



**MINUTES
OF THE MEETING OF THE
COUNCIL
THURSDAY 3 MARCH 2016**

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 R A Adair, K P Beardsall, M Buckle, B Buschman, R L Butler, H A Chewings, J N Clarke, T Combella, L B Cooper, J E Cottee, A J Edyvean, J E Greenwood, R Hetherington, S J Hull, R A Inglis, 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, S E Mallender, D J Mason, S C Matthews, G S Moore, A Phillips, E A Plant, J E Thurman, R G Upton, D G Wheeler, J G A Wheeler

OFFICERS PRESENT:

D Banks	Executive Manager - Neighbourhoods
A Graham	Chief Executive
P Horsfield	Monitoring Officer
P Linfield	Interim Executive Manager – Finance and Commercial
K Marriott	Executive Manager – Transformation and Operations
D Mitchell	Executive Manager - Communities
V Nightingale	Constitutional Services Officer
A Poole	Constitutional Services Team Leader

APOLOGIES FOR ABSENCE:

Councillors N A Brown, A M Dickinson, J Donoghue, M J Edwards, A Pell, S J Robinson, Mrs J A Smith, J A Stockwood and M W Suthers

OPENING PRAYER

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

41. Declarations of Interest

There were none declared.

42. Minutes

The minutes of the meeting held on Thursday 10 December 2015 were received as a correct record and signed by the Mayor.

43. Mayor's Announcements

The Mayor informed Members that he had attended 21 engagements since the last Council meeting and said that it had been an honour to represent the

Borough. He stated that these had all been very enjoyable and interesting experiences. He highlighted a couple of events including his Civic Dinner which had been well received by all who had attended and also his visit to Radcliffe on Trent when he presented flowers to Ellen Jones to mark her 100th birthday. Finally he informed Members of the Holi and Lohri Festival that he had attended, this was a festival of dance that celebrated the arrival of Spring, it had been a magnificent event that he had been pleased to share with the people of Rushcliffe and beyond.

44. Leader's Announcements

There were no announcements.

45. Chief Executive's Announcements

There were no announcements.

46. 2016/17 Budget and Financial Strategy

Councillor Greenwood left the Chamber for this item.

Councillor Clarke presented the report of the Interim Executive Manager – Finance and Commercial regarding the Council's Budget and Financial Strategy and made the following statement:

“Mr Mayor, This is my first budget speech of this Council term of office, and I am pleased once again to confirm the Council has a sound and secure financial position and great reputation for prudent financial management.

I would like to pay tribute to those who ensure this Council maintains its sound financial position. We all have a part to play, every penny we spend as a Council is Taxpayers' hard earned money, whether it comes from Council tax, business rates or fees and charges. It comes out of the pockets of Rushcliffe residents and business accounts, so I am mindful of this(as I know everyone else is) when we have looked at budget proposals over the past few months. We have come through some incredibly challenging years and are still living and working in austere times, which makes for tough decisions, and I am proud of the way in which we work across the parties in a professional and collegiate way; which I am sure is the envy of many councils across the country.

Officers and staff have their part to play, being accountable for ensuring we deliver value for money and best value for every penny we spend. Officers at all levels of the organisation are involved in identifying solutions, I would particularly like to place on record my thanks to the Finance Team, led by Peter Linfield, for the advice they have given throughout the year and the budget process, in what has been a particularly difficult year for that service area. We have a Transformation Programme which has a tried and tested record of delivering substantial savings, some £4.5m in the past 5 years, and projected to deliver a further £1.19m over the next 5 years. This strategy enables us to plan for the future as we identify the challenges that we can meet head-on.

We remain a highly respected and efficient Council. Since 2011/12 to 2015/16 average band D Council Tax has risen from £113.22 to £117.99, which represents a 4.18% increase over 5 years, the equivalent of less than 1% per annum. The Retail Price Index has increased by 11.2% over that same period, so this Council has had to absorb real cost increases in its budget. Band D Council tax still remains by far the lowest in Nottinghamshire, and also remains amongst the lowest of district Councils around the country. Some Districts are more than twice that of Rushcliffe. We've made tough decisions which help both our residents financially and protect the excellent services they have become used to. Rushcliffe remains a fantastic place to live and work – consistently named in the top 10 places to live – this is something we are rightly proud of and we intend to continue to retain that status.

