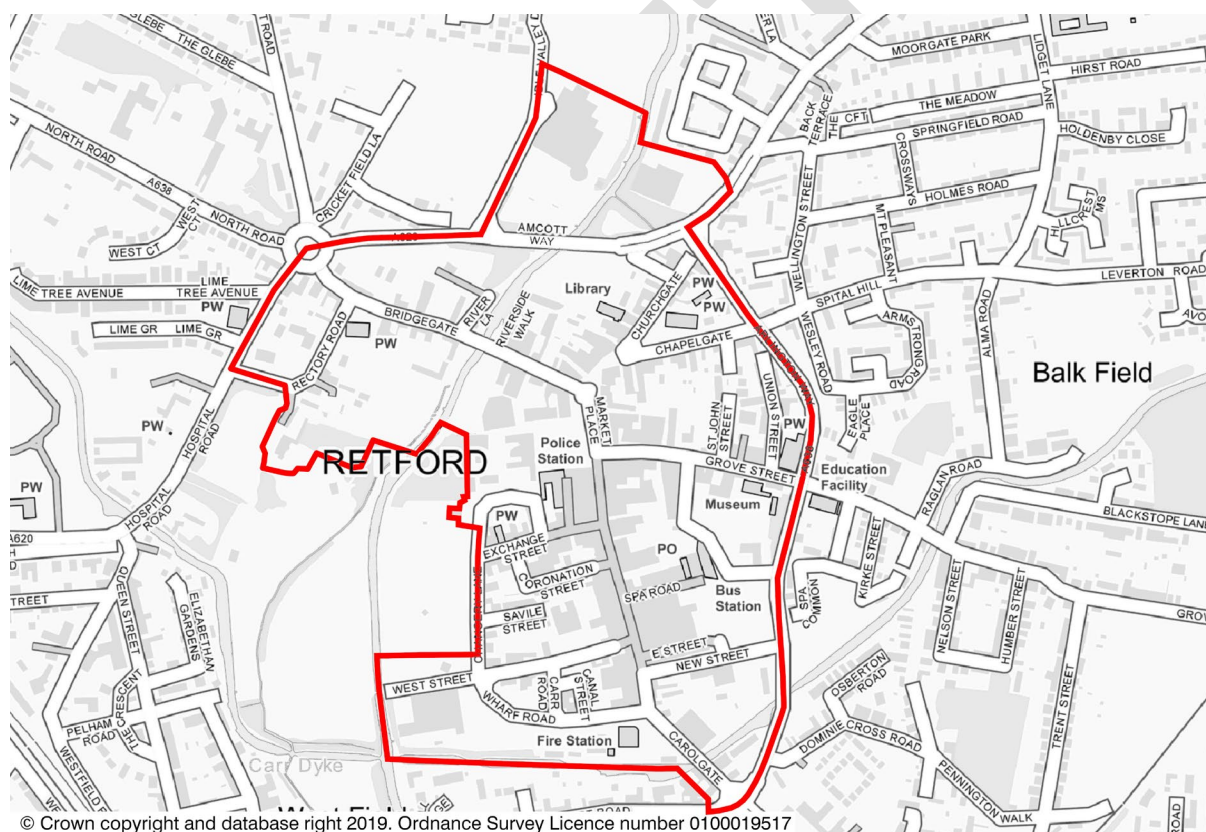
**Assessor:** Will Wilson, Lead Neighbourhood Planner

**Date:** 11 August 2021

**IN ACCORDANCE WITH THE NEIGHBOURHOOD PLANNING (GENERAL) REGULATIONS 2012 (AS AMENDED)**

**MODIFICATION OF A DESIGNATED NEIGHBOURHOOD AREA**

On 18 June 2021 Bassetlaw District Council received an application requesting a modification to the boundary of the existing **Retford Town Centre Neighbourhood Area**, so as to include the full extent of Bridgegate and its environs. Under Article 7 of the above regulations, the District Council has **APPROVED** the request and duly modified the boundary of the following Neighbourhood Area, as detailed on the map below. The District Council has also confirmed that the expanded Neighbourhood Area will continue to be **identified as a business area**.



**Retford Town Centre Neighbourhood Planning Group** will continue to fulfil the role of Neighbourhood Forum (the Qualifying Body) for the Neighbourhood Area, leading the development of the associated Neighbourhood Plan.

All documentation relating to this decision is available from the [Bassetlaw District Council website](https://www.bassetlaw.gov.uk/).

Signed: **Beverley Alderton-Sambook**  
Head of Regeneration  
24 September 2021

# Equality Impact Assessment

## Part 1: Screening

Version: 2020 2.0

When reviewing, planning or providing services Bassetlaw District Council needs to assess the impacts on people. Both residents and staff, of how it works - or is planning to – work (in relation to things like disability). It has to take steps to remove/minimise any harm it identifies. It has to help people to participate in its services and public life. “Equality Impact Assessments” (EIAs) prompt people to think things through, considering people’s different needs in relation to the law on equalities. The first stage of the process is known as ‘screening’ and is used to come to a decision about whether and why further analysis is – or is not – required. EIAs are published in line with transparency requirements.

A few notes about the laws that need to be considered are included at the end of this document. Helpful questions are provided as prompts throughout the form.

### 1. Name of policy/activity/project/practice

This is:

~~New policy/activity/practice~~ - No

A change to existing policy/activity/practice - Yes

~~Existing policy/activity/practice~~ - No

~~A pilot programme or project~~ - No

**Neighbourhood Planning: Application to designate a Neighbourhood Area and an associated Neighbourhood Forum – Retford Town Centre**

### 2. Screening undertaken (please complete as appropriate)

Person undertaking EIA: Tom Gill – Neighbourhood Planning Policy Officer

Lead Officer for developing the policy/activity/practice: Will Wilson – Lead Neighbourhood Planner

Other people involved in the screening: (this may be people who work for BDC or a related service or people outside BDC) Richard Gadsby – Policy & Scrutiny Officer

### 3. Brief description of policy/activity/project/practice: including its main purpose, aims, objectives and projected outcomes. Who is it intended to affect or benefit (the target population)? How do these fit in with the wider aims of the organisation?

Is it linked to BDC’s Corporate Plan? Service Plan? Other? Please explain:

Neighbourhood planning provides communities direct power to develop a shared vision for their neighbourhood and to manage future development and growth, subject to general conformity with the District's strategic planning needs and priorities.

Neighbourhood plans are produced through a collaborative, democratic process, involving various rounds of consultation, scrutiny, and culminating in a public referendum, where the residents (and potentially businesses) of the area in question are able to decide whether to 'make' the plan. Subject to a positive result at the referendum, a neighbourhood plan becomes part of the statutory development plan, alongside the Bassetlaw Core Strategy and Development Management Policies Development Plan Document (DPD).

The Retford Town Centre Neighbourhood Planning Group was formally-designated on 4 March 2021, following Full Council approval. The group is now progressing towards delivering a Neighbourhood Plan for the Retford Town Centre Neighbourhood Area. The group have made a formal request to modify the boundary of the Neighbourhood Area in order to incorporate the Bridgegate area and related environs. The group have conducted a public consultation which lasted 7 weeks and indicated support for the proposals.

The proposal has been subject to careful consideration. Retford Town Centre Neighbourhood Planning Group has worked with Bassetlaw District Council to respond to the request to include the full extent of Bridgegate within the Neighbourhood Area and to establish a provisional boundary. As per the existing boundary, the proposed extension has been drawn to follow recognised geographical features, and to encompass the core area of 'town centre' activities, so as to maintain a clear sense of purpose for the proposed Retford Town Centre Neighbourhood Plan.

#### 4. Impact

How will the aims affect our duty to:

- Promote equality of opportunity?
- Eliminate discrimination, harassment and victimisation?
- Promote good community relations?
- Promote positive attitudes towards people with protected characteristics?
- Encourage participation of people with protected characteristics?
- Protect and promote Human Rights?

For example, think about it from the perspectives of different groups in society. Does it cause harm or a benefit to any group(s) differently to others? Will it differentially affect:

- Black, Asian or other ethnic minority and/or cultural groups?
- Disabled people? And their carers?
- Transgender people?
- Men and women?
- Lesbians, gay men and/or bisexual people?
- Different religious communities/groups?
- People of a particular age e.g. older people or children and young people?
- Any other groups?
- People with flexible or agreed working patterns?

Are there any aspects, including how it is delivered, or accessed, that could contribute to inequalities? (This should relate to all areas including Human Rights.)

If the proposals will have negative impacts then a FULL Assessment (Appendix 2) MUST be completed.



The proposal has the potential to impact upon all people who are associated with the Bridgegate area of Retford Town Centre, as an extension of the existing Neighbourhood Area will allow the Retford Town Centre Neighbourhood Planning Group to include the area in their emerging Neighbourhood Plan, something which is not possible currently. The production of a neighbourhood plan provides the opportunity for the community itself to develop planning policies that are specific to the neighbourhood area, thus providing significant opportunities for empowerment, democratisation, and the assignment of value to local knowledge and lived experience. Expanding the existing Neighbourhood Area to include Bridgegate and its environs would enable those living and working in this area to contribute towards and benefit from these opportunities.

**Within this table, state whether the policy or function will have a positive or negative impact across the following factors and provide any comments.**

Factor	Positive Impact	Neutral Impact	Negative Impact	Comments
All residents and/or those who work/shop/play in the district	Positive			The proposed extension of the designated Retford Town Centre Neighbourhood Area offers an opportunity for those who live in, work in, or are elected to represent the area to shape the development of locally-specific planning policies, in the form of a neighbourhood plan. Adding the Bridgegate area to the existing Neighbourhood Area will also provide an opportunity to empower the local community, to bring varied interests together, and to assign value to local knowledge and lived experience.
Age		Neutral		It is not regarded that the proposed modification of the Retford Town Centre Neighbourhood Area will have an impact on this sector of society in particular.
Disability		Neutral		It is not regarded that the proposed modification of the Retford Town Centre Neighbourhood Area will have an impact on this sector of society in particular.
Sex		Neutral		It is not regarded that the proposed modification of the Retford Town Centre Neighbourhood Area will have an

<b>Factor</b>	<b>Positive Impact</b>	<b>Neutral Impact</b>	<b>Negative Impact</b>	<b>Comments</b>
				impact on this sector of society in particular.
Gender reassignment		Neutral		It is not regarded that the proposed modification of the Retford Town Centre Neighbourhood Area will have an impact on this sector of society in particular.
Race		Neutral		It is not regarded that the proposed modification of the Retford Town Centre Neighbourhood Area will have an impact on this sector of society in particular.
Religion or belief (including no belief)		Neutral		It is not regarded that the proposed modification of the Retford Town Centre Neighbourhood Area will have an impact on this sector of society in particular.
Sexuality		Neutral		It is not regarded that the proposed modification of the Retford Town Centre Neighbourhood Area will have an impact on this sector of society in particular.
Marriage and Civil Partnership (applies only to work matters)		Neutral		It is not regarded that the proposed modification of the Retford Town Centre Neighbourhood Area will have an impact on this sector of society in particular.
Pregnancy and maternity (including breastfeeding)		Neutral		It is not regarded that the proposed modification of the Retford Town Centre Neighbourhood Area will have an impact on this sector of society in particular.
Socio economic (including rural and poverty)	Positive			The proposed extension of the designated Retford Town Centre Neighbourhood Area offers an opportunity for those who live in, work in, or are elected to represent the area to assist in the production of a neighbourhood

Factor	Positive Impact	Neutral Impact	Negative Impact	Comments
				plan. A neighbourhood plan provides a means to maintain local distinctiveness in the area, and to support growth that is socially, economically, and environmentally sustainable. It will also provide a positive example of local democracy in action. There is equally potential for spin-off benefits to emerge, as a result of bringing different interests together, likely for the first time.
Human rights		Neutral		It is not regarded that the proposed modification of the Retford Town Centre Neighbourhood Area will have an impact on this sector of society in particular.

If you have identified negative impacts a FULL assessment (Appendix 2) MUST be completed.

## 5. Evidence Base for Screening

List the evidence sources you have used to make this assessment (i.e. the known evidence)

(e.g. Index of Multiple Deprivation, workforce data, population statistics, any relevant reports, customer surveys Census 2011, equality monitoring data for the service area.)

- Neighbourhood Area Modification Request (including boundary map)
- Determination Report - Neighbourhood Area
- Draft Decision Statement
- Draft Full Council Report – *Neighbourhood Planning: Request to modify a designated Neighbourhood Area - Retford Town Centre*

Are there any significant gaps in the known evidence base? If so what are your recommendations for how and by when those gaps will be filled?

## 6. Consultation

Describe what consultation has been undertaken on this function or policy, who was involved and the outcome.

The proposal to seek a modification to the Neighbourhood Area has been under development since March 2021, was instigated as a direct response to public consultation. The proposal was then been subject to a period of informal consultation, publicised via flyer to all affected properties, in order to refine the proposal ahead of submission to the District Council

In accordance with Regulation 6 of the Neighbourhood Planning (General) Regulations 2012 (as amended 2016), the District Council publicised and invited comments on the submitted modification to the Neighbourhood Area for a period of 7 weeks (21 June to 9 August 2021). Two comment were received during the consultation, expressing support.

**Head of Service**

I am satisfied with the results of the EIA.

**Signature of Head of Service**

BA. Alderton Sabos

EIA Ref. No: NP-MRTC-0821

## Action Plan

Please list on this sheet the nature of any issues and any recommendation for actions that you plan to implement as a result of undertaking this Impact Assessment.

Issue identified	Action to be taken	Name lead	Date to be achieved	Outcomes
Not applicable				

# Equality Impact Assessment

## Appendix 2 Stage 2

### In depth (FULL) assessment

Q	Equality Duties	Outcome
1	What evidence is there from stakeholders that different equality groups might have different needs, concerns and priorities in relation to issues addressed by the policy or activity (this includes the results of consultation with an involvement of different equality groups)?	
2	How does the proposed policy or activity contribute towards meeting our strategic objective to encourage continual improvement in public services so that they meet the changing needs of diverse communities and provide fair access for all?	
3	How does the policy or activity contribute to our duty to promote positively equality of opportunity?	
4	Will it help eliminate unlawful discrimination or harassment in any way or encourage or hinder community relations?	
5	What evidence is there to suggest that the policy or activity could affect some equality groups differently? This is not just about number but the seriousness and degree of the adverse impact.	
6	If there is an adverse impact, what amendments can be made to the policy or practice to mitigate or remove this negative impact?	
7	If your activity is provided by a partner, private or voluntary sector organisation on a contract basis, please list any arrangements you have made or plan to make to help ensure that these comply with equality.	
8	How will it help ensure that information about this policy or activity is accessible to equality groups?	
9	If this strategy, policy or service development impacts upon other services, please list which services and what arrangements have been made.	
10	Have you compared your policy or activity with similar local authorities? If so, with what results?	

