



**MINUTES  
OF THE MEETING OF THE  
COUNCIL  
THURSDAY 24 SEPTEMBER 2015**

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

**PRESENT:**

Councillor F A Purdue-Horan - Mayor  
Councillor G Davidson – Deputy Mayor

Councillors K P Beardsall, M Buckle, R L Butler, H A Chewings, J N Clarke, T Combellack, L B Cooper, J E Cottee, J Donoghue, M J Edwards, A J Edyvean, J E Greenwood, R Hetherington, Mrs C E M Jeffreys, R M Jones, K A Khan, N C Lawrence, E J Lungley, A MacInnes, Mrs M M Males, G R Mallender, D J Mason, S C Matthews, G S Moore, A L R A Pell, A Phillips, E A Plant, S J Robinson, Mrs J A Smith, J A Stockwood, M W Suthers, J E Thurman, D G Wheeler, J G A Wheeler

**ALSO IN ATTENDANCE:**

Cadet G MacDonald            Mayor's Cadet  
Cadet C Chrimes              Mayor's Cadet  
Mrs MacDonald  
Mr Chrimes

**OFFICERS PRESENT:**

N Carter                      Service Manager - Corporate Governance  
A Graham                     Chief Executive  
P Linfield                    Interim Executive Manager – Finance and Commercial  
K Marriott                    Executive Manager - Transformation  
V Nightingale               Senior Member Support Officer  
D Swaine                     Executive Manager - Operations and Corporate Governance

**APOLOGIES FOR ABSENCE:**

Councillors R A Adair, N A Brown, B Buschman, A M Dickinson, S J Hull, R A Inglis, S E Mallender, R G Upton

**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 25 June 2015 were received as a correct record and signed by the Mayor.

### **23. Mayor's Announcements**

The Mayor informed Members that he had been very busy during the summer months with many Civic engagements, including the annual pilgrimage to the war memorial at Crich, and a variety of community events. He gave Members a short summary of the events including Lark in the Park, Radcliffe on Trent Carnival, Lady Bay Open Gardens, Edwalton School garden, Hickling Scarecrow weekend and the Sunday Funday. He was extremely impressed with the hard work of volunteers and staff who made these events enjoyable and memorable.

He thanked Members who would be laying a wreath on his behalf at the many churches around the Borough and invited Councillors to join him on Armistice Day for the service of remembrance on Central Avenue. With reference to the armed forces he was pleased to inform Members that he had been invited by Morrison's supermarket to join them, and to lead a reception, for a group of veterans who were taking part in the 'Walk for the Wounded'.

The Mayor introduced his two new Cadets who he had recently appointed to assist him at civic events. He had recently attended an event at the 209 Squadron Air Cadets and had been very impressed with the calibre of young people involved. He had appointed one Cadet from the Air Force and one from the Army, these two cadets would assist him at a number of events throughout the year. The Mayor presented each cadet with a commemorative badge.

Finally, he thanked everyone involved with his Civic Service and informed Members that £320 had been raised on the day for his charity.

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

Councillor Clarke informed Members that there had been progress made on the devolution deal and that there would be a workshop immediately after the Council meeting.

With regards to Rushcliffe Arena he informed Councillors that despite the recent unfortunate circumstances it was not felt that the contract would be affected.

In conclusion, he paid tribute to Mr Daniel Swaine, who had recently been appointed as Chief Executive for Bolsover and North East Derbyshire Councils. He stated that Mr Swaine had been an asset to the Borough Council in his roles as Monitoring Officer, Executive Manager and Deputy Chief Executive. He thanked him for his professionalism and assistance to all Members.

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

The Chief Executive thanked Mr Swaine for his exemplary work and professionalism towards Members, staff and himself. He was pleased that this had been recognised by others and demonstrated by his recent appointment.