Mr Mayor, in presenting this balanced budget I am pleased to say we will continue to offer the same high quality services ensuring we resource our new Corporate Plan. One thing we cannot be is complacent. Our financial planning ensures we can make both reasoned and reasonable financial decisions. The Chief Executive is charged with delivering our policies and services and continuously reviews and adapts structures, staff and workforce to ensure the best resources are in place within the confines of the financial constraints we have all endured. I am grateful to him and the teams that he leads for delivering ever greater value for money for our residents and businesses.

Rushcliffe Borough Council encourages growth. This is embodied by the setting up of Growth Boards to work with partners and the community, to deliver growth in terms of both businesses and housing and to keep our communities thriving and vibrant. It is worth noting our shopping streets continue to enjoy very high levels of retail occupancy. We are committed to lending £2.7m to the Nottinghamshire County Cricket Club and a further £2.5m to help regenerate Cotgrave. £5.3m remains in the Asset Investment Fund to deliver growth and help the Council on its journey to financial self-sufficiency and sustainability.

We recognise there is more to do, not least looking at the potential for a property development company and identifying the best way forward for both the Depot and Edwalton Golf course. Rushcliffe is committed to innovation as demonstrated by the success of both Streetwise Environmental Limited and the Young project. It is this continual innovative, entrepreneurial and transformational thinking that will keep this Council 'ahead of the game'.

Mr Mayor, Members will be aware of the significant financial challenges that remain. The Comprehensive Spending Review of 2015 will lead to unprecedented structural fiscal reform and significant funding reductions going forward. Given reductions of over £2.6m (or 85%) since 2013/14 in Revenue Support Grant and an anticipated fall in New Homes Bonus, as the Government re-allocates resources to Adult Social Care, the Government has said it expects district councils to raise their Council Tax by up to £5, or 2%, whichever is the higher. As the LGA stated regarding the financial challenge facing Councils "Even if Councils stopped filling-in pot holes, maintaining parks, closed all childrens' centres, libraries, museums, leisure centres and turned off every street light they will not have saved enough money to plug the financial black hole they face by 2020". As I mentioned earlier, given this Council's low level of Council Tax, and continued cost pressures, we are

recommending a £4.95 increase. This is less than 10p a week, less than a pint of milk a month. We are not complacent about this - £4.95 is £4.95 and I am sure some would rather spend it elsewhere. However, It is necessary if we wish to continue with our excellent services and deliver the Council's growth agenda as we look to 'invest to save' for future generations.

The Council is committed to investing in its front line services such as green waste collection and leisure facilities. The budget includes proposals to increase car parking charges in West Bridgford (from 2016/17) and Green waste charges (from 2017/18). The emphasis though is on both re-investing in those services and meeting future demand and cost pressures. Mr Mayor, within the next 12 months we will be relocated in new offices with an enhanced leisure facility at the Arena site. This will help transform and improve services, literally building for the future. The next 12 months will also see the exciting re-development of Bridgford Hall again demonstrating this Council's commitment to both re-invest and develop services and assets, but also to identify income streams as we move onward with our journey to self-sufficiency.

The Chancellor of the Exchequer has recently stated that the budget this month will result in more spending cuts as the "economy is smaller than we had hoped" and "storm clouds are gathering in the world economy". This implies, and gives a clear signal to me, that Govt. constraints may well tighten our finances yet again should the economy come under further pressure. Given this, we recommend that we accept the 'four year offer', on the basis that it is likely to be 'as good as it gets'.