<b>Q</b>	<b>Equality Duties</b>	<b>Outcome</b>
11	Please list any consultation with equality groups in support of the above equality issues.	
12	Please list the equality groups you have consulted with.	
13	Please list in your Improvement Plan any changes to your policy or activity that you have made, or you plan to make, as a result of consultation with different equality groups.	
14	What are the specific recommendations in the Improvement Plan?	
15	How is it intended to monitor and report on the impact of this assessment?	
16	Please list any performance targets relating to equality that your policy or activity includes.	
17	Please list any changes to your policy or activity that you have made or plan to make as a result of monitoring.	
18	Please list any staff training issues on equality arising from this assessment (and include this in your Improvement Plan).	
19	How do you plan to publicise the results of this assessment? Include this in the Improvement Plan.	

**Notes:**

1. The in-depth (full) assessment must consider all available data and research. This could include the result of employee or stakeholder surveys, the results of consultation, audits, service reviews, employment monitoring data, population data, research findings and data collected through monitoring the implementation of the policy or activity and evaluation of projects/programmes, data about the performance of local services.
2. The assessment above must also state how the policy was assessed and the details of the methods of involvement of appropriate people, for example, staff networks, external stakeholders and equality groups.

**Completed by:**

**Role:**

**Date Started:**

**Date completed:**

**Declaration**

I am satisfied that an In Depth (Full) Assessment has been undertaken.

I understand that this EIA is required by the Council and take responsibility for its completion and quality.

**Countersigned by Head of Service/Senior Manager**

--

Date:



## **Equality Duties to be taken into account in this screening include:**

### **Prohibited Conduct under The Equality Act 2010 including:**

Direct discrimination (including by association and perception e.g. carers); indirect discrimination; Pregnancy and maternity discrimination; Harassment; third party harassment; discrimination arising from disability.

### **Public Sector Duties (Section 149) of the Equality Act 2010 for BDC and services provided on its behalf: (due to be effective from 4 April 2011)**

NBC and services providing public functions must in providing services have due regard to the need to: **eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations between different groups.** 'Positive action' permits proportionate action to overcome disadvantage, meet needs and tackle under-representation.

### **Rights apply to people in terms of their "Protected Characteristics":**

Age, Disability, Sex, Gender Reassignment, Race, Religion or Belief (including No Belief), Sexuality, Marriage and Civil Partnership (applies only to work matters, and Pregnancy and Maternity (including breastfeeding)

**Race** – the categories used are those from the Census. Consideration should be given to the needs of specific communities within the broad categories e.g. Polish.

**Faith Groups** - cover a wide range of groupings, the most common of which are Christians, Muslims, Sikhs, Hindus, Jews, and Buddhists. Consider faith categories individually and collectively when considering impacts. Also consider the position of those with no faith or belief.

### **Duty to "advance equality of opportunity":**

The need, when reviewing, planning or providing services/policies/practices to assess the impacts of services on people in relation to their 'protected characteristics', take steps to remove/minimise any negative impacts identified and help everyone to participate in our services and public life. **Equality Impact Assessments** remain best practice to be used. Sometimes **people have particular needs** e.g. due to gender, race, faith or disability that need to be addressed, not ignored. BDC must have due regard to the **duty to make reasonable adjustments** for people with disabilities. BDC must **encourage people who share a protected characteristic to participate in public life** or any other activity in which their participation is too low.

### **Duty to 'foster good relations between people'**

This means having due regard to the need to tackle prejudice (e.g. where people are picked on or stereotyped by customers or colleagues because of their ethnicity, disability, sexual orientation, etc) and **promote understanding.**

**Lawful Exceptions to general rules:** can happen where action is proportionate to achieve a legitimate aim and not otherwise prohibited by anything under the Equality Act 2010. There are some special situations (see Ch 12 and 13 of the Equality Act 2010 Statutory Code of Practice – Services, Public Functions and Associations).

### **National Adult Autism Strategy (Autism Act 2009; statutory guidelines) including:**

To improve how services identify and meet needs of adults with autism and their families.

### **Human Rights include:**

Rights under the European Convention include not to be subjected to degrading **treatment; right to a fair trial** (civil and criminal issues); **right to privacy** (subject to certain exceptions e.g. national security/public safety, or certain other specific situations); **freedom of conscience** (including religion and belief and rights to manifest these limited only by law and as necessary for public safety, public order, protection of rights of others and other specified situations); **freedom of expression** (subject to certain exceptions); **freedom of peaceful assembly and to join trade unions** (subject to certain exceptions); **right not to be subject to unlawful discrimination** (e.g. sex, race, colour, language, religion, political opinion, national or social origin); **right to peaceful enjoyment of own possessions** (subject to certain exceptions e.g. to secure payment of taxes or other contributions or penalties); **right to an education; right to hold free elections by secret ballot.** The European Convention is given effect in UK law by the Human Rights Act 1998.



**BASSETLAW DISTRICT COUNCIL**

**COUNCIL**

**23 September 2021**

**REPORT OF THE HEAD OF REGENERATION**

**NEIGHBOURHOOD PLANNING: MODIFICATION TO, AND ARRANGEMENTS FOR A REFERENDUM RELATING TO THE STURTON WARD NEIGHBOURHOOD PLAN (REVIEW)**

Cabinet Member: Regeneration  
Contact: Beverley Alderton-Sambrook

**1. Public Interest Test**

- 1.1 The author of this report, Beverley Alderton-Sambrook, has determined that the contents are not confidential.

**2. Purpose of the Report**

- 2.1 This report seeks Full Council approval to make specified material modifications to the Sturton Ward Neighbourhood Development Plan (Neighbourhood Plan), as originally 'made' following public referendum in February 2016. The report also seeks approval to arrange a public referendum to determine whether the reviewed Neighbourhood Plan should be formally adopted by the District Council.
- 2.2 On 18 March 2021, a reviewed version of the Sturton Ward Neighbourhood Plan was submitted to the District Council. Following a six-week consultation period, the Neighbourhood Plan proceeded to independent examination. The Examination Report was received by the District Council on 3 September 2021, recommending that the Neighbourhood Plan proceeds to a public referendum, subject to a number of specified modifications.
- 2.3 A material modification to a previously 'made' neighbourhood plan requires the input of an independent examiner, and it is at the discretion of the examiner whether a public referendum is required in order for the Plan to be 'made', dependent on the extent of the changes proposed.
- 2.4 The Council must now decide what action to take in response to each of the recommendations made in the Examination Report and, subject to agreement, to make arrangements for a referendum on the Neighbourhood Plan to be held.

**3. Background**

- 3.1 The Localism Act 2011 makes provision for communities to develop a shared vision for their neighbourhood, expressed in the form of a neighbourhood plan. The statutory land use policies contained within a neighbourhood plan should be in general conformity with the strategic policies in the development plan for the wider local area, but offer the scope to reflect local distinctiveness and support area-specific aspirations. Neighbourhood plans have the ability to promote more development in an area than that set out by the District Council (but cannot be used

to block development proposals already set out in higher level plans) and can, for example, identify where new development should go and how it should be designed.

- 3.2 Proposals must be consulted upon extensively, undergo independent examination and then be put to a local referendum before they can be adopted as part of the statutory development plan for the District.
- 3.3 Once 'made', a neighbourhood plan forms part of the development plan and sits alongside the Bassetlaw Core Strategy and Development Management Policies Development Plan Document (DPD). Decisions on planning applications will be made using the relevant neighbourhood plan, the Core Strategy DPD, the National Planning Policy Framework (NPPF), and any other material considerations.
- 3.4 The District Council, as Local Planning Authority, has a statutory duty to provide advice or support to a qualifying body (the organisation responsible for producing a neighbourhood plan, whether a town or parish council, or neighbourhood forum) that is producing a neighbourhood plan. The Council must also make decisions at key stages in the neighbourhood planning process within the time limits that apply.
- 3.5 Once 'made', neighbourhood plans can be reviewed as required in order to respond to changes in their geographical or legislative context, or to correct errors. The District Council has a responsibility to facilitate and administer this process, working with the qualifying body concerned in order to determine the extent of the changes required and how these should be enacted.
- 3.6 National Planning Policy Guidance<sup>1</sup> clarifies that there are three classes of review that can be undertaken in respect to a 'made' neighbourhood plan, each with its own procedure for enactment, as follows:

<b>Typology</b>	<b>Definition</b>	<b>Implications for BDC</b>
Non-material amendment	Correcting a minor error that will not materially change the way that a 'made' neighbourhood plan functions.	BDC can make changes to the plan, with the approval of both the qualifying body (e.g. parish council) and BDC Full Council.  Not eligible for grant claim.
Minor material amendment	Making small-scale changes that may have a material impact on the way that a 'made' neighbourhood plan functions. The decision as to whether the changes alter the nature of the plan will be determined by the independent examiner.	As above, but the modified plan should be subject to public / statutory consultation (Reg 14 and Reg 16), and independent examination, before seeking BDC Full Council approval to adopt it.  Eligible for £10,000 grant claim upon completion.
Significant material amendment	Making more substantial changes that will	As above, but a public referendum will be required

<sup>1</sup> <https://www.gov.uk/guidance/neighbourhood-planning--2#updating-neighbourhood-plan>

	materially alter the way that a 'made' neighbourhood plan functions.	subsequent to BDC Full Council approval, allowing the public to decide whether the plan should be adopted.  Eligible for £20,000 grant claim upon completion.
--	--	---

3.7 As per the above, in the first instance it is for the District Council to determine the impact of the modifications requested and what action to take.

3.8 The approval of an examination report enables the District Council to claim for grant funding from Central Government in order to support the statutory functions related to neighbourhood planning, including the arrangement of independent examination and, where relevant, a referendum. This arrangement emphasises the importance of seeking approval of an examination report in a timely manner. As per the table above, the grant funding varies dependent on the scale of the review undertaken; £10,000 for a minor material modification, and £20,000 for a significant material modification.

#### **4. Supporting Evidence**

4.1. Having been 'made' at referendum on 11 February 2016, the Sturton Ward Neighbourhood Plan currently forms part of the Development Plan and sits alongside the Bassetlaw Core Strategy and Development Management Policies Development Plan Document (DPD). Decisions on planning applications in the Sturton Ward Neighbourhood Area are made using both the Core Strategy DPD, the Sturton Ward Neighbourhood Plan, the National Planning Policy Framework, and any other material considerations.

4.2. In 2018 work commenced on a review of the Neighbourhood Plan, including an enhanced evidence base to inform new and updated policies, addressing issues including design, green spaces, and housing. At the outset, it was acknowledged that this would be a thorough review, as opposed to addressing a specific topic or policy.

4.3. The process of reviewing the Plan was led by a Steering Group, consisting of representatives from across the Neighbourhood Area. North and South Wheatley Parish Council was identified as the Qualifying Body, the role previously being held by Sturton le Steeple Parish Council.

4.4. The Steering Group worked to progress the review of the Neighbourhood Plan in accordance with the regulations, including consultation on a pre-submission draft with statutory bodies and the local community. The District Council's Neighbourhood Planning Team provided guidance throughout the process, including attendance at monthly meetings and consultation events.

4.5. The reviewed Neighbourhood Plan was submitted to the District Council on 18 March 2021. The District Council publicised the proposal for a 6-week period (7 May to 18 June 2021), and invited representations from the public, interested parties, and consultation bodies. In accordance with the regulations, the District Council appointed Andrew Ashcroft BA (Hons), MA, DMS, MRTPI to undertake the required independent examination, with the agreement of the Steering Group. The submission Neighbourhood Plan, supporting documentation and representations were duly sent to the Examiner for consideration.

- 4.6. The Independent Examiner is required to determine, under paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990, whether legislative requirements have been met. The Independent Examiner must also consider whether a neighbourhood plan meets “Basic Conditions”. The Basic Conditions are:
- having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan;
  - the making of the neighbourhood plan contributes to the achievement of sustainable development;
  - the making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area);
  - the making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations; and
  - prescribed conditions are met in relation to the plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood plan. The following prescribed condition relates to neighbourhood plans:
    - Regulation 32 of the Neighbourhood Planning (General) Regulations 2012 (as amended by the Conservation of Habitats and Species and Planning (various Amendments) Regulations 2018) sets out a further Basic Condition in addition to those set out in the primary legislation: that the making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.
- 4.7. The completed Examination Report (Appendix 1) was sent to the District Council on 3 September 2021, and was shared with the Steering Group and made available from the District Council’s website the same day. The report recommends that, subject to modifications, the Plan should proceed to a referendum. The report recommends a range of detail modifications to make the wording of policies clearer and more robust. It also recommends the deletion of two of the proposed significant green gaps at North Leverton. Modifications to the supporting text, maps, and diagrams are also recommended, where necessary, to support the modified policies. This includes the suggestion of producing a policy map for each of the three settlements, so as to display all of the designations in one diagram
- 4.8. The Sturton Ward Planning Group accept the recommended modifications, and see them as a constructive means to progress the Plan towards adoption.
- 4.9. The District Council must now decide what action to take in response to each of the Examiner’s recommendations within five weeks (unless the Qualifying Body agree a different date). By considering the recommendations at this meeting, the District Council will be complying with this timeframe.
- 4.10. The results of the examination and proposed course of action are summarised in a draft ‘Decision Statement’ (Appendix 2), to be finalised and published subject to the approval of this item by Full Council. The Draft Decision Statement concludes that all the recommended modifications set out in the Examination Report should be approved to ensure that the Neighbourhood Plan meets the Basic Conditions. This includes the Examiner’s recommendation that, subject to modifications, the Plan should proceed to a referendum.
- 4.11. Proceeding to a referendum with a Neighbourhood Plan that meets the prescribed basic conditions will help to instil confidence in the process. The referendum will also ensure that the final decision as to whether to adopt the Plan rests with the local community, reinforcing the values of democracy and empowerment that underpin the process as a whole.

## Next Steps

- 4.12. The projected date for the referendum on the Sturton Ward Neighbourhood Plan (Review) is Thursday 11 November 2021, as agreed in principle with the District Council's Democratic and Electoral Services Manager. The detailed requirements in respect of the referendum process are set out in the Neighbourhood Planning (Referendums) Regulations 2012.
- 4.13. Subject to approval of the Examination Report, the Sturton Ward Neighbourhood Plan should be modified in accordance with the recommendations in preparation for the referendum. In the interim, the weight attributed to the Plan in decision making can be increased from 'material' to 'significant'.
- 4.14. The Neighbourhood Plan must be 'made' by the local planning authority within 8 weeks of the referendum, if the majority of those who vote in the referendum are in favour. If a legal challenge is brought in relation to the decision to hold a referendum, or around the conduct of the referendum, the 8-week time limit does not apply.
- 4.15. A neighbourhood plan comes into force as part of the statutory development plan once approved at referendum. If the majority of those who vote in the referendum are not in favour of the draft neighbourhood plan, then it does not come into force. The qualifying body would then have to decide how it wishes to proceed.

## 5. **Implications**

### a) For service users

A Council decision on this matter will give greater comfort to the Steering Group and Qualifying Body that their endeavours have Member support.

### b) Strategic & Policy

The policies contained within the Sturton Ward Neighbourhood Plan (Review) will assist in delivering the District Council's corporate growth strategy as required by the hierarchical Local Plan. Yet the Neighbourhood Plan will also provide a mechanism to enhance the relevance of planning policy, through the incorporation of place-specific detail. The fact that the Plan has been developed by and for the local community also offers a continuation of the ethos of empowering communities to understand and manage their local area.

