



**MINUTES
OF THE MEETING OF THE
COUNCIL
THURSDAY 22 SEPTEMBER 2016**

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

PRESENT:

Councillor G Davidson – Mayor
Councillor L B Cooper – Deputy Mayor

Councillors K P Beardsall, N A Brown, M Buckle, B Buschman, R L Butler, H A Chewings, J N Clarke, T Combellack, J E Cottee, A M Dickinson, M J Edwards, A J Edyvean, J E Greenwood, S J Hull, R A Inglis, Mrs C E M Jeffreys, R M Jones, K A Khan, N C Lawrence, A MacInnes, Mrs M M Males, G R Mallender, S E Mallender, S C Matthews, G S Moore, A L R A Pell, A Phillips, E A Plant, F A Purdue-Horan, S J Robinson, J A Stockwood, Mrs M Stockwood, J E Thurman, R G Upton, D G Wheeler, J G A Wheeler

ALSO IN ATTENDANCE:

Revd. T Jones	Mayor's Chaplain (part of meeting)
Cadet J Bramley	Mayor's Cadet
Cadet R Oldknow	Mayor's Cadet
Mrs Bramley	
Mrs Oldknow	
J Scott-Lee	Streetwise Environmental Ltd
Bob Alderton	Streetwise Environmental Ltd
Jayne Neary	Streetwise Environmental Ltd
Ricky Jackson	Streetwise Environmental Ltd

OFFICERS PRESENT:

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

APOLOGIES FOR ABSENCE:

Councillors R A Adair, J Donoghue, R Hetherington, E J Lungley, D J Mason, Mrs J A Smith

OPENING PRAYER

The Meeting was led in prayer by the Mayor's Chaplain and a minute's silence was held for former councillor Eddie Fearon who passed away recently.

18. Declarations of Interest

There were none declared.

19. Minutes

The minutes of the meeting held on Thursday 30 June 2016 were received as a correct record and signed by the Mayor.

20. Mayor's Announcements

The Mayor reminded Councillors that the funeral of former councillor Eddie Fearon would be held at Saint Mary's Church, Radcliffe on Trent on Monday 26 September 2016 at 11am.

He also welcomed back to the Council, Councillor Mrs M Stockwood, a colleague for the Cranmer Ward

The Mayor also reminded Councillors of the role of his Cadets and presented a certificate of appointment to Cadet Jamie Bramley from the Army Cadets as she had been unable to attend June Council.

He informed Councillors that since the last meeting of Council, he had attended 26 events and that there were two in particular that he would like to highlight. Firstly, his visit to the West Bridgford Horticultural Society Show, where he saw Councillor MacInnes awarded 1st prize for his blackberries. The second event enjoyed by the Mayor recently was the Queen's Award for Voluntary Service presented to the Vale First Responders by the Lord Lieutenant, Sir John Peace. He recognised the admirable work of the responders, who are all volunteers, in supporting the Ambulance Service. The Mayor ended by commending the people of Hickling for the tremendous amount of work they put in to producing an amazing Hickling Scarecrows event.

21. Leader's Announcements

The Leader informed Councillors that he had attended, along with the Chief Executive, a briefing session at the Defence and National Rehabilitation Centre at Stanford Hall – the purpose of which was to inform potential staff who were considering moving to Rushcliffe from Surrey, about the Borough and all it had to offer.

22. Chief Executive's Announcements

The Chief Executive announced that Streetwise Environmental Ltd had won an award at the Association of Public Service Excellence Annual Service Award 2016 for the best employment and equality initiative. He highlighted that this was a great tribute to the Streetwise staff who keep the borough in a state of which we are all proud. The Mayor added his congratulations to Streetwise Environmental Ltd.

23. **Approval of the Statement of Accounts 2015/16**

Councillor Robinson presented the Statement of Accounts 2015/16 and reassured Councillors that they had been reviewed by the Corporate Governance Group and reported on by the external auditors. He explained that, if the accounts were agreed by Council, the Mayor and Section 151 Officer would sign the Letter of Representation at Appendix B. He highlighted the successes of the Council – achieving delivery of affordable homes, saving in excess of £4 million via the Transformation Strategy and growing our investment income. He explained that the success in securing the Growth Deal funding directly affected projects in Cotgrave, Newton and Bingham – which were all about housing provision and job creation. Regarding income streams, he explained that 60% of the Council's income came from central Government (this includes housing benefit) and that the Revenue Support Grant would reduce to zero by 2019/20. All of which, underpinned how challenging the environment ahead would be.

Councillor Robinson emphasised that, despite the financial challenges there were large capital projects underway – the Arena which would be completed in December 2016, Bridgford Hall which was due in April 2017 and the Cotgrave transformation. He closed by recognising the efforts of the Executive Manager – Finance and Corporate Services and his team in producing such a quality document. This was echoed by Councillors.