I would also like to raise the spectre of our reserves. We have always argued that we need to retain a healthy level of reserves, this is even more important given the financial risks we face, particularly with the shift in localisation of business rates from 50% to 100% to local government from central government, and the reliance on a more volatile tax base. The report of the Section 151 Officer at Annex A focuses on the level of reserves and their adequacy. The Government does accept the importance of reserves as the SoS stated recently, "it seems that it is reasonable for councils to have reserves, just as, as a nation, we are looking to create a surplus as a buffer against the ups and downs of the economy in the year ahead". Indeed Mr Mayor, it has proven our policy of financial prudence to be the correct course of action. I also accept we cannot keep using reserves to prop-up our budgets, it is simply not sustainable. This budget now ensures the previous £300,000, per annum, that was being committed from the Organisation Stabilisation Reserve over the life of the Medium Term Financial Strategy, is removed. This is important given pressures on funding capital schemes and in particular the projected loss of New Homes Bonus going forward.

This budget is designed to protect our services, assist our residents and ensure this council is financially 'fit for the future'. With that Mr Mayor I would like to move the recommendations at pages 8 and 9 of this report."

Councillor MacInnes stated that this was the most far reaching and toughest budget the Council had set. There were limited financial resources and the Government wanted local authorities to be self-reliant by 2020. There were changes to the business rates and the information that was being circulated regarding the provisional settlement was bad news for local government. He

had concerns about the finances including the £72,000 transitional grant and the opportunity to increase planning fees as this could lead to a risk from private competitors. He stated that there had been minor concessions from Government however, this was not enough to plug the funding gap and therefore councils would have to ask residents for more money by increasing the Council Tax. He felt that residents were better protected in the medium to long term by increasing Council Tax and ensuring that there was increased stability in the Council's finances.

He stated that the Labour Group had been active in asking for more affordable homes as they had been disappointed by the numbers coming forward in the past. He believed there was a need to have a company to provide affordable housing, that would not be subject to the Right to Buy scheme, that would also generate an income stream.

In conclusion he thanked the Interim Executive Manager – Finance and Commercial and his staff for the well written and understandable report on a very complex issue.

Councillor Jones also thanked staff for their hard work especially as he recognised that the Government had kept finances to local government, and Rushcliffe in particular, tight. He highlighted the fact that Rushcliffe's Council Tax was lower than neighbouring authorities as there were more houses in the higher bands, whereas Ashfield District Council had a significant number of properties in Band A. Also Rushcliffe had a large number of parished areas compared to other authorities.

He agreed that, as the Government were allowing local authorities to increase the Council Tax by a small amount this was the only sensible route. However, there were elements of the report that he wished to draw to Members' attention. This included the increase in car parking charges in West Bridgford, although no other towns were affected and there was no indication of what the upgrade would be. He would support an equalisation of payments over the whole day, however he felt that this was a mish mash of charges. He welcomed the development of a property company as long as it was directed by the Council and provided low cost and starter homes; especially as the provision of social housing had been a declining target for Rushcliffe. He noted that other local authorities had taken this approach. He noted that, in the recently published Cabinet report, there was an underspend of £409,000 on the investment in social housing, he felt that the Council should urgently improve the situation. The report says that the social housing allocation may be revisited he strongly believed that it must be reviewed.

Councillor Jones stated that as part of the service efficiencies there were a number of savings including burial provision for people with no means and a planned ending to the provision of committee papers. In the budget report dated 6 March 2014 there was an equivalent saving of £5,000 for this year but it also had £11,000 for future years' up to 2018/19 for 'Printing for Member meetings, Council Publications and Promotion'. He queried what budget remained for publications and promotions.

Councillor Jones was concerned that the decisions of budget workshops were being reported in this manner. He pointed out that workshops were not

committees, they were not decision making bodies nor were they minuted. He acknowledged that officers used the views of these workshops to formulate policies, however this should be done carefully to ensure that one view is not taken out of the many. If this practice persisted he felt that minority groups should cease to take part in these workshops. He asked the Leader for assurances that this type of reporting should cease.