### c) Financial – Ref: 22/295

A material modification to a neighbourhood plan requires examination, with the decision as to whether a referendum is required at the discretion of the appointed examiner, and dependent on the extent of the changes over the original neighbourhood plan. In the case of the Sturton Ward Neighbourhood Plan (Review), the Examiner has deemed that the changes are significant in scope, and that a referendum is required. A government grant of £20,000 can be claimed to cover the costs of the examination and referendum, subject to the approval of the Examination Report by Full Council.

### d) Legal - Ref: 360/09/2021

The Independent Examiner has confirmed that the Sturton Ward Neighbourhood

Plan (Review), as proposed to be amended, is considered to meet the Basic Conditions set out in law following the Localism Act (see Paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990). It also meets all the relevant legal and procedural requirements. The Neighbourhood Planning (Referendums) Regulations 2012 make provision in relation to the conduct of referendums required to be held as a result of paragraph 12(4) of Schedule 4B or paragraph 10(3) of Schedule 4C to the Town and Country Planning Act 1990.

e) Human Resources:

There are no human resource implications arising from this report.

f) Community Safety and Environmental:

There are no community safety, equalities or environmental implications arising from this report.

g) Equalities - Ref: NP-SWR-0921

A completed Equality Impact Assessment Screening report is included as Appendix 3, identifying no negative implications arising from this report, and positive outcomes in respect to impact on socio-economic factors, the provision of legislative clarity, and the facilitation of local democracy.

h) General Data Protection Regulation (GDPR):

There are no GDPR implications arising from this report.

i) Whether this is a key decision and, if so, the reference number:

This is not a key decision.

## **6. Options, Risks and Reasons for Recommendations**

6.1 There are two principal options available to Council.

### **6.2 Agree the Examiner's recommendations in full.**

The Neighbourhood Plan is amended in accordance with the Examiner's recommendations, and then proceeds to a referendum on 11 November 2021. The Neighbourhood Plan is 'made' if the majority of those who vote in the referendum are in favour of the Plan, and is afforded 'significant' weight in decision-making in the interim. Subject to the recommended modifications being enacted, the Examiner has confirmed that the Neighbourhood Plan satisfies the Basic Conditions. It follows that the risk of a legal challenge being brought in relation to the decision to hold a referendum is duly reduced.

### **6.3 Disagree with the Examiner's recommendations and do not allow the Neighbourhood Plan to be amended and 'made'.**

In this case, the Council must notify prescribed people or groups and invite further representations. Any representations must be submitted within 6 weeks of the Council first inviting representations. The Council may refer the issue to a further independent



examination. Consequently, the point at which the reviewed Neighbourhood Plan comes into force as part of the statutory development plan is delayed. Confidence in the neighbourhood plan process is likely to be eroded. Under this option, the Secretary of State has the power to intervene, if requested by the Qualifying Body.

**7. Recommendation**

- 7.1 That the Council approves the Examiner’s recommendation as set out at 6.2 above, which include modifications to the Sturton Ward Neighbourhood Plan (Review), as set out in the Examination Report at Appendix 1 and in the Draft Decision Statement at Appendix 2.
- 7.2 The Council approves the holding of a Neighbourhood Plan Referendum in the Sturton Ward Neighbourhood Area on 11 November 2021.
- 7.3 That, subject to a simple majority of those voting in the referendum, the Council ‘makes’ the Sturton Ward Neighbourhood Plan (Review).
- 7.4 The Council congratulate Sturton Ward Planning Group on reaching this stage in the neighbourhood planning process, and offer ongoing support in respect of monitoring the use of the Plan in practice.

<b>For more information contact:</b>	<p><b>Will Wilson</b> Lead Neighbourhood Planner</p> <p>01909 533 495     <a href="mailto:will.wilson@bassetlaw.gov.uk">will.wilson@bassetlaw.gov.uk</a></p>
<b>Background papers available for inspection:</b>	<p>Electronic copies of the documents submitted to the District Council can be found at:</p> <p><a href="https://www.bassetlaw.gov.uk/planning-and-building/planning-services/neighbourhood-plans/all-neighbourhood-plans/sturton-ward-neighbourhood-plan/">https://www.bassetlaw.gov.uk/planning-and-building/planning-services/neighbourhood-plans/all-neighbourhood-plans/sturton-ward-neighbourhood-plan/</a></p>
<b>List of appendices:</b>	<p><b>Appendix 1: Examination Report</b> <b>Appendix 2: Draft Decision Statement</b> <b>Appendix 3: Equality Impact Assessment Screening</b></p>



# **Sturton Ward Neighbourhood Development Plan Review 2021 - 2037**

**A report to Bassetlaw District Council on the Sturton  
Ward Neighbourhood Development Plan Review**

**Andrew Ashcroft  
Independent Examiner  
BA (Hons) MA, DMS, MRTPI**

**Director – Andrew Ashcroft Planning Limited**

## **Executive Summary**

- 1 I was appointed by Bassetlaw District Council in June 2021 to carry out the independent examination of the Sturton Ward Neighbourhood Plan Review.
- 2 The examination was undertaken by way of written representations. I visited the neighbourhood plan area on 1 July 2021.
- 3 The Plan includes a variety of policies and seeks to bring forward positive and sustainable development in the neighbourhood area. There is a very clear focus on allocating housing sites, designating local green spaces and safeguarding its distinctive character.
- 4 The Plan has been underpinned by community support and engagement. It is clear that all sections of the community have been engaged in its preparation.
- 5 Subject to a series of recommended modifications set out in this report I have concluded that the Sturton Ward Neighbourhood Plan Review meets all the necessary legal requirements and should proceed to referendum.
- 6 I recommend that the referendum should be held within the neighbourhood area.

**Andrew Ashcroft**  
**Independent Examiner**  
**3 September 2021**

## **1 Introduction**

- 1.1 This report sets out the findings of the independent examination of the Sturton Ward Neighbourhood Development Plan Review 2021-2037 ('the Plan').
- 1.2 The Plan has been submitted to Bassetlaw District Council (BDC) by the Sturton Ward Planning Group (SWPG) on behalf of the three parishes of North and South Wheatley, Sturton Le Steeple and North Leverton with Hablesthorpe. The three parishes make up the Sturton Ward in Bassetlaw District.
- 1.3 Neighbourhood plans were introduced into the planning process by the Localism Act 2011. They aim to allow local communities to take responsibility for guiding development in their area. This approach was subsequently embedded in the National Planning Policy Framework (NPPF), the most recent version of which was published earlier this year.
- 1.4 The role of an independent examiner is clearly defined in the legislation. I have been appointed to examine whether or not the submitted Plan meets the basic conditions and Convention Rights and other statutory requirements. It is not within my remit to examine or to propose an alternative plan, or a potentially more sustainable plan except where this arises as a result of my recommended modifications to ensure that the Plan meets the basic conditions and the other relevant requirements.
- 1.5 A neighbourhood plan can be narrow or broad in scope. Any plan can include whatever range of policies it sees as appropriate to its designated neighbourhood area. The submitted Plan has been designed to be distinctive in general terms, and to be complementary to the development plan in particular. It seeks to provide a context in which the neighbourhood area can maintain its distinctiveness and identity. It proposes a range of policies which include the identification of housing allocations and the designation of a series of Local Green Spaces.
- 1.6 Within the context set out above, this report assesses whether the Plan is legally compliant and meets the basic conditions that apply to neighbourhood plans. It also considers the content of the Plan and, where necessary, recommends changes to its policies and supporting text.
- 1.7 This report also provides a recommendation as to whether the Plan should proceed to referendum. If this is the case and that referendum results in a positive outcome, the Plan would then be used to determine planning applications within the neighbourhood area and will sit as part of the wider development plan.

## **2 The Role of the Independent Examiner**

- 2.1 The examiner's role is to ensure that any submitted neighbourhood plan meets the relevant legislative and procedural requirements.
- 2.2 I was appointed by BDC, with the consent of the SWPG, to conduct the examination of the Plan and to prepare this report. I am independent of BDC, the SWPG and the three parish councils. I do not have any interest in any land that may be affected by the Plan.
- 2.3 I possess the appropriate qualifications and experience to undertake this role. I am a Director of Andrew Ashcroft Planning Limited. In previous roles, I have over 35 years' experience in various local authorities at either Head of Planning or Service Director level. I am a chartered town planner and have significant experience of undertaking other neighbourhood plan examinations and health checks. I am a member of the Royal Town Planning Institute and the Neighbourhood Planning Independent Examiner Referral System.

### *Examination Process and Outcomes*

- 2.4 The initial Sturton Ward Neighbourhood Plan was 'made' by BDC in February 2016. The submitted Plan is identified as a review of the 'made' neighbourhood plan. However, given the scale and nature of the updates and additions to the 'made' Plan, it is accepted by all concerned that the submitted Plan needs both an examination and a referendum. This report proceeds on that basis.
- 2.5 In my role as the independent examiner of the Plan, I am required to recommend one of the following outcomes of the examination:
- (a) that the Plan as submitted proceeds to a referendum; or
  - (b) that the Plan should proceed to referendum as modified (based on my recommendations); or
  - (c) that the Plan does not proceed to referendum on the basis that it does not meet the necessary legal requirements.
- 2.6 The outcome of the examination is set out in Section 8 of this report.

### *Other examination matters*

- 2.7 In examining the Plan I am required to check whether:
- the policies relate to the development and use of land for a designated neighbourhood plan area; and
  - the Plan meets the requirements of Section 38B of the Planning and Compulsory Purchase Act 2004 (the Plan must specify the period to which it has effect, must not include provision about development that is excluded development, and must not relate to more than one neighbourhood area); and
  - the Plan has been prepared for an area that has been designated under Section 61G of the Localism Act and has been developed and submitted for examination by a qualifying body.

2.8 Having addressed the matters identified in paragraph 2.7 of this report, I am satisfied that all of the points have been met.

### **3 Procedural Matters**

3.1 In undertaking this examination I have considered the following documents:

- the submission Plan.
- the Basic Conditions Statement.
- the Consultation Statement.
- the SEA/HRA Screening Statement
- the Design Code.
- the representations made on the Plan.
- the SWPG's responses to the Clarification Note.
- the adopted Bassetlaw Core Strategy 2011.
- the National Planning Policy Framework (July 2021).
- Planning Practice Guidance (March 2014 and subsequent updates).
- relevant Ministerial Statements.

3.2 I visited the neighbourhood area on 1 July 2021. I looked at its overall character and appearance and at those areas affected by policies in the Plan in particular. The visit is covered in more detail in paragraphs 5.9 to 5.16 of this report.

3.3 It is a general rule that neighbourhood plan examinations should be held by written representations only. Having considered all the information before me, including the representations made to the submitted plan, I concluded that the Plan could be examined by way of written representations.



## 4 Consultation

### *Consultation Process*

- 4.1 Policies in made neighbourhood plans become the basis for local planning and development control decisions. As such the regulations require neighbourhood plans to be supported and underpinned by public consultation.
- 4.2 In accordance with the Neighbourhood Planning (General) Regulations 2012 SWPG prepared a Consultation Statement. The Statement is proportionate to the neighbourhood area and its policies.
- 4.3 The Statement records the various activities that were held to engage the local community and the feedback from each event. It also provides specific details on the consultation processes that took place on the pre-submission version of the Plan (July to September 2020).
- 4.4 The Statement sets out details of the comprehensive range of consultation events that were carried out in relation to the various stages of the Plan. They include the following events and processes:
- the use of leaflet drops;
  - the call for sites; and
  - the drop-in events in the three settlements (November 2019).
- 4.5 The details in the Statement set out the nature of the consultation exercises and the responses received. They demonstrate the way in which those responsible for the preparation of the Plan sought to address the expectations of the wider community. A significant part the Statement sets out how the Plan took account of consultation feedback at the pre-submission phase. It does so in a proportionate and effective way. The analysis in Figure 2 helps to describe how the Plan has progressed to its submission stage.
- 4.6 Consultation on the submitted plan was undertaken by BDC. It ended on 19 March 2021. This exercise generated representations from the following organisations:
- Bassetlaw District Council
  - Canal and River Trust
  - Coal Authority
  - Highways England
  - Historic England
  - National Grid
  - Natural England
  - Nottinghamshire County Council
  - Severn Trent Water

- 4.7 In addition a representation was received from a local resident.
- 4.8 I have taken account of all the representations in preparing this report. Where it is appropriate to do so, I refer to specific representations on a policy-by-policy basis.

## **5 The Neighbourhood Area and the Development Plan Context**

### *The Neighbourhood Area*

- 5.1 The neighbourhood area is the Sturton Ward of Bassetlaw District. It consists of the separate parishes of North and South Wheatley, Sturton Le Steeple and North Leverton with Hablesthorpe. Its population in 2011 was 2289 persons living in 1000 households. It was originally designated as a neighbourhood area on 4 April 2012.
- 5.2 The neighbourhood area is an attractive rural area in which isolated and distinctive villages sit within their surrounding agricultural hinterland. It is located within the eastern part of Bassetlaw District. In a wider context, the neighbourhood area sits to the east of Retford and to the south and west of Gainsborough (in Lincolnshire). Its eastern boundary is formed by the River Trent. The neighbourhood area is largely flat. Its topography reflects its location within the wider Trent Washlands. However, it rises to the west towards a distinctive ridge running roughly in a north-south direction.
- 5.3 The three principal villages of North and South Wheatley, Sturton Le Steeple and North Leverton with Hablesthorpe have pleasant and distinctive characters. Whilst they have different settlement patterns, they contain similar examples of local vernacular buildings with characteristic brick construction and pantile roofing materials. The villages sit comfortably in their agricultural hinterland and several agricultural buildings remain in either their original format or as modified over time. The three smaller settlements of Bole, Fenton and Littleborough also sit comfortably within the rural landscape. The visual impact of the evolution of the neighbourhood area over many centuries is ever present. Littleborough in the east of the Plan area was a strategic Roman settlement (Segelocum) and sits on the former Roman road between Lincoln and Doncaster. It is an important ancient monument. The former West Burton village is also a scheduled ancient monument. There are many fine buildings within the various villages and the church in Sturton Le Steeple is particularly iconic within the context of the Trent Valley. Other buildings such as the North Leverton Windmill and the Old Hall in North Wheatley point to the rich history of the three principal villages.

### *Development Plan Context*

- 5.4 The development plan covering the neighbourhood plan area is the Bassetlaw District Core Strategy and Development Management Policies Development Plan Document 2010 - 2028 ('the Core Strategy'). The Core Strategy sets out a vision, objectives, a spatial strategy and overarching planning policies that guide new development in the Plan period.
- 5.5 Policy CS1 of the Core Strategy provides a focus for new development based on the existing principal settlements in the District. The three separate communities of North Leverton with Hablesthorpe, Sturton Le Steeple and North and South Wheatley are identified as Rural Service Centres where there will be limited rural growth in the Plan period.