Councillor MacInnes recognised the challenges experienced throughout the financial year 2015/16 and added that the outlook for 2016/17 looked politically and financially more demanding with more uncertainty around the economy following Brexit, the loss of EU funding to local regeneration and local uncertainty about the future of the North Midlands Devolution Deal. He highlighted the expected increasing pressure and reported that, despite the challenging year ahead, the Council was well-placed to cope with the financial challenges and he supported the drive for self-sufficiency.

Councillor Jones expressed his concern about the Council's inability to deliver housing supply as he believed that Government rules unfairly supported developers in securing extra areas of land. He also queried the reference to the increase in Government funding for adult social care and expressed concern that a choice had been made between appropriate funding for this area as opposed to funding for Rushcliffe.

Councillor S Mallender supported the comments made by Councillor Jones regarding land speculation by developers. She informed Councillors that she was pleased to see that the Council had achieved the target for the provision of affordable homes in the Borough. She stated that the Council should be proud of the Bridgford Hall and Arena developments.

Councillor Clarke agreed with the comments made by Councillor MacInnes regarding the challenges experienced and stated that the achievements had been made without reducing service quality.

Councillor Jones added that he was concerned about the 5 year land supply and sought confirmation that the Local Government Association was lobbying

Ministers with the viewpoint that it was not the responsibility of the local planning authority that houses had not been built. He added that access to finance was also an issue for house buyers.

Councillor Clarke informed Council that the LGA had lobbied on behalf of local authorities around the country. He highlighted that the Government had added 2% to the Council Tax bill as they recognised the added burden that county councils experienced with the cost of adult social care and that district councils contributed to adult social care provision. He echoed Councillor Robinson's comments, and stated that the Council should be proud of all that it delivered.

In conclusion, Councillor Robinson thanked colleagues for their support and stated that he had every confidence that the officer team would address the risks and challenges going forward.

RESOLVED that the Council approve:

- a) The Statement of Accounts for 2015/16 (**Appendix A**); and
- b) The Management Representation letter (**Appendix B**).

24. **Proposed Introduction of a Public Space Protection Order**

Councillor Robinson explained that the Designated Public Place Order (DPPO) currently in place in the Trent Bridge area of West Bridgford was a tool to tackle anti-social behaviour. He proposed the introduction of a new order – the Public Space Protection Order (PSPO) available to Local Authorities under the Anti-social Behaviour, Crime and Police Act 2014, which would focus on street drinking and rough sleeping. The areas to which it would be applied were detailed in Appendix 1 and 2 of the report. The penalty was a fine of £100 (£60 if paid earlier) to a maximum of £1000. He informed Councillors about the consultation that had been carried out with stakeholders and that the Community Development Group had endorsed the proposal at their August meeting.

Councillor Edwards responded that the proposed PSPO covered a wider area than central West Bridgford and highlighted that the existing Order had worked well in the Trent Bridge ward. He expressed regret that the Police data available for the area, did not detail what was attributable to street drinking or rough sleeping. He was concerned that the fines would be unlikely to be paid by anyone who was rough sleeping and would therefore, be seen as unreasonable which would be to the detriment of the Council. He said that cooperation between the Council and the police was vital as enforcement in a much wider area may prove problematic. He requested a report on the effectiveness of the PSPO after one year of operation.

Councillor Sue Mallender echoed Councillor Edwards' reservations. She stated that she was aware that the present order worked well in the Trent Bridge ward and highlighted problems experienced in Lady Bay ward with the levels of young people drinking. She informed Councillors about specific cases of rough sleeping on Bridgford Park and expressed concern about what was being done to support people in such dire circumstances. She said that she had requested reports about what was happening as a result of this order.

Councillor Jones welcomed the proposal and supported the concerns expressed about rough sleepers. He highlighted issues experienced at Sharphill Woods, stating that it was important to explain the new orders to the public so that they understood that they could still picnic in the park.

In conclusion, Councillor Robinson agreed that feedback would be sought on the effectiveness of the order going forward and emphasised the need to ensure a quality of life for residents.

RESOLVED that

- a) a Public Space Protection Order be made to control street drinking and rough sleeping in the areas set out in Appendix 1 and 2, and
- b) that the current delegation to the Executive Manager – Neighbourhoods be amended to authorise the use of all enforcement powers included in the Anti-Social Behaviour, Crime and Policing Act 2014 including the use of Community Protection Notices and Fixed Penalty Notices for breaches of the Public Space Protection Order.

25. **Future External Audit Procurement**

Councillor Robinson presented a proposal which detailed options for procurement of external auditors from 2018. He explained the options presented in the report and highlighted option 3 – selecting the Sector-Led Body – as the preferred choice. This gave economies of scale, required less administration by the Council and resulted in lower audit costs.

