



**MINUTES
OF THE MEETING OF THE
COUNCIL
THURSDAY 8 DECEMBER 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 R A Adair, K P Beardsall, M Buckle, B Buschman, R L Butler, H A Chewings, J N Clarke, T Combellack, J E Cottee, J Donoghue, M J Edwards, A J Edyvean, J E Greenwood, R Hetherington, S J Hull, R A Inglis, Mrs C E M Jeffreys, R M Jones, N C Lawrence, E J Lungley, A MacInnes, Mrs M M Males, G R Mallender, S E Mallender, D J Mason, G S Moore, A L R A Pell, A Phillips, E A Plant, F A Purdue-Horan, S J Robinson, Mrs J A Smith, J A Stockwood, Mrs M Stockwood, J E Thurman, R G Upton, D G Wheeler, J G A Wheeler

ALSO IN ATTENDANCE:

J Bramley Mayor's Cadet
6 Members of the public

OFFICERS PRESENT:

D Banks	Executive Manager - Neighbourhoods
N Carter	Deputy Monitoring Officer
A Graham	Chief Executive
P Linfield	Executive Manager - Finance and Corporate Services
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, K A Khan, S C Matthews

OPENING PRAYER

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

CHRISTMAS CAROLS

The Mayor welcomed to the Chamber, children from Carnarvon Primary School who sang carols for the Members of the Council. The Mayor thanked the children and their teachers and wished them a very happy Christmas and New Year.

32. Declarations of Interest

There were none declared.

33. Minutes

The minutes of the meeting held on Thursday 22 September 2016 were received as a correct record and signed by the Mayor.

34. Mayor's Announcements

The Mayor stated that this was a special occasion as he had hosted a small reception prior to the meeting for past Mayors and previous Chief Executives as this was the last meeting of the Full Council in the present building. He said that he was looking forward to visiting the new offices the next day.

He informed the Council that he had attended twenty nine events since the last meeting and he highlighted three occasions; the opening of the Goose Fair, the 21st Anniversary of the Holocaust Memorial at Laxton which had been attended by Anne Frank's step sister and Remembrance Day when he had attended four services. He invited Councillors that he was holding his Carol Service at West Leake on 18 December 2016.

The Mayor thanked Councillors for their support for his charity, especially in relation to the Christmas Party and informed them that he would be holding an auction on the night.

Finally, he wished everyone a merry Christmas and a peaceful New Year.

35. Leader's Announcements

Councillor Clarke reminded Councillors of the tours of the new premises on Friday 9 December and highlighted some memories of being a Councillor in the present building.

He stated that contained in the top 250 state primary school list there were three schools in Rushcliffe, Pierrepoint Gamston, Kinoulton and St Edmund Campion and was further evidence why Rushcliffe was such a great place to live.

36. Chief Executive's Announcements

The Chief Executive stated that a short introductory leaflet regarding the new premises had been produced to assist Councillors settle into the new building.

On behalf of all staff, he wished all Councillors a peaceful and prosperous new year.

37. Hackney Carriage and Private Hire Policy 2017 - 2022

Councillor Mason presented the report regarding the adoption of a new Hackney Carriage and Private Hire Policy. She stated that the Policy combined all the relevant protocols and procedures and included the revised Convictions and Fitness Policy that had been adopted by Council in June 2016. She stated that all Nottinghamshire authorities were working together to ensure that there was a consistent approach taken.

It was recognised that this was an extensive document and Councillor Mason highlighted a few requirements that drivers and operators would have to abide by, including undertaking drug and alcohol testing when required, proving that they had the right to work in the United Kingdom in line with the Immigration Act 2016 and could speak English. Councillors were informed that there were clear guidelines on the hours drivers could work and the operators' responsibilities. She stated that safeguarding training was mandatory and that Rushcliffe had been at the forefront of introducing this training which was now countywide.

Councillor Mason stated that the Policy was being introduced to ensure the taxi service maintained professional standards and was safer for the public. Following several high profile national cases and the recent report of the Mansfield coroner, it was recognised that high standards were required especially as vulnerable adults and young people could be passengers.

Councillor Mason said that consultation had been undertaken with drivers, operators and the Licensing Committee, which had endorsed the document on 14 November 2016. Finally, she thanked all the staff involved for their hard work in producing this extensive document.

Councillor Chewings, in support of the recommendation, stated that this Policy was fit for purpose and she welcomed the fact that all drivers had to undertake an advanced DBS check and safeguarding training. She noted that older vehicles would not be licensed and this would ensure that vehicles were safer and have less harmful emissions.

