



**MINUTES  
OF THE MEETING OF THE  
COUNCIL  
THURSDAY 22 SEPTEMBER 2011**

Held at 7.00 pm in the Council Chamber, Civic Centre, Pavilion Road, West Bridgford

**PRESENT:**

Councillor G S Moore – Mayor  
Councillor I I Korn – Deputy Mayor

Councillors J R Bannister, D G Bell, Mrs D M Boote, S J Boote, N K Boughton-Smith, N A Brown, B Buschman, H A Chewings, J N Clarke, T Combellack, J A Cranswick, B G Dale, G Davidson, A M Dickinson, J E Fearon, M G Hemsley, R Hetherington, R M Jones, K A Khan, N C Lawrence, E J Lungley, A MacInnes, G R Mallender, S E Mallender, Mrs J M Marshall, D J Mason, F J Mason, B A Nicholls, E A Plant, F A Purdue-Horan, S J Robinson, D V Smith, Mrs J A Smith, P Smith, J A Stockwood, Mrs M Stockwood, B Tansley, H Tipton, T Vennett-Smith

**OFFICERS PRESENT:**

A Graham	Chief Executive
P Randle	Deputy Chief Executive (PR)
L Reid Jones	Democratic Services Manager
D Swaine	Head of Corporate Services

**APOLOGIES FOR ABSENCE:**

Councillors L J Abbey, R A Adair Mrs S P Bailey, R L Butler, L B Cooper, J E Cottee, J E Greenwood, Mrs M M Males, D G Wheeler

**OPENING PRAYER**

The Meeting was led in prayer by the Mayor's Chaplain.

**21. Declarations of Interest**

There were none declared.

**22. Minutes**

The minutes of the meeting held on Thursday 23 June 2011 were received as a correct record and signed by the Mayor, subject to the replacement of the words 'no view' with the word 'likelihood' in paragraph 7 of page 14 in order that the sentence read 'Councillor Jones stated that if the motion deleted the reference to where the government should spend the money he would support it, however there was no likelihood that the money would be moved'.

**23. Mayor's Announcements**

The Mayor informed Members that he had undertaken 46 engagements since the last meeting of Council. He thanked the Deputy Mayor for covering for him

at some engagements. He drew Members' attention to the busy summer and highlighted four events which he recommended Members should attend: the Hickling Scarecrow show, Sutton Bonington Show, Keyworth Show and the Radcliffe Carnival. The Mayor commented that the Baptist and Methodist Churches in Musters Road were an asset to West Bridgford and they have been beautifully restored.

The Mayor informed Members that he had presented 25 year service awards to two depot employees and was pleased with their positive feedback about the organisation. He continued by highlighting the work of Cultural Services, in particular the 4,000 visitors to Lark in the Park, the Armed Forces Day and Proms in the Park, the Rushcliffe Country Park Green Flag award and the Rushcliffe Sports Awards. The Mayor was pleased to say that the fundraising appeal was successful and the Maggie's Nottingham Cancer Care Centre would be opening on 2 November. He thanked Councillor Plant for her contribution by running the half marathon recently. In finishing the Mayor asked Members to make themselves available to present wreaths on Remembrance Sunday in the Borough.

#### **24. Leader's Announcements**

The Leader was pleased to inform Members that the Council had been successful in achieving the East Midlands Regional Member Development Charter. The work had been led by Councillor D Mason through the Member Development Group. The Leader presented the Mayor with the certificate and trophy. The Mayor added his congratulations to all those involved in achieving the Charter.

#### **25. Chief Executive's Announcements**

The Chief Executive informed Council that he had received a phone call from the Chief Executive of Nottinghamshire Cricket Club to say that Trent Bridge had been allocated an Ashes Test match in both 2013 and 2015. It was the only ground outside of London to be allocated a match for both years. He conveyed his thanks to everyone who had supported the bid, in particular the Council's decision to invest in the cricket club some five years ago. The Mayor said this was excellent news for the Borough particularly in respect of the economy.