In response to the fire at the Arena he informed Members that he had met with the national director of Farrens and had been informed that it was hoped that the final impact would be minimal; although this could not yet be confirmed. The building was structurally sound and there had been no significant damage to the bowls hall or reception and the loss adjuster had been on site and was working with the developers. The Police were continuing with their investigation and he said that he could confirm that there had been two arrests made. A leaflet would be delivered in the very near future to all local residents giving them further details on the project and how it might be affected by the fire.

## 26. **Statement of Accounts 2014/15**

Councillor Robinson was pleased to present the Statement of Accounts for 2014/15 for approval by Members. He informed Members that the statutory notices had been signed by the Chief Executive and the Leader. He stated that the Management Representation Letter reaffirmed that the Council was satisfied with the validity of the accounts.

He stated that the accounts had been considered by the Corporate Governance Group on 3 September. He recognised that this was the first time some Members had examined the accounts and that it was useful to attend the budget workshops to be able to understand the Council's income and expenditure, reserves and its cash flow and movement.

He stated that the Council was in a strong financial position with £11.45 million in earmarked reserves, which allowed the Authority to continue with its capital programme including the refurbishment of Bridgford Hall and the leisure improvements at the Arena and the relocation of the Civic Offices.

Councillor Robinson informed Members that, for the first time, the Streetwise Enterprise accounts were included. He was pleased to say that the company had performed better than expected and instead of breaking even it had made a profit of £51,000.

In conclusion, he thanked the Interim Executive Manager – Finance and Commercial and his staff for their professionalism in producing these accounts during these difficult times.

Councillor MacInnes, in support of the recommendation, stated that there had been a significant reduction in the government funding that had been received and yet through its efficiencies the Authority had managed a balanced budget of £2.6 million without having to increase the Council Tax. He stated that the capital grants would be increased by the New Homes Bonus and through the sale of land. He felt that it would be a challenging year ahead, however he was pleased to note that the Council was in a better financial position than most local authorities. He envisaged that the work of the Transformation Strategy would unlock the pent up growth in the economy and thereby make it unnecessary for the Council to reduce the services it provided. He was optimistic that more affordable homes would be built in the near future.

He stated that the Corporate Governance Group had considered the Statement of Accounts and had also considered the report of the external

auditors. It had been noted that the auditors had been impressed with the level of openness and assistance from the finance team and had given the accounts a very favourable rating. Members of the Group had been assured that the Council's finances were in an excellent position.

In conclusion, he too thanked the Interim Executive Manager – Finance and Commercial and his staff for their hard work.

Councillor R Mallender also supported the recommendation and stated that the Authority had worked hard to produce an excellent set of accounts. He was concerned that the austerity cuts being imposed on local authorities were disproportionate to those members of society on low pay. However, he was pleased that the Council would be informed on the devolution proposals.

Councillor Clarke thanked Members for their comments. As Chairman of the Streetwise Strategic Board he had been impressed with the hard work and enthusiasm of the workforce. He was confident that the company would progress and expand.

In conclusion Councillor Robinson thanked all the finance team and the Streetwise workforce. He reminded Members of the budget workshops where Councillors would have their input into shaping the Council's future budgets.

RESOLVED that Council approve

- a) The Statement of Accounts for 2014/15 (Appendix A).
- b) The Management Representation Letter (Appendix B).

## 27. **East Leake Neighbourhood Plan**

Councillor Butler presented the report that outlined the East Leake Neighbourhood Development Plan. He stated that the Borough Council had a statutory duty to assist communities in the production of a Neighbourhood Plan under the Localism Act 2011.

He explained that East Leake had been designated as a Neighbourhood Area in December 2012 and that, following this, the local community had developed a Neighbourhood Plan which contained 20 policies. He stated that a broad range of people had been involved in developing the Plan and that officers had helped to ensure that it conformed to the Council's Local Plan. The Plan had been presented to the Council in January 2015 after which there was a six week publicity and consultation period. At the end of the consultation period the Plan was presented for independent examination by Mr Gary Kirk. The Examiner's report recommended that the Plan should proceed to a referendum and it was proposed that this would be held on Thursday 19 November 2015. Councillor Butler explained that if more than 50% of the electorate voted yes then the Plan would be adopted. If adopted all planning applications for that area would be considered in line with the Council's Core Strategy and the East Leake Neighbourhood Plan.