Councillor MacInnes supported the recommendation as he was aware of the significant resource implications of the other options presented and the financial and social benefits of Option 3 – which was a not for profit company.

Councillor R Mallender supported the recommendation, although he expressed concern about the need to sign up to the agreement by January 2017, which was prior to the full costs being confirmed in March 2018. He asked that this be closely monitored.

Councillor Moore referred to the quality of the external audit report and stated that he would not want to see any diminution in the quality of the report.

RESOLVED that full Council 'opt-in' to the LGA's SLB approach to procure future external audit contracts and the use of Public Sector Audit Appointments Ltd (PSAA) as the body to manage the process.

26. **Scrutiny Annual Reports 2015/16**

Councillor Clarke presented the Scrutiny Annual Reports 2015/16 and highlighted the valuable role of the four scrutiny groups in contributing to the achievements of the council.

Councillor Chewings thanked all officers and Councillors who made up the four scrutiny groups for carrying out their role, and asked probing and appropriate questions about varied subjects.

Councillor Moore, Chairman of Corporate Governance Group, thanked group members for their hard work, thoroughness and professionalism. He highlighted the busy year ahead and thanked the Executive Manager – Finance and Corporate Services for his support.

Councillor Combellack, Chairman of Community Development Group stated that it had been an eventful year and informed Councillors that they had scrutinised a wide range of issues including provision of broadband, housing provision for asylum seekers and alternative energy. She sought Councillors' suggestion regarding issues for future scrutiny by the group.

Councillor Wheeler, Chairman of Performance Management Board, highlighted two items that had been challenging to scrutinise. Firstly, the contract for Streetwise Environmental Ltd and secondly, the provision by Glendale Golf at Edwalton Golf Course. He thanked the Vice Chairman, Councillors and officers for their hard work.

Councillor Greenwood, Vice Chairman of Partnership Delivery Group, informed Councillors that it had been a very busy year and highlighted the scrutiny of the fleet maintenance agreement with Nottingham City Council and of the work with Metropolitan Housing who had secured jobs for their tenants with Streetwise Environmental Ltd.

Councillor Clarke added that the Positive Futures project had spread across the borough and thanked all scrutiny group members and officers.

Councillor R Mallender recognised the hard work of the scrutiny groups in addressing issues such as rural broadband.

RESOLVED that the Council endorse the work undertaken by the four scrutiny groups.

27. The Mayor proposed a change to the running order to the agenda to move to Item 13 'Motions' and Item 14 'Questions' before considering the confidential item on the Civic Centre Disposal.

RESOLVED to consider items 13 and 14 prior to item 12 on the agenda.

28. **Notice of Motions**

- a. The following Notice of Motion was proposed by Councillor R M Jones and seconded by Councillor S Hull.

This Council is committed to accountability and openness to the residents we represent and requests that the minutes of the Growth Boards be in the public domain with the usual exceptions of where there are matters of an individual and personal nature and tenders for and commercial contracts

Councillor Jones added that he was not contesting the establishment of the growth boards or their aims, but he was concerned about the transparency, openness and accountability of the boards. He added that, although members of each growth board could see the notes of the meeting, other Councillors could not do so and the meetings were not public.

Regarding openness, he highlighted that a recent article in Rushcliffe Reports which showed that only 37% of residents felt that they could influence events in their area, supported the need for publication of the notes of the growth board meetings so that residents could see what was happening in their area. He also questioned how this approach met the requirements of the Constitution, which required that the principles of decision making included openness and accountability.

Councillor Hull seconded the motion.

Councillor Clarke informed Councillors that he did not support the motion as he believed that the growth boards were viewed as an extremely important part of Borough Council activities regarding the proposing and encouraging of business growth. He added that it was incumbent upon members of the growth boards to promote economic vibrancy in communities. He reminded Councillors that the individual growth boards, sub groups of the main Rushcliffe Strategic Growth Board, were council member working groups and it was established practice that these were not open meetings to enable proper debate and full working discussion. He assured Councillors that there were no secrets as the conclusion or proposal from the working groups was presented to one of the scrutiny groups.

Councillor Robinson added that transparency was important. He highlighted the work of the Cotgrave Growth Board, and how they had briefed residents throughout the project on progress – in a controlled and managed but transparent way. He recognised the sensitivity of the work strands considered by the growth boards but assured Councillors that he was happy that they fulfilled their obligations. He added that membership of the boards had been chosen to ensure that stakeholders were represented and it was their role to brief people.

Councillor Jones said that he was disappointed to hear the counter argument being put forward and stated that it was a poor reflection on the Borough Council and their commitment to the constitution.

On being put to the vote the Motion was lost.

b. The following Notice of Motion was proposed by Councillor Khan and seconded by Councillor R M Jones.