#### **26. Electoral Review**

The Mayor introduced officers from the Local Government Boundary Commission for England (LGBCE). Dr Peter Knight, Commissioner, Joan D'souza, Review Manager and Jessica Metheringham-Owlett, the Review Officer gave a presentation on the electoral review of Rushcliffe. Ms D'souza outlined the role of the LGBCE and informed Council that the aim of the review was to ensure that each councillor represented approximately the same number of electors.

Ms D'souza went on to explain the criteria for starting a review, these being 30% of wards having an electoral variance of more than 10% from the average and/or one ward having an electoral variance more than 30% from the average. She informed Council that in Rushcliffe nine wards (32%) had

electoral variances of more than 10% from the average, the highest being Stanford at 24%.

Ms D'souza said that the review would decide the ward boundaries for the entire borough and not only the wards where there were levels of electoral inequality. The review process would determine the total number of Councillors, the number and names of wards and the ward boundaries. In terms of timescale this would be determined based on the type of review, and could be anything from 26 to 62 weeks.

Ms D'souza explained that the review had to comply with statutory criteria based on the principles of electoral equality, community identity and effective and convenient local government. The review process covered a preliminary stage during which time the Council would submit its proposal for council size. After this there would be information gathering by the Commission, draft recommendations published by them and then a period of consultation on the draft recommendations. Following this the Commission would publish their final recommendations which would be implemented by order in the Houses of Parliament. Ms D'souza stressed the characteristics of a good review and how important it was to ensure that representations were based on evidence, not only assertion or assumption.

In response to questions Dr Knight informed Council that this review was separate from the Parliamentary Constituencies review. He said that in terms of council size it was better to decide a number of councillors and fit the wards around that figure. It was usual for the Commission to give a 'minded to figure' and for the final recommendation to be very close to this.

Dr Knight confirmed that the final recommendation was not put to Council but was a Commission decision. He said that people would be able to make a submission and comment on the Commission's draft recommendation and submissions were given equal merit. Dr Knight stated that electorate forecasts were taken into consideration, based on predicted housing growth. In relation to multi-member wards Dr Knight stated that in the absence of a Council resolution asking for single member wards the statutory criteria would be applied to come up with an appropriate council size meaning mixed member wards. With regard to parishes, Dr Knight informed Members that the Commission looked to avoid splitting villages and communities and used the parishes as building blocks for the review process. The only statutory power in relation to parishes was the ability to ward a parish where a new ward boundary went through a parish.

The Mayor thanked Dr Knight, Ms D'souza and Ms Metheringham-Owlett for their presentation and drew Member's attention to the Parish Forum event on 26 October 2011 which they would be attending in order to make the Parish and Town Councils aware of the process.

## **27. Financial Outturn and Statement of Accounts 2010/11**

Councillor Cranswick, seconded by Councillor Nicholls, proposed the Financial Outturn and Statement of Accounts 2010/11, which had been considered by the Corporate Governance Group on 13 September 2011. Councillor Cranswick stated that the revenue outturn indicated that the Council's activities had been achieved with the allocated resources and with an overall saving on

services. The total spend on services had been £13,407,600 against a revised estimate of £14,292,100. The savings on services had amounted to £885,000 which had reduced to £654,000 when a windfall refund of VAT was taken into account. Overall the amount taken from General Fund balances had reduced from the original planned level of £519,000 to £236,000.

Councillor Cranswick stated that the Council was required to publish the Statement of Accounts by 30 September. The External Auditor was also required to issue the audit opinion on the accounts and present the Annual Governance report to Members by 30 September. He informed Members that the Statement of Accounts had been completed later than usual this year and as a result the Auditor had not been able to complete his audit work as planned. As a consequence Councillor Cranswick proposed that the final full governance report be presented by the Auditor to Members, through the establishment of a special committee. He proposed that the Committee be constituted for this year only and consist of the Members of Corporate Governance Group, the Leader of the Council (or his nominated representative), the Leader of the Opposition (or his nominated representative), and the Cabinet Portfolio Holder for Resources. He explained that it was not uncommon for authorities to establish such special arrangements this year owing to some significant changes in accounting practice which had been imposed nationally.