Councillor S Mallender supported the comments regarding the work of the staff and that the report was well written and understandable. The Green Party agreed that there was no other choice than to raise the Council Tax because of the policies of Central Government. She felt that the budget workshops were extremely useful but agreed that not everyone's views were reflected in the report. She said that she would have liked to have seen an increase to the car parking charges across the Borough and not just West Bridgford. She welcomed the redevelopment of Bridgford Hall and felt that this would make a huge improvement to the area. She also welcomed the development of a property company and hoped that this would mean that Rushcliffe would be building its correct allocation of affordable housing in the future. With regards to the green bin scheme she suggested that the second bin should be more expensive than the first one. In respect of the proposal to go paperless she was very supportive of the idea for office work and for meetings, however she was very concerned about the Development Control Committee meetings as it would be difficult for Members if they did not have their own monitors.

Councillor S Mallender highlighted the proposals for the setting up of a company for the YouNG project she felt that this would give young people a voice. In summing up she stated that to have a sustainable and thriving economy there had to be growth and to achieve this she would be supporting the recommendation, however she did have reservations as there was no real choice.

Councillor Clarke thanked Councillor MacInnes for his support. With regards to the New Homes Bonus he stated that the District Council Network and the Local Government Association were lobbying for a better deal. He was pleased to note that all Members felt that Rushcliffe was a great place to live and therefore people wanted to move to the area.

With regard to social housing allocation he recognised that there were viability issues on applications, especially large scale applications that had been originally submitted in a more buoyant economic market. Officers considered schemes and their viability and it had been acknowledged that it was better to have slightly less housing than not have a scheme at all, although ways of increasing the numbers were always being considered.

In respect of printing for committees he said this was part of the paper lite aspiration which was different to paperless. He said that there would be some need to print however it was envisaged that this would be minimal. He referred Councillor Jones to the report which stated the budget for Council Publications and Promotions, which had also been reduced. He acknowledged that there were many views coming out of the workshops and that all views were taken into account but not automatically included in the report. He stated that the workshops were a colligative approach, that they were cross party and consequently the discussions were invaluable.

With regards to car parking this was an issue that was at the fore front for the recently appointed Growth Boards for West Bridgford and Bingham/Radcliffe on Trent. He stated that it was a question of balance to ensure that the communities and the centres stayed vibrant. He informed Members that car parking was being considered and reviewed, with the possibility of long term parking, short term shoppers parking and some free time.

In respect of Bridgford Hall he thanked the Executive Manager - Transformation and Operations and her staff for all their hard work in obtaining the funding and leading on the redevelopment. He stated that it was imperative that this project was completed as quickly as possible as it was a well-respected wedding venue.

In answer to Councillor Mallender in respect of the green bins he felt that she was proposing a progressive tax, although this was not a tax at all. It was a scheme where residents could opt in. He said that there Member discussions had taken place and that this had been agreed as a reasonable way forward; however it could always be reviewed.

Councillor Clarke replied to Councillor Jones that all views were taken into account following the workshops and he assured him that it was not just the majority view and that comments were not hidden or camouflaged. However, it had to be noted that you could not always satisfy everyone.

On being put to the vote the Recommendation was carried.

For

Councillors R A Adair, K P Beardsall, M Buckle, B Buschman, R L Butler, H A Chewings, J N Clarke, T Combella, L B Cooper, J E Cottee, A J Edyvean, R Hetherington, S J Hull, R A Inglis, 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, S E Mallender, D J Mason, S C Matthews, G S Moore, A Phillips, E A Plant, J E Thurman, R G Upton, D G Wheeler, J G A Wheeler (32)

Against

Nil

Abstain

Councillors F A Purdue-Horan and G Davidson (2)

RESOLVED that Council:

- a) Accepts the report of the Council's Responsible Financial Officer on the robustness of the Council's budget and the adequacy of reserves (as detailed at **Annex A**);
- b) Adopts the budget setting report and associated financial strategies 2016/17 to 2020/21 (**Annex B**) including the Capital Strategy (**Appendix 5**) Transformation Strategy and Programme to deliver efficiencies over the five year period (**Appendix 3**).