Given that there appears to be activity to select one or more persons to look at the whole of West Bridgford for a Growth Board, this Council requires that any selected person will provide transparency of their activities and outcomes to the residents of West Bridgford and their elected Borough representatives.

Councillor Khan expressed concern about the expected appointment of one or two commissioners, which he believed was not consistent with democracy and localism. He stated that the appointment was not transparent as a formal announcement or update had not been given. He believed the decision to appoint two commissioners had been taken behind closed doors and the elected representative on the West Bridgford Growth Board had not been kept up to date. He asked that members of the council be appointed to the West Bridgford Growth Board and not others from outside the Council.

Councillor Jones seconded the motion.

Councillor Robinson supported the motion and announced the appointment of three West Bridgford Commissioners who would be totally independent of the borough council. He highlighted the report to Cabinet in January 2015 which set out that external expertise and knowledge would be utilised to support the board. He informed Council that the commissioners brought skills, expertise and total independency. He announced the Commissioners as:

- Mick Burrows, former Chief Executive of Nottinghamshire County Council and a West Bridgford resident
- Timothy Richmond OBE, Vice Lord-Lieutenant of Nottinghamshire
- Professor Kim Cassidy – Nottingham Trent University

He added that they would support the work of the growth board although would not be decision makers. He recognised the work of the Chief Executive in fulfilling objectives set out in January 2015. He informed Councillors that these were voluntary positions and would be announced in a press release tomorrow.

Cllr Lawrence stated that he was not happy to support the motion as the growth board had been set up to be representative of West Bridgford and he felt that in fact West Bridgford was an asset to be shared by the whole borough. He initially suggested he would propose a variation to the motion, but subsequently declined to do so.

Councillor Jones said it was vital that there was continual openness and transparency and that residents had a say in the issues that were addressed by the growth boards.

On being put to the vote the Motion was carried.

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

a) **Question from Councillor Hull to Councillor Butler**

“Given that a small town like Aberystwyth took eleven families under the Government Refugee scheme, how is it that Rushcliffe has taken just one?”

Councillor Butler responded that comparing different towns was not appropriate due to their different circumstances. The Council was not a housing stock authority and it was an area with high private sector rents. He

added that the Council had made a start by taking one family, which he stated was more than other authorities had done.

Supplementary question

Councillor Hull asked whether Councillor Butler would rectify his statement made at a previous council meeting that Rushcliffe was leading the way compared to other councils in this regard.

Councillor Butler reiterated that the Council had provided accommodation for a family and were looking at other opportunities to support the Syrian Vulnerable Person Relocation scheme . He informed Councillors that workshops for the private rental sector had been delivered to explain the needs of refugees. He added that the Council had a responsibility for the wider area of Rushcliffe and had to be practical and realistic about what could be done.

b) Question from Councillor MacInnes to Councillor Clarke

“Is the North Midlands Combined Authority and Devolution Deal still on the DCLG table or is it dead? Could the Leader please comment on the current situation?”

Councillor Clarke explained that there were 11 devolution deals being considered by the Department for Communities and Local Government (DCLG) and that the Secretary of State was clear that there would be no amendments to any of the deals. He informed Councillors that the North Midlands Combined Authority and Devolution Deal had paused although there were ongoing discussions. Councillor Clarke added that there was further discussion needed with DCLG to seek clarity on the current deals.

Supplementary question

Councillor MacInnes asked what effect the forthcoming county council elections would have on the deal.

Councillor Clarke explained that he was not in a position to comment as he could not foresee the outcome of the elections.

c) Question from Councillor Edwards to Councillor Clarke in Councillor Mason’s absence

“Could you confirm that where Members individually ask for meeting agendas and reports for the Council, Council Committees and Scrutiny Groups to be printed and provided by the Council prior to meetings and sent to their home address, this normal and long-established practice will continue?”

Councillor Clarke reminded all Councillors that it was ‘*paperlite*’ and not ‘*paperless*’ and explained that, if Councillors specifically requested papers, then they would be made available. He added that *Paperlite* had been successful as it had reduced the use of paper.

30. Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

RESOLVED that the public be excluded from the meeting for consideration of the following item of business pursuant to Regulation 4 (2) of the above Regulations on the grounds that it was likely that exempt information may be disclosed as defined in paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972.

31. Civic Centre Disposal

Councillor Clarke assured Councillors that due diligence had been undertaken and that the item remained confidential as discussions were still being held through solicitors.

Councillors Plant and Jones supported the recommendation to endorse the cabinet decision. Councillor S Mallender asked that tenants be considered in the negotiations.

RESOLVED that Council endorsed the decision made by Cabinet on 14 June 2016.

The meeting closed at 9.10 pm.

MAYOR