- 5.6 Policy CS8 of the Core Strategy sets out specific development opportunities and requirements for the various Rural Service Centres. In summary these include:

Housing Development - Up to 10% (599 houses) of the District's housing requirement will be delivered in the Rural Service Centres through existing permissions and allocations in the Site Allocations DPD, for the plan period 2010-2028. Residential development proposals will be supported within the development boundary, in line with other material considerations and planning policy requirements. All housing development resulting in a net gain of one or more units will be required to contribute towards the achievement of affordable housing targets. In the case of each of the three settlements, this figure is 25%. This will be either through on-site provision (where appropriate) or through a financial contribution to the delivery or improvement of affordable housing elsewhere within the rural areas of Bassetlaw.

Employment Development - Proposals that deliver rural employment opportunities, of a scale and type appropriate to the settlement and surrounding land uses, will be supported in line with other material considerations and planning policy requirements. Economic development proposals will be supported within development boundaries, in line with other material considerations and planning policy requirements.

Community Facilities - Proposals for the provision of rural community services and facilities will be supported where they are of a scale appropriate to, and accord with the role of, the village. Where no available sites exist within development boundaries, proposals for standalone community services and facilities will be supported on sites outside of, but adjoining, these Boundaries where need and long-term viability is proven and where there is explicit community support for the proposal.

- 5.7 The submitted Plan has been prepared within its wider adopted development plan context. In doing so, it has relied on up-to-date information and research that has underpinned existing planning policy documents in the District. This is good practice and reflects key elements in Planning Practice Guidance on this matter. It is clear that the submitted Plan seeks to add value to the Core Strategy and to give a local dimension to the delivery of its policies. This is captured in the Basic Conditions Statement.

- 5.8 The District Council has started work on the production of a new Local Plan. Once adopted, it will replace the Core Strategy. Focused consultation on the Draft Plan took place in June and July 2021 whilst the neighbourhood plan examination was taking place. This process followed on from earlier consultation on the Plan in November 2020 which included strategic policies and proposed site allocations. Whilst BDC has made good progress on the emerging Plan, it is not at a sufficiently-advanced stage to play any significant role in the examination of the submitted neighbourhood plan.

*Visit to the neighbourhood area*

- 5.9 I visited the neighbourhood area on 1 July 2021. I approached from the A57 to the south. This helped me to understand the neighbourhood area in its wider landscape context. It also highlighted its proximity to the floodplain of the River Trent to the east.

- 5.10 I visited the three main settlements in turn. In each case, I looked carefully at the proposed development boundary, the identified views, the proposed Significant Green Gaps and the proposed local green spaces. In doing so, I was able to understand the key elements of the character and appearance of the settlements concerned.
- 5.11 In North Leverton I looked in particular at three general locations. The first was the southern part of the village based on Southgore Lane/Station Road. I saw the proposed Significant Green Gap (SGG09) and the proposed Local Green Space (LGS08) to the west of Southgore Lane. The second was the area to the west of the village off Main Street. I saw the proposed housing allocation (Policy 15a) to the north of Mill Close and its relationship to the railway embankment. I also looked at the proposed Significant Green Gaps to the west of the railway embankment.
- 5.12 I then looked at the two proposed Significant Green Gaps to the north of the village (SGG 04 and 07). I saw their relationship with both the village and the surrounding countryside.
- 5.13 I then drove to Sturton Le Steeple. I looked at the four proposed housing allocations and their wider relationship with the village. I also saw that the various local green spaces and significant green gaps were important features of the character of the village. During the visit I saw the attractive mosaic in the traditional doorway of the School in Church Street and the attractive plant sale in the front garden of the Old Methodist Chapel.
- 5.14 I then drove to North and South Wheatley. Due to their scale and significance, I concentrated my visit on looking at the proposed significant green gaps. I looked in particular at the three gaps to the south-west of Low Street/Haughgate Hill, at Chapel Field, and at the two proposed gaps to the east of the village (SGG01/02). I saw the importance of the footpath running through Chapel Field and the wider significance of the green gaps in the village.
- 5.15 I also took the opportunity to look at the various local green spaces. I saw that they varied significantly in their sizes and roles within the village. In particular I saw the importance of the Recreation Ground (LGS1) and its relationship with the significant green gaps to the immediate east. I took the opportunity to have a few minutes peace and quiet on the Beryl Harrison seat. I also saw the interesting interpretation panel on The Hiring Triangle (LGS3) which supplemented the information contained in the Plan.
- 5.16 I left the neighbourhood area on the A620 to the north of North Wheatley. This helped me to understand further the landscape setting of the neighbourhood area and its connection to the strategic road network (A631).

## **6 The Neighbourhood Plan and the Basic Conditions**

6.1 This section of the report deals with the submitted neighbourhood plan as a whole and the extent to which it meets the basic conditions. The submitted Basic Conditions Statement has helped considerably in the preparation of this section of the report. It is a well-presented, informative and professional document.

6.2 As part of this process I must consider whether the submitted Plan meets the Basic Conditions as set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990. To comply with the basic conditions, the Plan must:

- have regard to national policies and advice contained in guidance issued by the Secretary of State;
- contribute to the achievement of sustainable development;
- be in general conformity with the strategic policies of the development plan in the area;
- be compatible with European Union (EU) obligations and the European Convention on Human Rights (ECHR); and
- not breach the requirements of Chapter 8 of 6 of the Conservation of Habitats and Species Regulations 2017 (7).

I assess the Plan against the basic conditions under the following headings.

### *National Planning Policies and Guidance*

6.3 For the purposes of this examination the key elements of national policy relating to planning matters are set out in the National Planning Policy Framework (NPPF) issued earlier this year.

6.4 The NPPF sets out a range of core land-use planning principles to underpin both plan-making and decision-taking. The following are of particular relevance to the Sturton Ward Neighbourhood Development Plan:

- a plan led system– in this case the relationship between the neighbourhood plan and the adopted Bassetlaw Core Strategy;
- delivering a sufficient supply of homes;
- building a strong, competitive economy;
- recognising the intrinsic character and beauty of the countryside and supporting thriving local communities;
- taking account of the different roles and characters of different areas;
- highlighting the importance of high-quality design and good standards of amenity for all future occupants of land and buildings; and
- conserving heritage assets in a manner appropriate to their significance.

6.5 Neighbourhood plans sit within this wider context both generally, and within the more specific presumption in favour of sustainable development. Paragraph 13 of the NPPF indicates that neighbourhoods should both develop plans that support the strategic

needs set out in local plans and plan positively to support local development that is outside the strategic elements of the development plan.

- 6.6 In addition to the NPPF I have also taken account of other elements of national planning policy including Planning Practice Guidance and the recent ministerial statements.
- 6.7 Having considered all the evidence and representations available as part of the examination, I am satisfied that the submitted Plan has had regard to national planning policies and guidance in general terms. It sets out a positive vision for the future of the neighbourhood area. It includes a series of policies that address a range of housing development and environmental matters. The Basic Conditions Statement maps the policies in the Plan against the appropriate sections of the NPPF.
- 6.8 At a more practical level, the NPPF indicates that plans should provide a clear framework within which decisions on planning applications can be made and that they should give a clear indication of how a decision-maker should react to a development proposal (paragraph 16d). This was reinforced with the publication of Planning Practice Guidance in March 2014. Paragraph ID:41-041-20140306 indicates that policies in neighbourhood plans should be drafted with sufficient clarity so that a decision-maker can apply them consistently and with confidence when determining planning applications. Policies should also be concise, precise and supported by appropriate evidence.
- 6.9 As submitted, the Plan does not fully accord with this range of practical issues. The majority of my recommended modifications in Section 7 relate to matters of clarity and precision. They are designed to ensure that the Plan fully accords with national policy.

#### *Contributing to sustainable development*

- 6.10 There are clear overlaps between national policy and the contribution that the submitted Plan makes to achieving sustainable development. Sustainable development has three principal dimensions – economic, social and environmental. I am satisfied that the submitted Plan has set out to achieve sustainable development in the neighbourhood area. In the economic dimension, it includes a policy on windfall sites (Policy 1), policies on residential allocations (Policies 13-15) and policies for tourism and employment development (Policies 7 and 8). In the social role, it includes policies on community facilities (Policy 11) and on local green spaces (Policy 3). In the environmental dimension, the Plan positively seeks to protect its natural, built and historic environment. It includes specific policies on landscape character (Policy 2a), biodiversity (Policy 2b) and flooding (Policy 4). This assessment overlaps with the commentary on this matter in the submitted Basic Conditions Statement.

#### *General conformity with the strategic policies in the development plan*

- 6.11 I have already commented in detail on the development plan context in the wider Bassetlaw District in paragraphs 5.4 to 5.8 of this report.

- 6.12 I consider that the submitted Plan delivers a local dimension to this strategic context and supplements the detail already included in the adopted Core Strategy. The Basic Conditions Statement helpfully relates the Plan's policies to policies in the Core Strategy. Subject to the recommended modifications in this report, I am satisfied that the submitted Plan is in general conformity with the strategic policies in the development plan.

*European Legislation and Habitat Regulations*

- 6.13 The Neighbourhood Plan General Regulations 2015 require a qualifying body either to submit an environmental report prepared in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 or a statement of reasons why an environmental report is not required. In order to comply with this requirement, a Screening Determination on the need for a Strategic Environmental Assessment (SEA) for the Neighbourhood Plan was prepared by BDC in March 2021. The report is thorough and well-constructed. As a result of this process, BDC concluded that the Plan is not likely to have any significant effects on the environment and accordingly would not require the preparation of a SEA.
- 6.14 The screening report includes the responses from the three consultation bodies. This is best practice.
- 6.15 BDC also prepared a Habitats Regulations Assessment (HRA) of the Plan at the same time. The report is very thorough and comprehensive. It assesses the likely effects of the implementation of the policies in the Plan on the potential Sherwood Forest SPA. For completeness, it also assesses the impact of the Plan on four Sites of Special Scientific Interest which are within the immediate vicinity of the neighbourhood area (Lea Marsh, Ashton's Meadow, Clarborough Tunnel and the Chesterfield Canal). It concludes that the neighbourhood plan will not give rise to likely significant effects on European sites, either alone or in combination with other plans or projects, and that Appropriate Assessment is not required.
- 6.16 Having reviewed the information provided to me as part of the examination, I am satisfied that a proportionate process has been undertaken in accordance with the various regulations. None of the statutory consultees have raised any concerns with regard to either neighbourhood plan or to European obligations. In the absence of any evidence to the contrary, I am entirely satisfied that the submitted Plan is compatible with this aspect of European obligations.
- 6.17 In a similar fashion, I am satisfied that the submitted Plan has had regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights (ECHR) and that it complies with the Human Rights Act. There is no evidence that has been submitted to me to suggest otherwise. There has been full and adequate opportunity for all interested parties to take part in the preparation of the Plan and to make their comments known. On this basis, I conclude that the submitted Plan does not breach, nor is in any way incompatible with the ECHR.



### *Summary*

- 6.18 On the basis of my assessment of the Plan in this section of the report, I am satisfied that it meets the basic conditions subject to the incorporation of the recommended modifications contained in this report. Section 7 assesses each policy against the basic conditions. Where necessary, it recommends modifications on a policy-by-policy basis.

## **7 The Neighbourhood Plan policies**

- 7.1 This section of the report comments on the policies in the Plan. In particular, it makes a series of recommended modifications to ensure that the various policies have the necessary precision to meet the basic conditions.
- 7.2 My recommendations focus on the policies themselves given that the basic conditions relate primarily to this aspect of neighbourhood plans. In some cases, I have also recommended changes to the associated supporting text.
- 7.3 I am satisfied that the content and the form of the Plan is fit for purpose. It is distinctive and proportionate to the Plan area. The wider community and the SWPG have spent time and energy in identifying the issues and objectives that they wish to be included in their Plan. This sits at the heart of the localism agenda.
- 7.4 The Plan has been designed to reflect Planning Practice Guidance (41-004-20170728) which indicates that neighbourhood plans must address the development and use of land.
- 7.5 I have addressed the policies in the order that they appear in the submitted plan.
- 7.6 For clarity this section of the report comments on all policies whether or not I have recommended modifications in order to ensure that the Plan meets the basic conditions.
- 7.7 Where modifications are recommended to policies, they are highlighted in bold print. Any associated or free-standing changes to the text of the Plan are set out in italic print.

### *The initial sections of the Plan (Sections 1-7)*

- 7.8 The Plan as a whole is well-organised and includes effective maps, tables and photographs. It makes an appropriate distinction between the policies and their supporting text. Its design will ensure that it will comfortably be able to take its place as part of the development plan in the event that it is eventually 'made'. The initial elements of the Plan set the scene for the policies. They are proportionate to the Plan area and the subsequent policies.
- 7.9 Sections 1 and 2 comment about the background to neighbourhood planning. They also helpfully describe the local planning context within which the Plan has been prepared. They include a map of the designated neighbourhood area (Map 1) and an indication of the Plan period (in paragraph 2.22). These parts of the Plan also explain the need for a review of the 'made' neighbourhood plan.
- 7.10 Section 3 summarises key features of the neighbourhood area. It provides a summary of the local environment and the community facilities available to local people.
- 7.11 Section 4 comments about the challenges and opportunities of the neighbourhood area. It is a particularly successful part of the Plan. It provides detailed information about demographic issues and the importance of sustaining local businesses.

- 7.12 Sections 5 and 6 set out the Plan's Community Vision and the supporting Community Objectives respectively. In their own ways, they are well-developed and distinctive to the neighbourhood area and reflect the issues identified in Section 4.
- 7.13 Section 7 comments about the importance of developers engaging with the community as they seek to bring forward proposals. It establishes a 'Key Principle' on this matter.
- 7.14 Thereafter the Plan addresses a series of matters on a topic basis. The topics generate policies and are set out in sections. The numbering of the sections works well up to Section 12. Thereafter it goes out of sequence. I recommend that the SWPG addresses this matter in the referendum version of the Plan.

*Renumber the sections of the Plan after Section 12*

- 7.15 The remainder of this section of the report addresses each policy in turn in the context set out in paragraphs 7.5 to 7.7 of this report.

Housing Delivery

- 7.16 The Plan has sought to deliver the housing growth for the neighbourhood area as anticipated in the emerging Local Plan. Policy ST1 of the emerging Local Plan sets out a requirement for 10013 dwellings in the District between 2020 to 2037. This overall figure includes about 1500 dwellings in small rural settlements on appropriate sites within development boundaries or on-site allocations in neighbourhood plans by up to 5% of the existing number of homes in the parish concerned.
- 7.17 The submitted Plan delivers the local growth anticipated in the emerging Plan. This limited growth reflects the extent of local facilities and the availability of suitable sites. The submitted Plan allocates sites to allow for a scale of growth compatible with the policy intent of Policy ST2 (Rural Bassetlaw) of the emerging Local Plan. This has been designed to maximise the input from the community in considering the most suitable sites and to ensure that development decisions can be policy-led. The SWPG organised a 'call for sites consultation' in 2018 and commissioned AECOM to assess the sites which came forward.
- 7.18 Policies 13 to 15 of the Plan allocate sites for development. I address them later in this report. Part of the context for their development has been weaved in to Policies 1 and 2 of the Plan which set out a broader spatial strategy for development and identify development boundaries. In the round, I am satisfied that this approach meets the basic conditions. The Plan has responded positively to the national and local growth agenda. In particular I am satisfied that the modest amount of growth promoted in the Plan does not conflict with the broader approach to housing delivery as set out in the adopted Core Strategy.