Councillor Cranswick thanked officers for all their efforts, acknowledging that it had been a difficult year, particularly in terms of changes to financial standards, the introduction of two new finance systems within the Council and the green bin collection charge.

Councillor Davidson stated that, as the previous Chairman of Corporate Governance Group, he was familiar with the changes in accounting procedures and he welcomed the forthcoming stability in them. He thanked the staff for their work. He supported the establishment of the special committee to finalise the accounts.

Councillor MacInnes welcomed the budget underspends which had been achieved without any reduction in service standards. He welcomed that this and the Four Year Plan meant the Council was entering a new financial year in a relatively good financial position. He thanked staff for their energy.

Councillor S Mallender stated that it had been a difficult year for many Councils, and stated that she supported the setting up of a special committee.

Councillor Clarke echoed Councillor Cranswick's comments and stated that the pressures on the department had been abnormal during the last financial year. He concluded by stating that it showed the level of competency amongst officers and that they should be congratulated.

**RESOLVED that:**

- a) The outturn for 2010/11 and the Statement of Accounts be approved;
- b) The proposed carry forward of budget provision to 2011/12 of £50,260 be approved;

- c) A special committee be established with delegated authority to:
  - i. Receive and endorse the auditor's Annual Governance Report;
  - ii. Approve any necessary amendments to the Statement of Accounts
  - iii. Approve the letter of Representation;
  - iv. Approve any necessary amendments to the Annual Governance Statement;
  
- d) The special committee be constituted for consideration of the 2010/11 accounts only and consist of Members of the Corporate Governance Group, the Leader of the Council (or his nominated representative), the Leader of the Opposition (or his nominated representative) and the Cabinet Portfolio holder for Resources.

## 28. **Notice of Motion**

Proposed by Councillor S Boote and seconded by Councillor Davidson:

'In view of the unexpectedly large revenue being generated by the charges for emptying green bins, Council requests that Cabinet considers, as part of the budget setting process, the scope to reduce the annual charge for the green bin collection 2012/13'.

In proposing the motion Councillor S Boote explained that its intention was not to abolish the charge for the green bin service and he recognised that the Council needed to generate income from residents. He stated that it was timely to consider the charge given that the scheme had generated more money than had been anticipated.

Councillor S Boote acknowledged that the budget workshops had identified savings, with the biggest potential saving of £200,000 being from the green bin charge. Furthermore the charge had been agreed by Cabinet and Council. He continued by stating that the charge had impacted on households, and a fairer charge was required. He added that 26,000 households had registered for the service resulting in an income of £683,000 for the Council, against an original forecast of £340,000. By reducing the charge to £10 per bin, Councillor S Boote stated, the impact on council tax payers would be more acceptable and the Council would still generate an income of £434,000. In concluding Councillor S Boote stated that he believed the recycling rates could be increased if the charge was reduced and it would encourage more households to take up the service. This would lead to more positive recycling and less flytipping and bonfires in the Borough.

Councillor Cranswick stated that the Council had generated £683,000 in income from 29,000 bins and the take up was increasing. 74% of households who previously had a green bin, were now using the service and this was increasing on a daily basis. Furthermore a reduction in the charge next year would result in an extra charge in future years to make up the shortfall in income. Councillor Cranswick stated that the scheme had been very successful and it made no sense to reduce the charge.

Councillor MacInnes stated that the Council had a robust and well identified consultation mechanism in terms of the financial strategy and the budget

workshops. He said he would be supporting the motion however there should be concessions for people on benefits.

Councillor D Boote was of the view that the charge was unfair as it taxed vulnerable people the most as they were paying a larger proportion of their income on Council services. Furthermore they could not afford a green bin at that price or the cost of taking waste to the tip. She concluded by saying that the charge should cover the cost and therefore should be smaller than the current £25.