- c) Adopts the Capital Programme as set out in **Annex B, Appendix 4**.
- d) Sets Rushcliffe's 2016/17 Council Tax for a Band D property at £122.94.
- e) sets the Special Expenses for West Bridgford, Ruddington and Keyworth, **Appendix 1**, resulting in the following Band D Council tax levels for the Special Expense Areas:
 - i) West Bridgford £52.92 (£52.44 in 2015/16)
 - ii) Keyworth £1.48 (£1.76 in 2015/16)
 - iii) Ruddington £3.53 (£3.57 in 2015/16)
- f) Adopts the Treasury Management Strategy 2016/17-2020/21 and associated prudential borrowing indicators (**Annex B, Appendix 6**).
- g) Adopts the 2016/17 Pay Policy as detailed at **Annex B, Appendix 8**.
- h) Accepts the 'four year offer' as part of the financial settlement.

47. **Council Tax Setting 2016/17**

Councillor Clarke presented the report of the Interim Executive Manager – Finance and Commercial which set out the Council Tax Resolution for 2016/17. This consolidated the precepts of Nottinghamshire County Council, Nottinghamshire Police and Crime Commissioner, Nottinghamshire Fire Authority, the Borough Council, Special Expenses and individual Town and Parish Councils.

Councillor Clarke stated that, following approval of the previous item, this was a technical calculation.

`RESOLVED that Council approve the Council Tax Resolution for 2016/17 as detailed at **Appendix A**.

48. **Appointment of Executive Manager - Finance and Corporate Services**

Councillor Clarke presented the report of the Chief Executive which detailed the appointment process. Following Council's decision in December 2015 the post had been advertised internally and Mr Peter Linfield had undertaken a technical assessment and been interviewed. Councillor Clarke was pleased to recommend that Mr Linfield be formally appointed and take up the position that he had been fulfilling in an interim role.

Councillor MacInnes stated that he had been a member of the Interviewing Committee and that he was pleased to support the recommendation.

Councillor Chewings was pleased to support the recommendation. She stated that Mr Linfield was able to explain the finance topic in a very easy to understand way. She recognised his excellent capabilities as both an

Executive Manager and as the Section 151 Officer. She looked forward to seeing both him and the department flourish.

It is RECOMMENDED that:

- a) Mr Peter Linfield is appointed to the post of Executive Manager (Finance & Corporate Governance).
- b) Mr Peter Linfield is designated as the Council's Section 151 officer.

49. **Corporate Strategy 2016 - 2020**

Councillor Clarke presented the report which outlined the new Corporate Strategy. He stated that this document was building on the firm foundations that had been set by the 2012-16 Strategy, by supporting growth and valuing young people through the Corporate Priorities.

Councillor MacInnes stated that there had been significant achievements and outcomes from the present Strategy in a hostile and changeable environment. He acknowledged the hard work of the staff, especially those that had taken on new responsibilities, who had been affective in meeting the ambitious targets. He outlined some of the successes including the adoption of the Local Plan after 15 years; the creation of Streetwise Environmental Ltd and the forthcoming Arena project. He referred to the Council Tax Support Scheme and the difficulties in respect of an anchor store for the regeneration of Cotgrave project. He was pleased to say that the proprietors of the aparthotel, part of the Bridgford Hall renovation project, were keen to be involved in the local area and especially with the existing shops and restaurants.

He stated that the new Strategy had new tasks and outcomes that whilst not as extensive as the current Strategy were ambitious. He was concerned, however, about congestion in central West Bridgford and stressed that there was a need to have parking solutions, especially resident's parking schemes as he felt that the on-street parking would increase due to car parking charges. He felt that parking should be included within the new Strategy. He was disappointed that the new Strategy had not been presented to a scrutiny group to consider before being presented to Council.