Policy 1: Sustainable development, Infill and Development boundaries

- 7.19 This policy comments about sustainable development in the three parishes. It seeks to ensure that new development is concentrated with identified development boundaries. The policy sets a wider spatial strategy for the Plan. Development boundaries are

identified for each of the three principal communities in the neighbourhood area (in Maps 2a to 2c).

- 7.20 The first part of the policy offers support for development within the development boundaries which satisfy a series of criteria (and which are a local expression of sustainable development). I am satisfied that the criteria are appropriate and distinctive to the neighbourhood area and will provide BDC with a clear policy framework within which to determine planning applications. In several respects they overlap with other policies in the Plan.
- 7.21 The second part of the policy comments that within the development boundaries, residential development on infill sites will normally be limited to one or two dwellings unless a greater number would not lead to a site becoming overdeveloped and out of scale with the immediate character of the locality. On the one hand, the layout of the various settlements will naturally ensure that infill developments will be of a limited nature. However, on the other hand, the policy approach is onerous and is not underpinned by any detailed justification. In any event scale, density and layout matters are already addressed generally in the second criterion of the first part of the policy.
- 7.22 Taking all matters into account I recommend the deletion of the second part of the policy. With appropriate modifications I am satisfied that paragraph 8.9 of the Plan can remain as a guide to the level of development anticipated.
- 7.23 The third part of the policy comments that housing development may also be permitted on land adjacent to the development boundaries where it can be demonstrated that it would directly meet the housing needs of the area and improve the viability, accessibility or community value of existing services and facilities in the settlement. On the one hand, this is a positive approach which will assist in the delivery of new housing. On the other hand, it goes beyond the approach in national and local policy. In doing so, it has the ability to hinder the development of the sites allocated in the Plan itself. In most cases, the proposed allocated sites are within the identified development boundaries and may have the traditional site clearance and other infrastructure costs associated with their development. In all the circumstances I recommend that this element of the policy takes on a more neutral stance and which would relate to national and local policy. In doing so, this approach will provide the other element of the spatial strategy for the neighbourhood area to complement the approach in the first part of the policy. This will also have the benefit of future-proofing the Plan when the emerging Local Plan replaces the Core Strategy.

#### **Delete the second part of the policy**

**Replace the third part of the policy with: ‘Development proposals outside the defined development boundaries will be carefully controlled in accordance with national and local planning policies’**

*Replace paragraph 8.9 with: ‘The Neighbourhood Plan defines limited infill as the completion of an otherwise substantially built-up frontage by filling a small gap. The second criterion of the first part of Policy 1 comments about the need for infill development to be of a scale, density, layout and design that is compatible with the*

*character, appearance and amenity of that part of the Ward in which the proposal is located, as defined in the Sturton Ward Design Code (2020). In most cases infill sites will be capable of accommodating one or two dwellings'*

Policy 2a Protecting the landscape character, significant green gaps and key views

7.24 This policy celebrates the landscape character of the neighbourhood area. It identifies a series of key views which development proposals need to respect. It also identifies a series of Significant Green Gaps (SGGs). The policy has four related parts as follows:

- a general element on the need for developments to take account of landscape character;
- the designation of Significant Green Gaps in which development will be carefully controlled;
- an element which comments on the potential impact of development and the scope for mitigation; and
- the relationship between new development and the Sturton Ward Design Code.

7.25 I recommend a detailed modification the first part of the policy to ensure that it meets the basic conditions. It will ensure that the policy is applied on a proportionate basis. As submitted, the policy simply refers to all development without acknowledging that the majority of development proposals will be of a minor or domestic nature and may not directly impact on the policy.

SGGs

7.26 The SGGs are parcels of land either within the three settlements or on the edge of the defined development boundary. I looked at them carefully during the visit both in their own right and to establish the extent to which they would bring added value to the second part of Policy 1 of the Plan which effectively addresses development in the countryside. I sought the views of the SWPG on this issue in the clarification note. The response commented as follows:

*'Significant Green Gaps (SGGs) were perceived to be a particularly important part of the Neighbourhood Plan revision by the Planning Group, especially in the villages of North and South Wheatley and Sturton Le Steeple where it is felt that development has the potential to erode rural character within the villages, as well as on the outskirts. Designating SGGs was perceived to be an effective way of identifying open spaces that contribute to the landscape character and which would be more sensitive to change. The SGGs are either pleasant rural "snapshots" (for example, SGG04, SGG05 and SGG09 in North and South Wheatley or larger spaces on the periphery of villages which are integral to setting the overall character of the settlements (for example, SGG01 and SGG06 in Sturton Le Steeple). This emphasis on rurality would, we believe, be missing without the use of Significant Green Gaps. It is also worth noting that there have historically been high volumes of infill in Sturton Ward and this has – in the opinion of some residents – slowly eroded the overall character of the villages. The Steering Group believes the allocation of Significant Green Gaps provides additional local detail appropriate in a Neighbourhood Plan that will help to arrest this worrying trend.'*

7.27 I have considered this matter very carefully. Based on the information within the Plan and my own observations of the various parcels of land, I am satisfied that the concept of SGGs meets the basic conditions. In particular they reflect the character and layout of the individual settlements and, in some cases, highlight their interplay with the surrounding countryside. Development proposals which would affect the identified SGGs are addressed in the second part of the policy. I recommend modifications to its format so that it explicitly designates the SGGs and provides a closer connection to the development management process. Otherwise, it meets the basic conditions.

7.28 The next paragraphs of this report (7.29 to 7.36) comment on specific proposed SGGs. In each case I set out the issue, the response from the SWPG and any recommended modifications

*Sturton-Le-Steeple SGG01*

7.29 In the clarification note I asked the SWPG to advise if the south-western boundary of the proposed SGG was artificial in nature. It responded that this was the case and that the view to the south-west is uphill, meaning the drawn boundary is towards the top of this peak.

7.30 I looked at this issue carefully during the visit. On balance I am satisfied that the approach taken meets the basic conditions. In particular it reflects the significance of the parcel of land in the wider context of the village. In addition, whilst the boundary is artificial, it can be readily distinguished by reference to the adjacent property boundaries.

*North Leverton SGG04/07*

7.31 In the clarification note I asked the SWPG to advise about the specific purpose of these proposed SGGs fulfil given that they are on the northern edge of the village. It commented that 'they were perceived to be notable visual breaks between the start of North Leverton and outlying properties beyond the established village boundary. It was felt to be important to protect these spaces or, in due course, development may extend to the north towards Sturton Le Steeple. North Leverton has the lowest number of SGGs of the three villages, so protecting SGGs near the Development Boundary was deemed especially important by the Planning Group'.

7.32 I looked at this issue carefully during the visit. Based on the evidence available to me, I am not convinced that the designation of the two parcels of land as SGGs meets the basic conditions. The character, appearance and function of the two parcels of land are very different from other proposed SGGs. In particular they are unexceptional parcels of agricultural land on the northern outskirts of the village. Paragraph 9.46 of the Plan comments that the two SGGs create an attractive entrance to the village from the north, and public footpaths criss-cross these fields in places. The footpaths are used frequently by residents of the village and visiting ramblers, and are part of historic routes to the nearby villages of Fenton, Coates, Sturton Le Steeple and Littleborough. Whilst I have considered the importance of the various footpaths, they are safeguarded by other legislation. In these circumstances, I recommend the deletion of the two SGGs from the Plan.

### *North Leverton SGG09*

- 7.33 In the clarification note I asked the SWPG to advise about the potential conflict between the proposed SGG designation and the extant planning permission 19/00265/RES. It commented that 'this matter appears to be a mistake by the Planning Group. We would prefer green space to be preserved at the eastern boundary of this development but note that this is not currently part of the approved landscaping layout uploaded to BDC's Planning Portal. SGG09 should be removed from the Plan on this basis'.
- 7.34 In these circumstances I recommend the deletion of the SGG. It is inappropriate for a proposed designation in a neighbourhood plan to seek (directly or indirectly) to interfere with an extant planning permission.

### *North/South Wheatley SGG09*

- 7.35 In the clarification note I asked the SWPG to advise about the extent to which it was realistic to propose a SGG on the parcel of land concerned without any reference to the land to its immediate south. It commented that 'the land to the south of SGG09 could be referenced directly in the Plan text if this is helpful. The buildings down this lane are sporadic in nature, and we know that Highways opposes significant development in this direction. Given the popularity of walking down Muspitt Lane and SGG09's role in acting as a break between North and South Wheatley (together with SGG03), it was felt to be a suitable SGG'.
- 7.36 I looked at this issue carefully during the visit. On balance I am satisfied that the approach taken meets the basic conditions. In particular it reflects the significance of the parcel of land in the wider context of the village. In addition, the proposed boundary is largely legible on the ground and can be distinguished by reference to the adjacent property boundaries to the south.

### *The identified views*

- 7.37 The identified views are a good reflection of the character of the neighbourhood area. I am satisfied that their identification meets the basic conditions. In its response to the clarification note, SWPG clarified that the identified views were those highlighted in the Design Code. I recommend that the supporting text is modified to clarify this matter.
- 7.38 The third part of the policy comments in general terms about the importance of SGGs and the identified views to the neighbourhood area. However, it does not establish a robust policy to safeguard the identified views and reads as supporting text. I recommend a modification to remedy this issue. Its approach is that development proposals should respect the views highlighted on Maps 5a to 5c by careful attention to their layout, massing and height.

### *Other comments*

- 7.39 I recommend detailed modifications to the wording of the fourth part of the policy so that it has the clarity required by the NPPF.

- 7.40 In a general sense, the Plan identifies SGGs based on the three settlements and provides three separate numbering sequences. For clarity I recommend that the SGGs are renumbered in sequence to avoid any potential confusion associated with three SGGs with the same number.

**In the first part of the policy replace ‘All development proposals’ with ‘As appropriate to their scale, nature and location development proposals’**

**Replace the second part of the policy with: ‘The Plan designates the parcels of land shown on Maps 6a, 6b and 6c as Significant Green Gaps. Development proposals should demonstrate how they would safeguard the positive contribution made by the affected Significant Green Gap to the landscape and character of the neighbourhood area, the role and character of a settlement affected and, where appropriate its relationship with settlements around the neighbourhood area. Development proposals which would have an unacceptable impact on the character of an identified Significant Green Gap will not be supported’**

**Replace the third part of the policy with: ‘Development proposals should respect the views highlighted on Maps 5a, 5b and 5c by careful attention to their layout, massing and height. Development proposals which would have an unacceptable impact on the identified views will not be supported’**

**In the fourth part of the policy replace ‘are required to’ with ‘should’ and ‘possible’ with ‘practicable’**

*Delete North Leverton SGG04/07 from Map 6c.*

*Delete paragraph 9.46.*

*In paragraph 9.33 insert the following after the first sentence: ‘The identified views are those included in the Design Guide’*

*Renumber the LGSs in sequence order rather than in settlement order.*

#### Policy 2b Enhancing biodiversity

- 7.41 This policy comments that proposals which would enhance biodiversity will be supported. It provides a specific series of enhancements which be supported. It also provides a strategic context for biodiversity net gain in general and to the Nottinghamshire Local Biodiversity Action Plan in particular.
- 7.42 The policy provides a positive response to this matter and has regard to national policy. I recommend a modification to the opening element of the first part of the policy so that there is a more natural relationship between the general approach and the specific examples of biodiversity enhancement. Otherwise, the policy meets the basic conditions.



**Replace the opening element of the first part of the policy with: ‘Proposals which would improve existing environmental assets and enhance biodiversity will be supported. The following enhancements will be particularly supported:’**

Policy 3 Local Green Spaces

- 7.43 This policy proposes a series of local green spaces (LGSs). The Plan includes details about the way in which it considers that the various LGSs meet the criteria for such designations in the NPPF. The approach taken incorporates details about each site, a photograph and an individual map. I looked carefully at the proposed LGSs when I visited the neighbourhood area.
- 7.44 Based on my own observations and the information in the Plan, I am satisfied that the proposed LGSs meet the basic conditions. In several cases they are precisely the types of green spaces which the authors of the NPPF would have had in mind in preparing national policy. The Village Green (LGS3 Sturton) and the Recreation Ground (LGS1 North and South Wheatley) are particularly good examples of informal and formal LGSs respectively.
- 7.45 In its representation, BDC commented about the details of three of the proposed LGSs. Based on this representation and the SWPG’s response to the clarification note I recommend detailed modifications to the extent of the three identified LGSs as follows:
- LGS1 (Map 8a) – the deletion of the outbuilding associated with a neighbouring property.
- LGS6 (Map 8c) – the exclusion of the Church building itself from the defined LGS.
- LGS8 (Map 8c) – the exclusion of the access tracks which connect the road to the parcel of land to the east.
- 7.46 In addition, I am satisfied that the proposed package of LGS designations would accord with the more general elements of paragraph 101 of the NPPF. Firstly, I am satisfied that their designation is consistent with the local planning of sustainable development. They do not otherwise prevent sustainable development coming forward in the neighbourhood area and no such development has been promoted or suggested. Secondly, I am satisfied that the LGSs are capable of enduring beyond the end of the Plan period. Indeed, they are established elements of the local environment and, in most cases, have existed in their current format for many years. In addition, no evidence was brought forward during the examination that would suggest that the proposed LGSs would not endure beyond the end of the Plan period.
- 7.47 The second part of the policy sets out the implications for LGS designation. It seeks to follow the approach as set out in paragraph 103 of the NPPF. However, it goes beyond that approach in indicating that developments will only be supported where it would not ‘have an adverse effect on the openness or special character of these local green spaces’
- 7.48 Given the diversity of proposed LGSs, I can understand the circumstances which have caused the parish councils to design the policy in this way. Nevertheless, I recommend

a modification so that the policy takes the matter-of-fact approach in the NPPF. The recommended modification also takes account of the recent case in the Court of Appeal on the designation of local green spaces and the policy relationship with areas designated as Green Belts (2020 EWCA Civ 1259).

- 7.49 In the event that development proposals affecting designated LGSs come forward within the Plan period, they can be assessed on a case-by-case basis by BDC. In particular BDC will be able to make an informed judgement on the extent to which the proposal concerned demonstrates the 'very special circumstances' required by the policy. I recommend that the supporting text clarifies this matter.
- 7.50 The Plan identifies LGSs based on the three settlements and provides three separate numbering sequences. For clarity, I recommend that the LGSs are renumbered in sequence to avoid any potential confusion associated with three LGSs with the same number.