Councillor Edwards congratulated the residents of East Leake for producing a very impressive, comprehensive and detailed document. He felt that this was

the way forward and that the targets within the document were achievable. He looked forward to hearing the outcome of the referendum.

Councillor Jones supported the recommendation and the comments regarding the document. He said that there had been a great deal of work undertaken and that the consultation had been comprehensive. He referred to the parts of the document that related to green spaces and woodland and referenced these to the Edwalton Development Framework Supplementary Planning Document, which was due to be approved imminently.

Councillor Clarke stated that the document was a reflection of the needs of the community.

In conclusion, Councillor Butler stated that this would be the first plan in Nottinghamshire to be completed and he hoped that other communities would also put forward plans for their areas. He thanked Members for their support and for acknowledging the hard work undertaken by the Parish Council, residents and officers.

RESOLVED that

- a) The Council accepts the Independent Examiner's recommended changes to the East Leake Neighbourhood Plan as set out in the Examiner's report (**Appendix 2**) and in the proposed decision statement at **Appendix 3**, and notes the recommendation that the amended East Leake Neighbourhood Plan should proceed to a Referendum of voters within the Parish of East Leake.
- b) The Council approves the holding of a Referendum in East Leake, to include the Parish of East Leake on Thursday 19 November 2015.
- c) Subject to a majority vote from the referendum, the Council 'Makes' the Neighbourhood Plan.
- d) The Council congratulates East Leake as the first Parish Council in Nottinghamshire to have reached this point in Neighbourhood Planning.

## 28. **The Future Council Management Structure**

Councillor Clarke presented the report regarding the future of the Council's management structure. He stated that this report was in respect of the two statutory posts that of the Section 151 Officer and the Monitoring Officer. He congratulated Mr Linfield on being appointed as the Interim Executive Manager – Finance and Commercial. He said that it was proposed to appoint Mr Carter as the Deputy Monitoring Officer and although he did not have the formal qualifications yet it was an excellent development opportunity.

With regards to the future of the structure it was proposed that all options should be considered, including possible opportunities within the Collaboration Agreement with Newark and Sherwood District Council and Gedling Borough Council. To facilitate this it was proposed to appoint Ms Osbourne as the Council's Monitoring Officer on an interim basis. Following Ms Osbourne's

review of the structure the Chief Executive would present a further report to Council.

In support of the recommendation Councillor Plant stated that, due to the two vacancies, this was an appropriate time to consider all alternatives. She said that the Authority had always been successful in anticipating and reacting to the changing environment, and with the possibility of devolution and a Combined Authority being in the early stages it was difficult to know how these would impact on the Council. Following her enquiry Councillor Clarke was pleased to say that Mrs Marriott had been appointed to the Operations post.

Councillor Jones congratulated Mr Swaine on his appointment. He too supported the recommendation, although he urged caution that the Council should not overstretch when contemplating a collaborative option.

Councillor Clarke thanked Members for their support and stated that this would allow the Council to progress. On behalf of the Members he congratulated Mrs Marriott and Mr Swaine on their recent appointments.

RESOLVED that

- a) Ms Penny Osbourne be appointed as the Council's Monitoring Officer on an interim basis and that this arrangement is reviewed by full Council at its meeting on 10 December 2015
- b) Nigel Carter (Service Manager) Corporate Governance be appointed Deputy Monitoring Officer until 31 March 2016
- c) A further report from the Chief Executive detailing the outcomes of the review of the current senior structures is presented to Council on 10 December 2015

## 29. **Scrutiny Annual Reports 2014/15**

Councillor Clarke presented the annual report of the four scrutiny groups which he said demonstrated the excellent work undertaken by Members whilst challenging the services delivered to residents.

Councillor Combellack, Chairman of the Community Development Group, said that 2014/15 had been a very interesting year for the Group. It had considered various topics including alternative energies, the broadband continuity project, economic development and the YouNG project which helped develop youth potential. She was pleased to have this opportunity to thank officers and visiting speakers.