Councillor Jones congratulated staff who had been working under very difficult circumstances. He stated that the development at Cotgrave should be completed in the near future and that the centre of West Bridgford also needed to be considered. He was concerned that multinational companies were coming into the area and he didn't want it to lose its vibrancy. He believed that there should be a multi-agency plan agreed for the whole area and not just Tudor Square. He noted that there was no increase of social housing included in the Strategy and that the proposed property company was not mentioned. He was disappointed that there was no emphasis on a green environment for the Borough, especially tree planting which had previously been discussed by Council. Although he did not have any problems with the majority of the Strategy he did not feel that he could support the recommendation.

Councillor D Wheeler thanked the Performance, Reputation and Constitutional Services Manager and her team for producing an easy to read document with challenging targets. He assured Members that the Performance Management Board would carefully consider the document and the completion of the tasks. He stated that, through joint collaboration, the information provided for the Board by officers had improved over the years.

In response to Councillors' comments Councillor Clarke stated that the Member Budget Workshops had provided the information to develop the new Strategy. In respect of parking, congestion and the need to revamp the centre of West Bridgford these did not appear as specific items in the Strategy as they were encompassed into the work of the Growth Boards. These Boards were fundamental in the consideration of these issues and would engage with a variety of partners including Nottinghamshire County Council in respect of on and off street parking. He was confident that these issues would be addressed as part of the on-going work of the Boards.

With regard to the property company he stated that this was at an embryonic stage and that there was a considerable amount of work needed to develop it. He was confident that the Strategy was the correct way to move the Council forward.

RESOLVED that Council had considered the Corporate Strategy 2016-2020 and agreed to its adoption and publication.

50. **Notice of Motions**

- a) The following Notice of Motion was proposed by Councillor J N Clarke and seconded by Councillor D J Mason.

This Council supports the continuation of the required process to enable Rushcliffe Borough Council to become a constituent member of a potential Nottinghamshire/ Derbyshire Combined Authority. This would be contingent upon ratification of a devolution deal by full Council in the future.

Councillor Clarke emphasised the fact that this was not intended to be a final decision but a proposal to continue with the negotiations for a process that, he felt, would increase the benefits that Rushcliffe enjoyed. This was a collaboration of 19 local authorities and unless there were benefits for Rushcliffe he did not believe that the Council should sign up to the deal. He thanked the Chief Executive for his support during the negotiations and meetings. He stated that the principle benefits that would arise would be additional employment skills and jobs. He informed Members that the Chief Executive was leading on this theme.

He stated that there would be a meeting of the 19 councils on the following day to proceed with the proposals and that it had been noted that some Derbyshire councils did not wish to continue with the negotiations. However he believed that it was better to continue with the negotiations and to identify the benefits for Rushcliffe than to

withdraw. He wanted to obtain the best deal for the Borough and then have a full discussion at a future Council meeting.

Councillor Plant supported the motion. She said that the 19 councils had been negotiating for nearly a year to bring skills and infrastructure to the region. She did have some concerns especially regarding the Government's wish to have an elected Mayor, she felt that, for this diverse area, there was no necessity for a single Mayor. She felt that it would be an added cost and that there would be no accountability. She was not sure that the £32,000,000 would be adequate to carry out all the services and she did not feel that any additional responsibilities should be accepted without extra funding. She said that Central Government did not want to cede any powers and that the Council should seize every opportunity that it could, especially as all local authorities would be faced with unparalleled costs in the future. She believed that the residents would also expect the Council to take every opportunity to bring increased skills, jobs, transport and infrastructure to the region.

Councillor Jones said that he could not support the motion as there were too many faults in the process. He felt that the real power would not be devolved just the delivery of the services and that there would be no powers to raise revenue, also he was not sure that the extra money that was being offered would be forthcoming. He did not feel that an elected Mayor was the correct way forward as this person would not have anyone behind them; it would be equivalent to a London Mayor without an assembly. If the Mayor was to takeover the duties of the Police & Crime Commissioner and also oversee the Fire Authority many of the rural communities would feel that their services would be subsumed into the conurbations and they would feel left out. He was also concerned about the Mayor's accountability.