**Replace the second part of the policy with:  
'Development proposals within the designated local green spaces will only be supported in very special circumstances'**

*On Maps 8a and 8c amend the boundaries of the LGS as follows:*

*LGS1 (Map 8a) – the deletion of the outbuilding associated with a neighbouring property.*

*LGS6 (Map 8c) – the exclusion of the Church building itself from the defined LGS.*

*LGS8 (Map 8c) – the exclusion of the access tracks which connect the road to the parcel of land to the east.*

*At the end of paragraph 10.2 add: 'Policy 3 identifies a series of local green spaces and sets out a policy which follows the matter-of-fact approach in the NPPF. In the event that development proposals come forward on the local green spaces within the Plan period, they can be assessed on a case-by-case basis by the District Council. In particular it will be able to make an informed judgement on the extent to which the proposal concerned demonstrates the 'very special circumstances' required by the policy'.*

*Renumbered the LGSs in sequence order rather than in settlement order.*

Policy 4 Reducing the risk of flooding

- 7.51 This policy seeks to ensure that the risk of flooding is managed and reduced. It is underpinned by extensive supporting text. The eastern boundary of the neighbourhood area is the River Trent and much of its eastern part is within the River's floodplain (flood zone 3). By definition much of the neighbourhood area is low-lying. Drains and ditches form field boundaries which run across the countryside and through the settlements. Surface water flooding is a significant factor and flooding has affected all the larger settlements to some extent in the past decade.

- 7.52 The policy incorporates a series of related requirements including:
- a general assessment of the relationship between the development concerned and flooding;
  - setting out support for new flood infrastructure;
  - the requirement for the use of sustainable drainage facilities;
  - the requirement for a net decrease in surface water run off; and
  - a restriction on new dwellings for water usage.
- 7.53 The policy responds positively to this important matter for the neighbourhood area. In particular it has regard to national policy (NPPF Section 14).
- 7.54 The third part of the policy requires that developers should discuss drainage issues with the relevant agencies before submitting planning applications. Plainly this is best practice. Nevertheless, it is a process issue rather than a matter of policy. In these circumstances I recommend that this part of the policy is deleted. However, given its potential importance, I recommend that it is repositioned in the supporting text.
- 7.55 The fourth part of the policy comments about the need for sustainable drainage measures for new development. In some cases, these measures will not be needed based on the nature of the proposal and on the basis of national policy as contained in Section 14 of the NPPF. I recommend modifications to this part of the policy to address this issue.

**Delete the third part of the policy.**

**In the fourth part of the policy replace ‘where practicable’ with ‘where necessary and practicable’**

*At the end of paragraph 11.14 add: ‘The careful consideration of the relationship between new development, drainage capacity and infrastructure will be an important matter in the Plan period. As appropriate to the nature of an emerging proposal applicants should demonstrate that appropriate discussions have been held with the sewerage undertaker to enable the delivery of infrastructure improvements (where required), in line with intended programme of the development.’*

**Policy 5 Well-designed places**

- 7.56 This policy provides a very positive and well-considered approach to the national design agenda. It is based on the character work undertaken for the Design Code and as summarised in Table 4 of the Plan.
- 7.57 The policy has been very well-developed. In particular it takes account of the National Design Guide and the assessment of character areas in its own Design Code. This ensures that it is very distinctive to the neighbourhood area.
- 7.58 I recommend that the first element of the policy is recast. This will resolve its slightly unclear format in the submitted Plan.
- 7.59 I also recommend that the second part of the policy is modified so that it would be applied on a proportionate basis. This will acknowledge that most of the proposals

which come forward in the Plan period will be in the development boundary and minor in nature. I also recommend that this approach is incorporated into wider modifications to the opening element of the second part of the policy. This will ensure that there is a more natural flow between the two parts of the policy.

- 7.60 The third part of the policy comments about the design of development on the edge of a settlement. Plainly this will be an important matter where it arises. However, other policies in the Plan address the principle of such development. In these circumstances, I recommend a modification to this part of the policy so that it refers to the principle of development as established elsewhere in the Plan.
- 7.61 The fourth part of the policy comments about the need for a report on how a proposal would meet national design standards. The preparation of such a report would provide helpful information for BDC as it determines planning applications. Nevertheless, this is a process matter rather than a land use policy. As such I recommend that the matter is repositioned into the supporting text.
- 7.62 Whilst the Plan was prepared and submitted before the 2021 version of the NPPF was published it is underpinned by a range of assessments and detailed studies as highlighted in paragraph 129 of the most recent version of the NPPF. In this context, I am satisfied that the policy meets the basic conditions. It will assist significantly in delivering the environmental dimension of sustainable development.

**Replace the first part of the policy with: ‘As appropriate to their scale, nature and location development proposals should demonstrate a high design quality that will contribute positively to the character of the Ward and respond positively to the Sturton Ward Design Code (Appendix I)’**

**Replace the opening element of the second part of the policy with: ‘As appropriate to their scale, nature and location development proposals should’**

**In the third part with: ‘Where development on the edge of a settlement meets the requirements of national and local planning policies and Policies 1,7 and 8 of this Plan, its design should respond positively to the following criteria insofar as they apply to the particular proposal:’**

**Delete the fourth part of the policy.**

*At the end of paragraph 12.8 add: ‘High-quality design should be demonstrated by a report showing how the scheme accords with national design standards (for example Building for a Healthy Life 12 or equivalent) and would be expected to achieve in line with acceptable thresholds (unless it can be demonstrated that there are constraints which make this unviable).’*

Policy 6 Protecting the historic environment

- 7.63 This policy has two related parts. The first sets out general principles for development in the North and South Wheatley conservation area. The second part comments specifically about the gardens, open spaces and fields to the south of North and South

Wheatley which form part of the special interest of the Conservation Area. The policy is underpinned by detailed supporting text.

7.64 The policy takes an appropriate approach to this important matter. It will bring local details to the approach set out in Section 16 of the NPPF.

7.65 I recommend modifications to paragraph 11.2 as highlighted by BDC. This will ensure that the Plan uses the correct technical language. Otherwise, it meets the basic conditions.

**In the first part of the policy replace ‘Planning applications’ with ‘Development proposals’**

**In the second part of the policy replace ‘permitted’ with ‘supported’**

*Replace paragraph 11.2 with: ‘Consultation feedback showed that local people cherish the character of their built and natural environment. The Plan area is rich in its amount and variety of heritage (buildings and spaces). Many of these are regarded as designated heritage assets, (such as listed buildings and Scheduled Ancient Monuments) and are included on the National Heritage List for England, which is overseen by Historic England. However, there are some buildings which are regarded as ‘locally listed’, and are monitored by the District Council, which has produced their own guidance and criteria concerning Locally listed Buildings, otherwise known as non-designed heritage assets.’*

Policy 7: Tourism Development

7.66 The policy comments about tourism development. Paragraph 12.1 comments that the community ‘supports policies that promote the tourism potential of the Plan area. The various Roman sites, the Saxon Church next to the Old Trent Crossing and the history of the Pilgrim Fathers provide a rich source of interest. The community also appreciates the economic benefits that would accrue from sensitively-designed development to provide information that helps tourists navigate the Ward’.

7.67 The policy has two main elements. The first sets out a range of criteria which will apply to proposals for tourism development in the development boundary. The second sets out circumstances where proposals for tourism-related development outside the development boundaries would be supported. Whilst the intention of the policy is clear, it is arranged in an unclear fashion. I recommend modifications to remedy this matter. They will bring the clarity required by the NPPF.

**Replace the policy with: Development proposals for new buildings, conversions and changes of use for tourism development within the development boundary will be supported where:**

- **they are appropriate in their location, scale and design;**
- **they would not cause unacceptable harm to the character and appearance of the natural and historic assets of the neighbourhood area;**
- and**

- **they would not cause unacceptable harm to the heritage importance of the existing building.**

**Development proposals for new buildings, conversions and changes of use for tourism development outside the development boundary will be supported where:**

- **the main purpose of the development is to inform and interpret features of historic and archaeological interest in the Plan area; or**
- **the proposal would provide overnight accommodation for visitors, and bed and breakfast accommodation in particular.**

Policy 8 Supporting the local economy

7.68 This policy sets out to support the local economy. It has two related parts. The first offers general support to commercial activities subject to a series of criteria. The second offers specific support to proposals for home working.

7.69 The policy takes a positive approach to this important matter and which has regard to national policy. In particular it has taken account of the changes to the Use Classes Order in 2020. I recommend modifications to the wording used in the criteria within the first part of the policy to bring the clarity required by the NPPF. I recommend that the second part of the policy acknowledges that many proposals for home working and where a material change of use of the premises concerned does not take place may not need planning permission. Otherwise, the policy meets the basic conditions. It will do much to deliver the economic dimension of sustainable development in the neighbourhood area.

**In d) and e) insert ‘unacceptable’ before ‘detrimental’**

**In the second part of the policy replace ‘Development to enable home working is’ with ‘Insofar as planning permission is required, development to enable home working will be’**

Policy 9 Improving broadband and mobile connectivity

7.70 The policy comments about improvements to broadband and mobile connectivity. The Covid pandemic has highlighted the importance of such connectivity to local communities. The policy has three related parts as follows:

- all new residential development in the Plan area should be served by superfast Broadband connection installed on an open access basis;
- all other new buildings should be served with this standard of connection when available unless it can be demonstrated through consultation with the service provider that this would not be possible, practical or economically viable; and
- the roll-out of 4G and 5G wireless communications technologies will be supported unless they lead to the erection of permanent structures which are perceived to damage the landscape character of the Ward.

- 7.71 The approach taken in the policy is commendable. However, in some cases, the policy will be implemented by the activities of the service providers rather than by developers through the development management process. Similarly, other works may benefit from either permitted development rights or be exercised by the prior notification regime. I recommend modifications to the policy to reflect the extent of the control which can be exercised by the planning system.

**Replace the policy with:**

**‘Insofar as planning permission is required proposals for the roll-out of 4G and 5G wireless communications technologies will be supported unless they involve the erection of permanent structures which would cause unacceptable harm to the landscape character of the neighbourhood area.**

**Wherever it is practicable to do so new developments should be served by superfast Broadband connection installed on an open access basis.’**

Policy 10 Housing Mix and Type

- 7.72 This policy comments that proposals for new housing should include a mix and type of houses. It has a specific focus on the need for 2 and 3 bed houses in North and South Wheatley and in Sturton Le Steeple and more generally across the neighbourhood area for homes which respond to the needs of older persons.
- 7.73 The policy is underpinned by extensive supporting text (paragraphs 14.1 to 14.22). The information makes a compelling case for the approach taken in the policy.
- 7.74 I recommend detailed modifications to the first part of the policy to bring the clarity required by the NPPF. Otherwise, it meets the basic conditions.
- 7.75 The second part of the policy comments that housing that meets the needs of older people should be located within walking distance of local facilities. This approach is entirely sensible. However, as submitted, the policy does not define the walking distance acceptable to older persons. Equally, the policy cannot guarantee that local facilities will continue to be available within the Plan period. In all the circumstances, I recommend that this part of the policy is deleted. However, given the importance of the matter I recommend that it is repositioned in to the supporting text.

**Replace the opening element of the first part of the policy with: ‘Development proposals will be supported which provide a mix of housing types and sizes with a particular focus on:’**

**Delete the second part of the policy**

*At the end of paragraph 14.22 add: ‘Housing proposals designed to meet the needs of older people should ideally be located within walking distance of local facilities.’*

Policy 11 Community Facilities

- 7.76 This policy celebrates the importance of community facilities in the neighbourhood area. It has five related parts as follows:

- the identification of key community facilities and their safeguarding;
- the identification of a limited number of circumstances where proposals for the loss of an identified facility would be supported;
- offering support for the development of new community facilities;
- proposals for the relocation of community facilities; and
- offering support for new facilities in North Leverton.

7.77 The policy is well-developed. In particular it acknowledges the importance of community facilities to the well-being of the neighbourhood area. In addition, I am satisfied that the identified facilities in Table 7 are appropriate to the neighbourhood area.

7.78 The second part of the policy takes a flexible approach to proposals which may affect the identified facilities. It takes account of changing circumstances and commercial viability.

7.79 There is a degree of overlap between some of the identified community facilities in Table 7 and some of the proposed LGSs (as identified in Policy 3). I recommend that the facilities which have been designated as LGS are removed from Table 7. Whilst they are important community facilities in their own right, the protection afforded by LGS designation will have a greater effect in the Plan period. This matter was accepted by the SWPG in its response to the clarification note on this matter. I also recommend that the facilities described in Table 7 are shown on a map. Whilst in some cases their location is obvious, a map would result in the Plan having the clarity required by the NPPF.

7.80 I recommend modifications to the third and fourth parts of the policy. Whilst their approaches remain unchanged, their modified wording would have the clarity required by the NPPF for a development plan policy.

7.81 The fifth part of the policy offers support for new community facilities in North Leverton. Such an approach is acceptable in principle. However as submitted the policy does not have the clarity recommended by the NPPF. I recommend modifications to remedy this matter. In doing so I recommend that the reference about developments outside the development boundary is repositioned into the supporting text.

**Replace the third part of the policy with: ‘Insofar as planning permission is required proposals for the improvement or the adaptation of community facilities will be supported’**

**Replace the fourth part of the policy with: ‘Proposals for the relocation of community facilities will be supported where the new location is accessible to local people and the new facility provides an equivalent community offer to the one it would replace’**

**Replace the fifth part of the policy with: ‘Proposals for the provision of a building for community use in North Leverton will be supported provided that it does not have an unacceptable impact on the amenities of residential properties in the immediate locality of the site’**



*Remove the following parcels of land which have been identified as LGS from the contents of Table 7:*

- *North and South Wheatley – Recreation Ground, tennis courts and clubhouse cricket pitch and pavilion, LGS01.*
- *North and South Wheatley – Bowling Green, LGS02.*
- *Sturton Le Steeple – playing field with children’s play area, also called the village green, LGS03.*
- *North Leverton – Blacksmiths Playing Field and Community Garden, LGS05.*

*Show the community facilities (as described in Table 7) on a map (or maps for each of the three settlements).*

*At the end of paragraph 15.9 add: ‘Where no suitable sites exist within the development boundary, sites adjoining the boundary may be suitable where it can be shown that the proposal has community support’*

#### Policy 12 Energy Efficiency in Design

7.82 This policy comments about the development of low carbon homes that maximise water efficiency and the generation of renewable and low carbon energy resources. It offers support for such development subject to a series of criteria.

7.83 The policy takes a positive approach to this important matter. I recommend modifications to ensure that the policy has the clarity required by the NPPF. In particular I recommend modifications to the opening element of the second part of the policy so that it has a more natural relationship with the first part. I also recommend the deletion of the final criterion of the second part of the policy given that the benefits of energy efficiency are more general in their nature and each proposal will contribute as related to its scale and nature.

**Replace the opening element of the second part of the policy with: ‘In particular proposals for low carbon homes should’**

**In the second part of the policy:**

- **in b) replace significant with unacceptable**
- **delete criterion g)**

#### Housing Allocation Policies

7.84 The remainder of the Plan consists of a series of site allocation policies. Section 17 describes the approach which was taken to select the package of sites and the way in which they have been refined during the plan-making process.

7.85 There is a healthy and clear relationship between the work undertaken by AECOM on the wider Design Code and its associated assessment of the various site options. This part of the Plan also demonstrates the way in which local people have been engaged in the wider process and have informed the outcomes (as now included in the submitted Plan).

7.86 I comment briefly on each site on a policy-by-policy basis based on the evidence in the Plan itself and based on my own observations. However, in general terms, I am satisfied that the site selection process has been thorough, robust and evidence-based. In particular:

- the various allocations are well-related to the settlement in which they are located;
- the various policies include criteria which are distinctive to the site concerned;
- the policies make direct reference to the Design Code; and
- the policies make reference to Policy 10 of the Plan (on housing mix).