Councillor Vennett-Smith said that the charge should be looked at on a proportionate basis for those least able to pay. He stated that the scheme had been a success with the £25 charge and people who said they would not pay for the service had decided not to continue with it. He believed that it could be fewer if the income could be used to offset the charge, for the benefit of everyone. He reminded Members that it was a voluntary scheme, however it had been a great success and therefore the Council had been proved right in making the decision to charge £25.

Councillor Khan said that he felt the £25 was excessive and that £10 would be sufficient, however he accepted the Council needed to generate income in the current financial climate. He was of the opinion that the charge felt like an additional council tax. He stated that the Council had an excellent reputation for its green policies and it would be a generous gesture to reduce the charge, consistent with protecting and preserving the environment.

Councillor R Mallender stated that there was a difference between agreeing with a charge and having to pay it. He believed that on principal people should not pay for the service and any charge should be based on the weight of waste to encourage residents to recycle more.

Councillor D Mason stated that the scheme had been a huge success which would help protect other important services. She said she was not aware of any increase in fly-tipping as a result of the charge. She reminded Council that many residents were very happy with the current charge, although she recognised that some were not and did not have to take up the service as it was not mandatory.

Councillor Lawrence said he was puzzled as to why the motion had been presented. He stated that Cabinet had been required to make a balanced judgement and it was important they were not put in a position where other options for savings with a far more significant impact had to be considered.

Councillor S Mallender stated that many residents had joined the scheme begrudgingly as they had too much waste to compost. She stated that she wanted to see the Council as a leader for recycling. She added that the motion gave the opportunity to reduce the charge to zero for those in receipt of Council Tax benefits.

Councillor Clarke was of the opinion that Councillor S Boote did not want to admit the phenomenal success of the green waste scheme, and the effort staff had made to make it a success. He said that the budget workshops were the place to consider the budget and that residents had voted in favour of it by

registering for the scheme. Councillor Clarke continued by saying that the budget workshops identified the need to maximise income and introduce a charge. He added that the success of this voluntary scheme helped reduce the amount of savings required from elsewhere. In conclusion Councillor Clarke remarked that the green waste service was a high quality, value for money service that the Council should be proud of.

Councillor Davidson said that there was no doubt the scheme had been very successful and staff had worked very hard to make it work. However this did not mean residents paid with a glad heart, more with a grudge in his view. He stated that the unfairness of the impact of the charge was significant and more should be done to encourage recycling.

Councillor S Boote concluded the debate by stating that the scheme should continue and noted that in some ways it had been too successful. He stated that although 26,000 households had signed up to the scheme there were still 19,000 households who had not taken up the service. He agreed with Councillor Clarke in that the money generated from the scheme could be used for other services but felt that the green waste service should not be used as a cash cow. Councillor Boote stated that he was asking Cabinet to look at whether the charge could be reduced.

The motion was put the vote and declared lost.

## 29. **Questions**

### a) **Question from Councillor R M Jones to Councillor J N Clarke**

If the Government decides in principle to proceed with the HS2 train line, what are Councillor Clarke's opinions about the potential benefits to the Borough if the route of the north eastern spur were to go through East Midlands Parkway?

Councillor Clarke said there were a lot of ifs in the question and at this stage the benefits were totally unknown. He stated that the money would still be better spent elsewhere, for example improving the current infrastructure on the Midland Mainline, and the A453 dualling.

*Supplementary question:* Councillor Jones asked that given the government's experience in different decades and the seeming necessity for more train lines and getting freight off the road, why was the Leader not prepared to take the view that the HS2 line should go through East Midlands Parkway.

In response Councillor Clarke said that if there was a potential benefit to Rushcliffe then this was to be welcomed. He said that he had not said it shouldn't take place at all but that the original motion referred to a delay. Councillor Clarke was still of the opinion that the money could be better used in the short term and he was not convinced that the HS2 would give benefits on a cost effective basis.