He did believe that power should come down to the local area but not in this manner. He pointed out that if a local authority wanted to raise the Council Tax beyond a certain limit there had to be a referendum but on this subject there had been no public consultation undertaken. He was concerned that there was no a cogent regional structure and that some areas would be outside of the arrangements. He felt that the deal had been badly planned and he would be voting against the motion.

Councillor G R Mallender stated that he supported the principle of powers for the regions and that it should not be with Central Government. However he had some issues with how this deal had been formulated. He acknowledged the hard work of the officers and the leaders of the councils. He stated that Chesterfield Borough Council wanted to be a non-constituent member of the Midlands deal but a constituent member of the Sheffield deal. He acknowledged that the region had a vast variance of areas and that some were closer to Manchester and others to Sheffield. He felt that the emphasis should be put on City deals. He was also concerned that there was no mention of consultation or how a Mayor would be elected. He felt that all political parties had a number of shared views on this topic.

Councillor Clarke agreed that he too shared some of these concerns, especially in regard to an elected mayor. However he believed that there were greater benefits. He acknowledged that he had been frustrated and concerned when the Government had changed the parameters. He pointed out to Members that he was asking that the Council remained in the negotiations until all the avenue had been explored and all opportunities exhausted. He said that the Police and Crime Commissioner's role had not been included in the Nottinghamshire/Derbyshire proposals whereas it had in other areas. He stated that although Chesterfield had voted to join the Sheffield deal legislation would not allow it, especially as Bolsover and North East Derbyshire had voted to stay in. He acknowledged that other local authorities had decided not to continue with the negotiations, he also said that there had been mixed involvement from the various Members of Parliament. He had discussed the deal with Ken Clarke MP and said that Mr Clarke had understood the benefits that would come to Rushcliffe if the deal was to come to fruition. He said that the deal was all about additional funding and being able to unlock the funding that was required. He assured Members that all the details would be available for the final negotiations and debate.

On being put to the vote the motion was carried.

- b) The following Notice of Motion was proposed by Councillor S E Mallender and seconded by Councillor G R Mallender.

The Council resolves to support the We Own It campaign 'Our Services Our Say'. People need to be the priority in public service delivery. Public ownership should be the default, so a public interest case must be made for any outsourcing or privatisation. There should always be an in-house bid on the table if services are to be contracted out.

Councillor S E Mallender stated that she had been asked by residents in the Lady Bay Ward to put forward this motion, who believed that most of the services were provided in-house. However, she acknowledged that this proposal was probably several years too late. It was also complicated by the sharing of services and resources and the fact that many areas had a parish council. However, she pointed out to Members that across the country the number of services outsourced had doubled over the period of the last parliament and these arrangements had not produced the forecasted savings. She had little trust in outsourcing and wanted to see more accountability from these companies. She believed that in-house services were more flexible and capable of producing savings.

In the Borough there had been problems with Metropolitan Housing Trust, Parkwood and Carillion. Also if the contracts were awarded to a particular company, voluntary sector provider or a social enterprise there was no guarantee that the service would remain with them when the contract had to re-tendered. She wanted to see greater transparency especially from private companies that were running public services. She also wanted to be able to recall the service if it was underperforming. Councillor S E Mallender asked that when any

service was to be outsourced this Council would always ensure that there was an in-house bid made and if this was not appropriate that there should be an adequate explanation given to all Members.

Councillor MacInnes supported the principles of the motion, especially the requirement for an in-house bid. He highlighted Streetwise Environmental Ltd and how this was a social enterprise. He felt that all the preparatory work that had been undertaken for a successful roll out should be used as an exemplar.

Councillor Jones also supported the principles and agreed with the comments regarding Streetwise. He urged that the same options should be considered when setting up the proposed property company. He was alarmed that the Freedom of Information regulations did not apply to private providers of health care.