7.87 The approach taken in the various policies is both robust and comprehensive. In particular it requires that development respects the location of the site, any identified heritage assets and that the proposal is of a scale, density, layout and design that is compatible with the character, appearance and amenity of that part of the Ward in which the proposal is located (as defined in the Design Code). This approach is best practice.

7.88 Each policy refers to the need for the use of a 'narrow design palette'. In its response to the clarification note, SWPG confirmed that this means compliance with Section 3 of the Design Code. I recommend that the general supporting text before the policies clarifies this matter.

*At the end of paragraph 17.7 add: 'Each of the policies for the allocated sites addresses design issues and the relationship of the site concerned to the findings of the Design Code. The reference to a 'narrow design palette' means compliance with Section 3 of the Design Code.'*

7.89 In turn, the various policies make reference to the need for detailed sustainable drainage solutions. In each policy I recommend modifications to the drainage-related criterion to ensure that the eventual drainage measures reflect the wider approach taken in Policy 4 of the Plan. I also recommend consequential modifications to the supporting text. I do not repeat this explanation on a policy-by-policy basis.

**In each policy replace the second element with: 'Development proposals on the site should manage surface water in a sensitive way which reflects its existing drainage characteristics and ensures that the creation of non-permeable areas is kept to a minimum level. Proposals which incorporate sustainable drainage systems which mimic natural drainage patterns, which reflect the character of the site, and which are designed to improve water quality and improve biodiversity will be particularly supported.'**

Policy 13 Solent, Top Street North and South Wheatley

7.90 This policy allocates land opposite Solent, Top Street for the development of two houses. The site is a brownfield site within the settlement boundary. It is within the Conservation Area but its development would not impact any other heritage assets.

- 7.91 Subject to the recommended modification to the second part of the policy (as set out in paragraph 7.89) I am satisfied that the policy meets the basic conditions. It provides a detailed context for the development of the site.

Policy 14a Roses Farm, Station Road Sturton Le Steeple

- 7.92 This policy allocates land adjacent to Roses Farm for the development of three houses. The site is a parcel of grassland in the north-western part of the village in close proximity to Crow Tree Farm (grade II listed), along with Four Paws and Roses Farm (both non-designated heritage assets).

- 7.93 Subject to the recommended modification to the second part of the policy (as set out in paragraph 7.89) I am satisfied that the policy meets the basic conditions. It provides a detailed context for the development of the site.

Policy 14b Cross Street, Sturton Le Steeple

- 7.94 This policy allocates land at Cross Street for the development of one house. The site is on the eastern side of Cross Street, is currently undeveloped and used primarily as a lawn and vegetable patch for the adjacent grade II listed barn conversion, The Barn.

- 7.95 Subject to the recommended modification to the second part of the policy (as set out in paragraph 7.89) I am satisfied that the policy meets the basic conditions. It provides a detailed context for the development of the site.

Policy 14c Station View, North Street Sturton Le Steeple

- 7.96 This policy allocates the site for the development of two houses
- 7.97 The site is within the settlement boundary of Sturton-Le- Steeple off North Street. The policy proposes the conversion of the existing buildings (which are non-designated heritage assets) to residential use.
- 7.98 Subject to the recommended modification to the second part of the policy (as set out in paragraph 7.89) I am satisfied that the policy meets the basic conditions. It provides a detailed context for the development of the site.

Policy 14d Woodcotes, Freemans Lane, Sturton Le Steeple

- 7.99 This policy allocates the site for the development of one house.
- 7.100 The site is located to the north of Freemans Lane and is adjacent to the defined settlement boundary. It is not particularly constrained in environmental or physical terms. Its development would complement the single plot houses to its immediate west.
- 7.101 Subject to the recommended modification to the second part of the policy (as set out in paragraph 7.89) I am satisfied that the policy meets the basic conditions. It provides a detailed context for the development of the site.

Policy 15a Manor Grove and Main Street, North Leverton with Hablesthorpe

- 7.102 This policy allocates the site for the development of ten houses. It is located on the western edge of North Leverton and to the east of the former railway line. Its development will be comfortably assimilated within the wider landscape.
- 7.103 Subject to the recommended modification to the second part of the policy (as set out in paragraph 7.89) I am satisfied that the policy meets the basic conditions. It provides a detailed context for the development of the site.

Policy 15b Old Shop, south of Main Street, North Leverton with Hablesthorpe

- 7.104 This policy allocates the site for the development and which would result in a net gain of two houses.
- 7.105 The site is within the defined settlement boundary. The Design Code comments that opportunities exist for a small-scale development that reflects the grain of built form along this side of Main Street, including the 'end-on' right-angled elevation.
- 7.106 Subject to the recommended modification to the second part of the policy (as set out in paragraph 7.89) I am satisfied that the policy meets the basic conditions. It provides a detailed context for the development of the site.

Other Matters - General

- 7.107 This report has recommended a series of modifications both to the policies and to the supporting text in the submitted Plan. Where consequential changes to the text are required directly as a result of my recommended modification to the policy concerned, I have highlighted them in this report. However, other changes to the general text may be required elsewhere in the Plan as a result of the recommended modifications to the policies. It will be appropriate for BDC and the SWPG to have the flexibility to make any necessary consequential changes to the general text. I recommend accordingly.

*Modification of general text (where necessary) to achieve consistency with the modified policies.*

- 7.108 The plan includes four detailed maps for each settlement (development boundaries/key views/SGGs/LGSs). This approach is slightly confusing and does not provide a single indication of policy controls in each settlement. This is not a basic conditions issue as all the relevant information is available to BDC, local people and potential developers. Nevertheless, I suggest that a single policy map is prepared for each settlement to replace the series of maps in the submitted Plan.

Implementation and Review

- 7.109 Section 19 of the Plan properly comments about the need for monitoring of any made neighbourhood plan. It also recognises that a review of the Plan may be required at some point within the Plan period.
- 7.110 The submitted Plan has been prepared within the context of a development plan context that pre-dates the publication of the current version of the NPPF. BDC is now

working towards the preparation of a new Local Plan. It is anticipated that the emerging Local Plan will be adopted in 2023. This process will be an important milestone in the development of planning policy in the District.

- 7.111 In these circumstances, I recommend that the submitted neighbourhood plan includes a degree of commentary about the potential impact of the relationship between the emerging local plan and any made neighbourhood plan at that time. Plainly the SWPG will need to consider the potential impact at that time and reach its own view on the need or otherwise for a review of the Plan.
- 7.112 I also recommend that this part of the Plan addresses two potential scenarios. The first would be one where development does not proceed as planned on the broader package of allocated housing sites. The second would be one where the delivery of any residual number of new homes in the neighbourhood area required in the adopted version of what is now the emerging local plan was unlikely to be delivered through the implementation of the allocated sites.

*At the end of paragraph 19.6 add: 'In particular the Monitoring Group will consider a review of the Plan if some elements of the broader package of allocated housing sites do not come forward. In addition, the Group will consider the need for a review in circumstances where the delivery of any residual number of new homes in the neighbourhood area required in the adopted version of what is now the emerging local plan was unlikely to be delivered through the implementation of the policies in the Plan. The adoption of the Bassetlaw Local Plan 2037 will be a key milestone in this process. In this context the Parish Council will consider the need for a review of the neighbourhood plan at that point. This task will be undertaken based on an assessment of developments that have taken place in general, and the delivery of the allocated housing sites in particular.'*

## **8 Summary and Conclusions**

### *Summary*

- 8.1 The Plan sets out a range of policies to guide and direct development proposals in the period up to 2037. It is distinctive in addressing a specific set of issues that have been identified and refined by the wider community to safeguard the character and setting of the neighbourhood area and its community facilities and to promote sensitive new development.
- 8.2 Following my independent examination of the Plan, I have concluded that the Sturton Ward Neighbourhood Development Plan Review meets the basic conditions for the preparation of a neighbourhood plan subject to a series of recommended modifications.

### *Conclusion*

- 8.3 On the basis of the findings in this report, I recommend to Bassetlaw District Council that, subject to the incorporation of the modifications set out in this report, the Sturton Ward Neighbourhood Development Plan Review should proceed to referendum.

### *Other Matters*

- 8.4 I am required to consider whether the referendum area should be extended beyond the Plan area. In my view, the neighbourhood area is entirely appropriate for this purpose and no evidence has been submitted to suggest that this is not the case. I therefore recommend that the Plan should proceed to referendum based on the neighbourhood area as approved by Bassetlaw District Council on 4 April 2012.
- 8.5 I am grateful to everyone who has helped in any way to ensure that this examination has run in a smooth manner.

**Andrew Ashcroft**  
**Independent Examiner**  
**3 September 2021**



# Bassetlaw

## DISTRICT COUNCIL

— North Nottinghamshire —

### **Sturton Ward Neighbourhood Development Plan (Review) – Draft Decision Statement**

## **1 Summary**

- 1.1 In accordance with Regulation 18 of the Neighbourhood Planning (General) Regulations 2012, Bassetlaw District Council has produced this ‘Decision Statement’ in relation to the Sturton Ward Neighbourhood Development Plan (Review) (the ‘Plan’).
- 1.2 Following an independent examination, Bassetlaw District Council confirms that the Plan will proceed to a neighbourhood planning referendum, following enactment of the modifications specified in the Examination Report.
- 1.3 The referendum is scheduled for Thursday 11 November 2021, based on the Sturton Ward Neighbourhood Area, as approved by Bassetlaw District Council on 4 April 2012.
- 1.4 This Decision Statement, along with the Independent Examiner’s report, can also be viewed on the [Bassetlaw District Council website](#).

## **2 Background**

- 2.1 The Sturton Ward Neighbourhood Plan currently forms part of the Development Plan for Bassetlaw, having been ‘made’ following a successful public referendum on 11 February 2016. In 2018 work commenced on a review of the Neighbourhood Plan, including an enhanced evidence base to inform new and updated policies, addressing issues including design, green spaces, and housing.
- 2.2 The Pre-Submission Draft Sturton Ward Neighbourhood Plan (Review) was made available for consultation in accordance with Regulation 14 of the Neighbourhood Planning regulations from 22 June to 4 September 2020.
- 2.3 The Plan was formally submitted to the District Council on 18 March 2021. Bassetlaw District Council duly consulted the public and statutory bodies on the Plan for a 6-week period between 7 May and 18 June 2021, in accordance with Regulation 16 of the Neighbourhood Planning regulations.
- 2.4 An Independent Examiner was appointed to undertake the examination of the Submission version of the Neighbourhood Plan. The Examiner’s Report was sent to the District Council and Sturton Ward Neighbourhood Planning Group on 3 September 2021.

### **3 Decisions and Reasons**

- 3.1 The Independent Examiner has concluded that, subject to the specified modifications being enacted, the Plan meets the Basic Conditions and other relevant legal requirements. The District Council concurs with this view. The Independent Examiner has also confirmed that, owing to the scale of the changes proposed over the original version, the reviewed Plan should be the subject of a public referendum.
- 3.2 The Head of Regeneration, in consultation with the Council's Cabinet Member for Regeneration, has determined that all the recommended modifications set out in the Examiner's Report will be enacted to ensure that the Plan meets the Basic Conditions. Furthermore, to meet the requirements of the Localism Act 2011, a referendum which poses the question "*Do you want Bassetlaw District Council to use the Neighbourhood Plan for Sturton Ward to help it decide planning applications in the Neighbourhood Area?*" will be held in the Sturton Ward Neighbourhood Area on 11 November 2021.

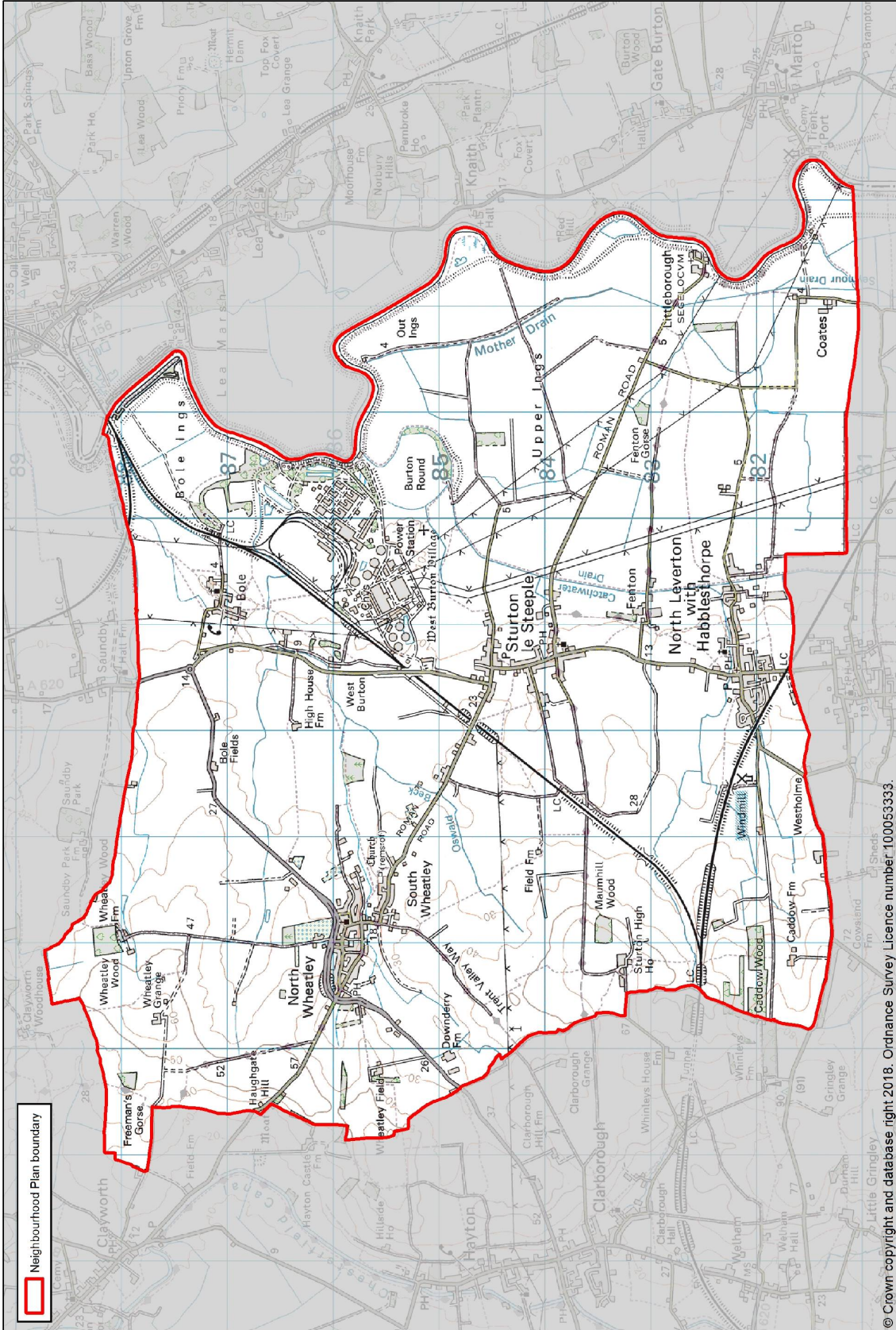
**Beverley Alderton-Sambook**

**Head of Regeneration, Bassetlaw District Council**

(Date)



Sturton Ward



# Equality Impact Assessment

## Part 1: Screening

Version: 2020 2.0

When reviewing, planning or providing services Bassetlaw District Council needs to assess the impacts on people. Both residents and staff, of how it works - or is planning to – work (in relation to things like disability). It has to take steps to remove/minimise any harm it identifies. It has to help people to participate in its services and public life. “Equality Impact Assessments” (EIAs) prompt people to think things through, considering people’s different needs in relation to the law on equalities. The first stage of the process is known as ‘screening’ and is used to come to a decision about whether and why further analysis is – or is not – required. EIAs are published in line with transparency requirements.