### b) **Question from Councillor S J Boote to Councillor D M Mason**

What is Councillor Mrs Mason's opinion on the potential for producing renewable energy (e.g. from wind, ground source, solar thermal or solar photovoltaic) from the Council's land and buildings?

Councillor Mason responded by saying that there was always potential in anything to generate renewable energy, but this needed to be investigated properly before a judgement could be made. She said that technology needed more time to develop. Furthermore it was important that financial viability and return on investment and pay back period were taken into consideration particularly when spending residents' money.

*Supplementary question:* Councillor S Boote stated that Council in September 2010 Council had recognised the scope for renewable energy and as such asked what progress had been made by Council.

Councillor D Mason informed Council that Cabinet had approved the Carbon Management Plan in June 2011, which set out the intention to investigate the potential of photovoltaic panels however the question was not only about installing the panels on Council buildings but the real and tangible environmental and financial benefits.

**c) Question from Councillor S J Boote to Councillor D M Mason**

What feedback has been received from the public on the quality of street cleaning (either for the better or for the worse) since the Council's local street cleaners in the villages were made redundant at the end of June?

Councillor D Mason stated that there had been 13 street cleansing complaints for July and August which was the same as the previous year. Furthermore there had been proportionately fewer complaints in August 2011, which suggested that the new street cleansing rounds were having a positive impact.

*Supplementary question:* Councillor S Boote asked what response there had been from the Parish Councils and community groups with regard them taking on a role in street cleansing.

Councillor D Mason stated that this was being discussed by the Environment and Waste Management (EWM) Member Group and they were awaiting the outcome.

**d) Question from Councillor S J Boote to Councillor D M Mason**

Following Council's resolution at the June meeting to seek improvements in grass cutting and tree maintenance, what progress has been made in putting mechanisms in place to achieve these improvements?

In response Councillor D Mason stated that the Council had a contract in place to ensure that all proactive and reactive tree maintenance required by the Council was undertaken. Regarding grass cutting the County Council had increased their frequency of highway verge grass cutting from four to five times per year in the Rushcliffe area. Councillor D Mason said that as part of the Streetwise and Recycling2go service review the Council was exploring a range of service delivery options including by land owners.

*Supplementary question:* Councillor S Boote asked what the approximate timescale for considering options was, and whether this would be in time for the growing season.



Councillor D Mason stated that the question had been asked of other landowner and the Council was ready to talk to them. She said it was part of the on-going EWM review.

**30. Local Government Act 1972**

The Mayor, seconded by the Deputy Mayor, proposed that the public be excluded from the meeting for consideration of the following item of business in pursuant to section 100A(4) of the Local Government Act 1972 on the grounds that it was likely that exempt information may be disclosed as defined in paragraphs 1 and 2 of Part 1 of the Schedule 12A of the Act.

**31. Management issues Requiring Council Decision**

Councillor Clarke presented a report which set out management issues requiring a decision of Council including the appointment to the post of Section 151 Officer. He informed Council that due to a number of issues that had arisen in the Council's financial services it was necessary to appoint a new Section 151 Officer as soon as possible. Councillor Clarke informed Council that in the interim the service was being well maintained and managed by temporary officers and the permanent staff.

Councillors Davidson, MacInnes, and S Mallender also thanked the Chief Executive for the way he had handled the issue.

The Chief Executive thanked Members for working with him on the issue. He confirmed that the situation was being handled in line with the Council's Officer Employment Procedure Rules and external support had been given as necessary to those involved.

Councillor Clarke concluded that the Council should be grateful for the expertise of the Chief Executive in dealing with the issue as efficiently as possible.

**RESOLVED that:**

- a) the formal request for the existing Section 151 Officer to relinquish his statutory duties be agreed;
- b) the Deputy Chief Executive (CB) be appointed to the role of Section 151 Officer;
- c) the necessary steps be taken to secure the services of a new Head of Service for Finance.

The meeting closed at 9.05 pm.

MAYOR