Councillor Lawrence stated that he could not support the motion as he did not feel that the Council should favour one workforce instead of another. He also believed that the Council should always look for the best value for its residents.

Councillor Clarke was not sure which residents were unhappy with the present arrangements. He was confident that residents were happy with the operations of Streetwise and he highlighted the company's flexibility and innovative ways of working. In fact, if the Council had applied this motion then Streetwise would have to work against the Council. He did not feel that it should be obligatory to have an in house bid as this would stifle choice and would not be entrepreneurial. It would also not always be appropriate and could lead to inefficiencies within the finances. He wanted the Council to remain flexible and versatile and to provide high quality services that everyone could be proud of.

Councillor G R Mallender agreed with Councillor Clarke that the Council should be doing its best within the financial constraints that were being set by Central Government. He believed that it should be in house publically funded services rather than councils being forced to privatise.

In summing up Councillor S E Mallender stated that Streetwise was an excellent example of where an in house bid would have been inappropriate. This was a company that was a social enterprise employing the same employees. She recognised that Streetwise were very much appreciated by the residents. She wanted to know what would happen when the company could not make the same bids and choices at the next stage. She believed that it was important that the Council did not just look at costs and took a wider view which would look at how the employees were treated.

On being put to the vote the motion was lost.

51. To Answer Questions Under Standing Order 11(2)

a) Question from Councillor R M Jones to Councillor R L Butler

'Given that the Council will neither take on ownership nor maintenance of common land, swales, SUDS and community parks within areas of new housing; how can the Council both ensure that management companies doing this task are not subsequently able to change the designation of such land and stop them seeking to profit by selling the land for other purposes?'

Councillor Butler responded that the provision and retention of open spaces was secured by the planning and Section 106 agreements. Changes of use could only be granted through planning negotiations.

Supplementary Question

Councillor Jones asked that, given the policy left new owners with a 'roof tax', could the Council assist with arrangements for residents to have a say. Councillor Butler replied that this was not a 'roof tax'. He said that the Council had learnt lessons from previous developments where management arrangements had not been formalised. He also said that residents did have a say in the decision making process.

b) Question from Councillor R M Jones to Councillor R L Butler

'If a management company responsible for maintaining common land on new housing areas were to go bust, how will the Council guard against that eventuality and can binding arrangements be put in place at the outset to ensure continuity of maintenance?'

Councillor Butler stated that the management agreement would be required as part of the planning application approval or Section 106 and that this would remain in force. If the company were to go bust the Council would need to consider what actions could be taken with the landowner.

Supplementary Question

Councillor Jones asked if the Council could legally approve the right for the Council to take over responsibility. Councillor Butler said that it could not as the land belonged to the landowner. He also said that at the time planning permission was granted the decisions regarding the management company's responsibilities would be agreed.

c) Question from Councillor S E Mallender to Councillor R L Butler

'Why does Rushcliffe Borough always accept housing developers' viability studies to allow them to reduce the number of affordable homes on their sites?'

Councillor Butler responded that the Borough Council never accepted their findings and that the studies were assessed and independently reviewed.

Supplementary Question

Councillor S E Mallender asked how were the people of Rushcliffe assured that there was an independent scrutiny of developers' viability studies. Councillor Butler replied that this was a Council policy and that there was a detailed planning process. He stated that viability covered many aspects of life and not just affordable housing. He also said that these reviews were not only undertaken by the Borough Council but by the District Valuer and appointed consultants. He assured Members that there were mechanisms in place.

d) **Question from Councillor G R Mallender to Councillor R L Butler**

'In the last two years how many occasions have there been in the Borough where planning conditions have been breached and enforcement action taken?'

Councillor Butler responded that there had been three.

Supplementary Question

Councillor G R Mallender then asked how many of these enforcement actions had resulted in compliance with the planning conditions. Councillor Butler replied that there had been 115 claims of breaches. These complaints had been investigated and 16 had been identified for further consideration and following negotiations only three had required a formal notice to be issued.

The meeting closed at 8.50 pm.

MAYOR