A few notes about the laws that need to be considered are included at the end of this document. Helpful questions are provided as prompts throughout the form.

### 1. Name of policy/activity/project/practice

This is:

~~New policy/activity/practice~~ - No

A change to existing policy/activity/practice - Yes

~~Existing policy/activity/practice~~ - No

~~A pilot programme or project~~ - No

**Modifications to, and arrangements for a referendum relating to the Sturton Ward Neighbourhood Plan (Review)**

### 2. Screening undertaken (please complete as appropriate)

Person undertaking EIA: Tom Gill – Neighbourhood Planning Policy Officer

Lead Officer for developing the policy/activity/practice: Will Wilson – Lead Neighbourhood Planner

Other people involved in the screening: (this may be people who work for BDC or a related service or people outside BDC) Richard Gadsby – Policy & Scrutiny Officer

### 3. Brief description of policy/activity/project/practice: including its main purpose, aims, objectives and projected outcomes. Who is it intended to affect or benefit (the target population)? How do these fit in with the wider aims of the organisation?

Is it linked to BDC’s Corporate Plan? Service Plan? Other? Please explain:

Neighbourhood planning provides communities with direct power to develop a shared vision for their neighbourhood and to manage future development and growth, subject to general conformity with the District's strategic planning needs and priorities.

Neighbourhood plans are produced through a collaborative and democratic process, involving various rounds of consultation and scrutiny before culminating in a public referendum, where the residents of the area in question are able to decide whether to 'make' the plan. Subject to a positive result at the referendum, the neighbourhood plan becomes part of the statutory development plan, alongside the Bassetlaw Core Strategy and Development Management Policies Development Plan Document (DPD).

The initial Sturton Ward Neighbourhood Plan was formally 'made' following a Referendum on 11 February 2016. The Sturton Ward Neighbourhood Plan Review has been under development since June 2020, and was submitted to Bassetlaw District Council in draft format on 18 March 2021. Following a six-week publicity and consultation period, the Neighbourhood Plan proceeded to independent examination.

The Examination Report was received on 3 September 2021, recommending that the Neighbourhood Plan proceeds to public referendum, subject to a number of modifications. The Council must now decide what action to take in response to each of the recommendations made in the Examination Report, and to make arrangements for a referendum on the Neighbourhood Plan, (proposed to take place on 11 November 2021).

Full Council approval is required to 'make' the Neighbourhood Plan, if the majority of those who vote in the referendum are in favour. In the interim, Full Council approval will increase the weight afforded to the Neighbourhood Plan in planning decision making from 'material' to 'significant'.

#### 4. Impact

How will the aims affect our duty to:

- Promote equality of opportunity?
- Eliminate discrimination, harassment and victimisation?
- Promote good community relations?
- Promote positive attitudes towards people with protected characteristics?
- Encourage participation of people with protected characteristics?
- Protect and promote Human Rights?

For example, think about it from the perspectives of different groups in society. Does it cause harm or a benefit to any group(s) differently to others? Will it differentially affect:

- Black, Asian or other ethnic minority and/or cultural groups?
- Disabled people? And their carers?
- Transgender people?
- Men and women?
- Lesbians, gay men and/or bisexual people?
- Different religious communities/groups?
- People of a particular age e.g. older people or children and young people?
- Any other groups?
- People with flexible or agreed working patterns?

Are there any aspects, including how it is delivered, or accessed, that could contribute to inequalities? (This should relate to all areas including Human Rights.)

If the proposals will have negative impacts then a FULL Assessment (Appendix 2) MUST be completed.

The proposal has the potential to impact upon the residents of Sturton Ward (as the designated Neighbourhood Area), in that it will change the statutory planning regulations in force in the area. However, the Neighbourhood Plan has been devised by representatives of the local community, on behalf of the Parish Councils, and has been the subject of two formal rounds of public consultation, and additional informal consultation in order to define and refine the proposals.

Enacting the modifications to the Neighbourhood Plan, as recommended by the Independent Examiner, will see certain elements that the community supported being removed from the Plan, such as two of the proposed 'significant green gaps'. However, these changes are considered necessary in order to make the Plan compliant with national regulations (known as the Basic Conditions).

Agreeing to host the proposed referendum will provide residents of the Neighbourhood Area with the opportunity to vote on whether the Neighbourhood Plan should be 'made', ensuring that the final decision making exercise on this proposed change to the planning regulations for Sturton Ward is at a local level.

**5. Within this table, state whether the policy or function will have a positive or negative impact across the following factors and provide any comments.**

Factor	Positive Impact	Neutral Impact	Negative Impact	Comments
All residents and/or those who work/shop/play in the district	Positive			The proposed amendments to the Sturton Ward Neighbourhood Plan (Review) will ensure that it is legislatively correct, and the proposed referendum will provide the opportunity for all residents of the Ward to vote on whether it should be 'made'.
Age		Neutral		It is not regarded that the proposed amendments to the Sturton Ward Neighbourhood Plan (Review) or the holding of a referendum will have an impact on this sector of society in particular.
Disability		Neutral		It is not regarded that the proposed amendments to the Sturton Ward Neighbourhood Plan (Review) or the holding of a referendum will have an impact on this sector of society in particular.
Sex		Neutral		It is not regarded that the proposed amendments to the Sturton Ward Neighbourhood Plan (Review) or the holding of a referendum will have an impact on this sector of society in particular.
Gender reassignment		Neutral		It is not regarded that the proposed amendments to the Sturton Ward Neighbourhood Plan (Review) or the holding of a referendum will have an impact on this sector of society in particular.
Race		Neutral		It is not regarded that the proposed amendments to the Sturton Ward Neighbourhood Plan (Review) or the holding of a referendum will have an impact on this sector of society in particular.

Factor	Positive Impact	Neutral Impact	Negative Impact	Comments
Religion or belief (including no belief)		Neutral		It is not regarded that the proposed amendments to the Sturton Ward Neighbourhood Plan (Review) or the holding of a referendum will have an impact on this sector of society in particular.
Sexuality		Neutral		It is not regarded that the proposed amendments to the Sturton Ward Neighbourhood Plan (Review) or the holding of a referendum will have an impact on this sector of society in particular.
Marriage and Civil Partnership (applies only to work matters)		Neutral		It is not regarded that the proposed amendments to the Sturton Ward Neighbourhood Plan (Review) or the holding of a referendum will have an impact on this sector of society in particular.
Pregnancy and maternity (including breastfeeding)		Neutral		It is not regarded that the proposed amendments to the Sturton Ward Neighbourhood Plan (Review) or the holding of a referendum will have an impact on this sector of society in particular.
Socio economic (including rural and poverty)	Positive			Enacting the recommendations of the Independent Examiner will reinforce the function of the Sturton Ward Neighbourhood Plan as a tool to uphold local distinctiveness, and support growth that is socially, economically, and environmentally sustainable.
Human rights		Neutral		It is not regarded that the proposed amendments to the Sturton Ward Neighbourhood Plan (Review) or the holding of a referendum will have an impact on this sector of society in particular.

If you have identified negative impacts a FULL assessment (Appendix 2) MUST be completed.

## 6. Evidence Base for Screening

List the evidence sources you have used to make this assessment (i.e. the known evidence)

(e.g. Index of Multiple Deprivation, workforce data, population statistics, any relevant reports, customer surveys Census 2011, equality monitoring data for the service area.)

- Sturton Ward Neighbourhood Plan Review (Submission Version)
- Sturton Ward Neighbourhood Plan Review – Report of the Independent Examiner
- Draft Full Council Report – Modifications to, and arrangements for a referendum relating to the Sturton Ward Neighbourhood Plan (Review)

Are there any significant gaps in the known evidence base? If so what are your recommendations for how and by when those gaps will be filled?

## 7. Consultation

Describe what consultation has been undertaken on this function or policy, who was involved and the outcome.

The Sturton Ward Neighbourhood Plan Review has been subject to two rounds of formal public consultation, in accordance with Regulation 14 and 16 of the Neighbourhood Planning (General) Regulations 2012 (as amended). Additional consultation exercises have also been hosted by Parish Council with the local community and statutory bodies during the development of the Plan.

## Head of Service

I am satisfied with the results of the EIA.

## Signature of Head of Service



EIA Ref. No. NP-SWR-0921

## Action Plan

Please list on this sheet the nature of any issues and any recommendation for actions that you plan to implement as a result of undertaking this Impact Assessment.

Issue identified	Action to be taken	Name lead	Date to be achieved	Outcomes
Not applicable				



# Equality Impact Assessment

## Appendix 2 Stage 2

### In depth (FULL) assessment

Q	Equality Duties	Outcome
1	What evidence is there from stakeholders that different equality groups might have different needs, concerns and priorities in relation to issues addressed by the policy or activity (this includes the results of consultation with an involvement of different equality groups)?	
2	How does the proposed policy or activity contribute towards meeting our strategic objective to encourage continual improvement in public services so that they meet the changing needs of diverse communities and provide fair access for all?	
3	How does the policy or activity contribute to our duty to promote positively equality of opportunity?	
4	Will it help eliminate unlawful discrimination or harassment in any way or encourage or hinder community relations?	
5	What evidence is there to suggest that the policy or activity could affect some equality groups differently? This is not just about number but the seriousness and degree of the adverse impact.	
6	If there is an adverse impact, what amendments can be made to the policy or practice to mitigate or remove this negative impact?	
7	If your activity is provided by a partner, private or voluntary sector organisation on a contract basis, please list any arrangements you have made or plan to make to help ensure that these comply with equality.	
8	How will it help ensure that information about this policy or activity is accessible to equality groups?	
9	If this strategy, policy or service development impacts upon other services, please list which services and what arrangements have been made.	
10	Have you compared your policy or activity with similar local authorities? If so, with what results?	

<b>Q</b>	<b>Equality Duties</b>	<b>Outcome</b>
11	Please list any consultation with equality groups in support of the above equality issues.	
12	Please list the equality groups you have consulted with.	
13	Please list in your Improvement Plan any changes to your policy or activity that you have made, or you plan to make, as a result of consultation with different equality groups.	
14	What are the specific recommendations in the Improvement Plan?	
15	How is it intended to monitor and report on the impact of this assessment?	
16	Please list any performance targets relating to equality that your policy or activity includes.	
17	Please list any changes to your policy or activity that you have made or plan to make as a result of monitoring.	
18	Please list any staff training issues on equality arising from this assessment (and include this in your Improvement Plan).	
19	How do you plan to publicise the results of this assessment? Include this in the Improvement Plan.	

**Notes:**

1. The in-depth (full) assessment must consider all available data and research. This could include the result of employee or stakeholder surveys, the results of consultation, audits, service reviews, employment monitoring data, population data, research findings and data collected through monitoring the implementation of the policy or activity and evaluation of projects/programmes, data about the performance of local services.
2. The assessment above must also state how the policy was assessed and the details of the methods of involvement of appropriate people, for example, staff networks, external stakeholders and equality groups.

**Completed by:**

**Role:**

**Date Started:**

**Date completed:**

**Declaration**

I am satisfied that an In Depth (Full) Assessment has been undertaken.

I understand that this EIA is required by the Council and take responsibility for its completion and quality.

**Countersigned by Head of Service/Senior Manager**

--

Date:

## Equality Duties to be taken into account in this screening include:

### Prohibited Conduct under The Equality Act 2010 including:

Direct discrimination (including by association and perception e.g. carers); indirect discrimination; Pregnancy and maternity discrimination; Harassment; third party harassment; discrimination arising from disability.

### Public Sector Duties (Section 149) of the Equality Act 2010 for BDC and services provided on its behalf: (due to be effective from 4 April 2011)

NBC and services providing public functions must in providing services have due regard to the need to: **eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations between different groups.** 'Positive action' permits proportionate action to overcome disadvantage, meet needs and tackle under-representation.

### Rights apply to people in terms of their "Protected Characteristics":

Age, Disability, Sex, Gender Reassignment, Race, Religion or Belief (including No Belief), Sexuality, Marriage and Civil Partnership (applies only to work matters, and Pregnancy and Maternity (including breastfeeding)

**Race** – the categories used are those from the Census. Consideration should be given to the needs of specific communities within the broad categories e.g. Polish.

**Faith Groups** - cover a wide range of groupings, the most common of which are Christians, Muslims, Sikhs, Hindus, Jews, and Buddhists. Consider faith categories individually and collectively when considering impacts. Also consider the position of those with no faith or belief.

### Duty to "advance equality of opportunity":

The need, when reviewing, planning or providing services/policies/practices to assess the impacts of services on people in relation to their 'protected characteristics', take steps to remove/minimise any negative impacts identified and help everyone to participate in our services and public life. **Equality Impact Assessments** remain best practice to be used. Sometimes **people have particular needs** e.g. due to gender, race, faith or disability that need to be addressed, not ignored. BDC must have due regard to the **duty to make reasonable adjustments** for people with disabilities. BDC must **encourage people who share a protected characteristic to participate in public life** or any other activity in which their participation is too low.

### Duty to 'foster good relations between people'

This means having due regard to the need to tackle prejudice (e.g. where people are picked on or stereotyped by customers or colleagues because of their ethnicity, disability, sexual orientation, etc) and **promote understanding.**

**Lawful Exceptions to general rules:** can happen where action is proportionate to achieve a legitimate aim and not otherwise prohibited by anything under the Equality Act 2010. There are some special situations (see Ch 12 and 13 of the Equality Act 2010 Statutory Code of Practice – Services, Public Functions and Associations).

### National Adult Autism Strategy (Autism Act 2009; statutory guidelines) including:

To improve how services identify and meet needs of adults with autism and their families.

### Human Rights include:

Rights under the European Convention include not to be subjected to degrading **treatment; right to a fair trial** (civil and criminal issues); **right to privacy** (subject to certain exceptions e.g. national security/public safety, or certain other specific situations); **freedom of conscience** (including religion and belief and rights to manifest these limited only by law and as necessary for public safety, public order, protection of rights of others and other specified situations); **freedom of expression** (subject to certain exceptions); **freedom of peaceful assembly and to join trade unions** (subject to certain exceptions); **right not to be subject to unlawful discrimination** (e.g. sex, race, colour, language, religion, political opinion, national or social origin); **right to peaceful enjoyment of own possessions** (subject to certain exceptions e.g. to secure payment of taxes or other contributions or penalties); **right to an education; right to hold free elections by secret ballot.** The European Convention is given effect in UK law by the Human Rights Act 1998.