Councillor Moore, Chairman of the Corporate Governance Group, stated that it had been a difficult year for the Group with the death of Peter Steed. He congratulated the Interim Executive Manager – Finance and Commercial and his team for their excellent work in producing the accounts. He thanked Mr Swaine for all his contribution to the work of the Group in relation to Health and Safety.

Councillor Mrs Smith, Chairman of the Partnership Delivery Group, thanked the Members of the Group, the officers and the external visitors for their enthusiasm and contributions to some lively debates. She informed Members of three highlights, Metropolitan Housing Trust which had introduced an innovative vision including their METS scheme which had a sector based work academy that had benefited seven apprentices. Also they had reduced the number of complaints from 205 in the previous year to 108. Unfortunately there was to be another review of the staff and the contact for the Group would be changed again. The Group had received an interesting presentation from HealthWatch, a new organisation that represented the views of the users of the National Health Service. This organisation had been considering issues with obtaining doctors' appointments, hospital parking and prescription delays for hospital patients being discharged. The third highlight had been a presentation by Mr Scott-Lee, Managing Director of Streetwise Enterprise Ltd. The Group had been very impressed by the enthusiasm and hard work of the staff. They had been very interested to learn about how the workforce was growing and developing especially in relation to its social enterprise commitments.

Councillor D G Wheeler, Chairman of Performance Management Board, took the opportunity to thank Councillor Jones who had supported him during a difficult period. He also thanked all the officers, including Mr Swaine for their hard work. The Board was very grateful to the Performance Team for all the information that they provided. He believed that 2015/16 would be a very good and challenging year for the group.

Councillor MacInnes welcomed the comprehensive report of the work undertaken by the scrutiny groups. He had been very impressed with the presentations in respect of Treasury Management and alternative energies. He also highlighted the ongoing work of the Local Development Framework Group, who had worked hard on Part 1 of the Local Plan, which had now been adopted; and the Leisure and Civic Relocation Member Group. He said that it was vital that all Members were involved and participated in the work of the Council. He welcomed the involvement of all the recently elected Members.

Councillor Jones stated that the Performance Management Board would have a challenging year, especially in relation to the contracts at Edwalton Golf Courses and with Parkwood Leisure.

RESOLVED that

the Council endorsed the work undertaken by the Council's four scrutiny groups during 2014/15.

### 30. **Notice of Motions**

The following Notice of Motion was proposed by Councillor J N Clarke and seconded by Councillor R L Butler.

'Rushcliffe Borough Council recognises the current national and local concern in respect of the growing asylum and immigration obligations being placed upon the United Kingdom. It also reaffirms its commitment to work collaboratively with neighbouring Councils and the East Midlands Strategic

Migration Partnership to support the Home Office in identifying appropriate solutions in line with government policy, available resources and local expectations.

Council requests that the Portfolio Holder (Sustainability) in collaboration with the Chairman of the appropriate scrutiny group works to evaluate the options currently open to the Council to assist in the formulation of an appropriate response and strategy.'

Councillor Clarke stated that this was an important issue for the country and that everyone was concerned about the refugee crisis. He said that everyone had seen the harrowing report in the press and on television and that everyone had been asked to help. However, it was important to note that details of the Government's policy as to how to react to the crisis was still to emerge yet this Council needed to be in a position to react to the crisis when asked to do so.

He said that the Central Government response was being formulated with regards to the obligations for local governments. He stated that two members of the Local Government Association had been invited to a high level Cabinet Committee meeting at Downing Street and that it was proposed for more information to emerge as the work continued.

He believed it was important that Rushcliffe worked with other neighbouring Councils and he informed Members that meetings were being arranged in order to discuss how the Councils should react and to formulate the best response.

Councillor Clarke pointed out that the motion referred to refugees and not economic migrants. He also emphasised that the Council did not own the housing stock neither did it have an abundance of premises that it could offer to house people. He was pleased to say that the Council had received calls from residents who were offering private accommodation to help the refugees; he stated that these details would be recorded and, following receipt of further information from Central Government, assessed for the best way to proceed.

Finally, Councillor Clarke said that it had been reported in the press that local governments were ready to respond once Central Government had clarified its policy and the resources that were available. He had asked the Cabinet Portfolio Holder to monitor the situation and to work with the relevant scrutiny group to ensure that the Council could react well to the situation following information and clarification from the Government.

Councillor Plant supported the motion and stated that there had been a serious migration problem since the end of World War II. She said that everyone expected there to be a collaborative approach to find a solution to this complex issue both internationally and locally. She acknowledged that it was a difficult issue but queried which scrutiny group would consider the matter.

Councillor G R Mallender supported the motion as the situation in the Middle East was getting worse. He felt that a sympathetic response to the issue should be formulated and that the country should not limit itself to helping 20,000 over the next five years and should take a more proactive approach as



had other countries, such as Germany. He informed Councillors that he had already been asked by his local church and members of the community about the Borough Council's proposals to assist refugees.

Councillor Khan supported the previous comments and said that it was important to understand the circumstances behind the crisis to help formulate a solution.

Councillor Robinson reminded Members that it was Government policy to try and help people where possible without the need to travel, ie close to home and where they did not have to make unsafe journeys.

Councillor Clarke said that this was a very emotive issue. He had considered asking the Partnership Delivery Group to consider the matter as it would be a partnership approach, however as this was an issue that affected the community it would be the Community Development Group who would look at the issue. With regard to timescales he stated that local authorities were awaiting a response from Central Government before anything could be finalised.

On being put to the vote the Motion was carried.

**31. To answer questions under Standing Order 11(2)**

**a) Question from Councillor A MacInnes to Councillor R L Butler**

'Can Councillor Butler, Portfolio Holder for Sustainability inform members if he has any plans to introduce a new planning policy that would require developers to make affordable housing viability studies public?

Currently in West Bridgford the Borough requires up to 30% of affordable housing in new developments of more than ten homes. At the moment developers who claim this makes 'schemes' unviable can keep the study confidential.

If approved this will allow the whole process to become far more transparent - making the viability studies publically available as part of the planning documents means the Borough and residents alike can see precisely why they cannot meet our affordable housing targets.'

Councillor Butler responded that the Council did not have any plans in the short term. He reminded Members that Policy 8 of the adopted Core Strategy stated that there was a requirement for affordable homes on developments of five or more properties. He assured Members that officers worked with developers as part of the guidelines for the National Planning Policy Framework. With regards to the viability studies, these contained commercially sensitive information and therefore would not be available. He acknowledged that this was a national problem and stated that officers were looking at all cases. He assured Members that anything that could improve transparency would be included in Part 2 of the Core Strategy.

### **Supplementary Question**

Councillor MacInnes asked why these issues had not been addressed by the Local Development Framework Group and stated that local authorities in London were introducing these measures.

Councillor Butler replied that one of the London Boroughs was looking at the introduction of this but were at present going through the legal process. He acknowledged the concerns of Members and said that officers were awaiting the outcome of the legal process and would incorporate details, if possible, for consideration of Part 2.

#### **b) Question from Councillor A MacInnes to Councillor J N Clarke**

‘Does the Leader know that there is now a scheme where all residents are required to register to vote and if they do not they could be fined £80, and has Rushcliffe Borough Council imposed such a sanction?’

Councillor Clarke assured Councillor MacInnes that he was aware of the scheme and that Rushcliffe had not imposed any sanctions.

### **Supplementary Question**

Councillor MacInnes stated that the Authority was presently carrying out the annual update of the Electoral Register. He was aware of people in his ward who had been contacted on up to five occasions and were still not registered. He asked Councillor Clarke to outline the actions that would be taken.

Councillor Clarke replied that officers would determine the appropriate action necessary and that if there was an issue this would be reported to Members. He stated that this was a statutory task that each local authority had to carry out.

The meeting closed at 8.40 pm.

MAYOR