Councillor R Mallender stated that the Green Party welcomed the Policy especially in relation to safeguarding. He said that the removal of the front passenger seat in Hackney Carriages would assist in removing people from harm. With regard to newer vehicles it was envisaged that this would improve the air quality and thereby address some health issues. It was hoped that more hybrid and alternative fuel vehicles would be introduced in the next few years.

Following a question by Councillor Jones he was informed that Nottingham City Council had worked with the other authorities to ensure that the whole of Nottinghamshire had a more consistent approach.

In conclusion Councillor Mason was pleased to say that this policy was being used as a template by other local authorities across the region. She also said that Councillors had attended the safeguarding training as well as it was important that issues relating to vulnerable adults and young people were understood.

RESOLVED that

- a) the Hackney Carriage and Private Hire Policy 2017 - 2022 is approved, and
- b) the Executive Manager - Neighbourhoods be authorised to make minor revisions to the policy.

38. Adoption of Byelaws for Semi-Permanent Tattooing

Councillor Mason presented the report that outlined the Council's proposal to adopt new byelaws in relation to semi-permanent tattooing. She stated that semi-permanent tattooing was an invasive procedure that it was becoming more common. It was felt that it was necessary to introduce these byelaws to ensure that such treatments were regulated thereby protecting the public. She reminded Councillors that the Secretary of State's approval would be required.

Councillor Plant welcomed the proposals especially as there was the possibility of blood borne diseases being transferred. It was important that there were regular inspections undertaken to ensure that premises and methods were both safe and hygienic. Following a question it was confirmed that 18 was the legal age for people to have a semi-permanent tattoo.

Councillor Jones said that he supported the proposal as it was important for safety reasons. He queried the scale of activity and was told that there were currently nine people who would be required to register.

Councillor S Mallender also supported the proposal especially as it was recognised that blood borne diseases were rising in the United Kingdom.

RESOLVED that

- a) Byelaws in the form shown at Appendix 1 be sealed by the Council, and
- b) The Executive Manager - Neighbourhoods be authorised to advertise the making of the Byelaws and to apply to the Secretary of State for their confirmation.

39. Review of Constitution 2016

Councillor Clarke presented the report that outlined the light touch review of the Constitution that had been undertaken. This review had made changes to incorporate recent legislative changes, to reflect the current structure of the Council and to clarify responsibilities for functions. It was proposed that a more in-depth review would be undertaken by the Corporate Governance Group in 2017. He stated that it was important that the Constitution was up to date and fit for purpose.

Councillor MacInnes was pleased to support the proposal. He stated that the Corporate Governance Group had scrutinised the Constitution and during the debate it was recognised that additional work would be required to consider items such as public speaking and the role of the leader of the opposition. He said that the Group would further consider this at its February meeting.

In support of the proposal Councillor R Mallender stated that a large amount of work had been undertaken by Councillors and staff.

Councillor Moore supported the previous comments and said that a small task and finish group would be considering a full review of the Constitution and that he looked forward to this being presented to Council in the next 12-18 months.

RESOLVED that

the Constitution, as amended, be approved.

40. **Arrangements for the Monitoring Officer Role**

Councillor Clarke presented the report of the Chief Executive that informed Council of the reasons regarding the temporary suspension of the arrangement of the joint sharing of the Monitoring Officer role with Broxtowe Borough Council. He said that the Chief Executive had considered the issue and it was proposed to appoint Mr O'Connell as the Council's designated Monitoring Officer for a period of six months. The Chief Executive would then present a further report to Council in June 2017.

Councillor Clarke said that Mr O'Connell was an experienced Monitoring Officer and he would be valuable when reviewing the Constitution.

Councillor MacInnes supported the proposal stating that Mr O'Connell was an experienced and well respected officer at Nottingham City Council.

RESOLVED that

- a) Mr Glen O'Connell is appointed and designated as the Council's Monitoring Officer for a period of six months;
- b) That a further report be brought to the Council by the Chief Executive detailing the outcomes of a review with Broxtowe Borough Council and recommending actions to secure the long term appointment of a Monitoring Officer.

41. **Notice of Motions**

The following Notice of Motion was proposed by Councillor M J Edwards and seconded by Councillor A MacInnes.

"We urge the Council to do everything to increase the supply of affordable housing in the Borough, especially social rental properties, to continue to engage vigorously with private sector landlords regarding affordability of rents and to urgently address the number of houses that have been empty for 6 months or more."

In support of his motion Councillor Edwards said that Rushcliffe's Local Plan proposed 13,150 houses will be built from 2011 to 2028, assuming a best scenario of 30% affordable homes that would equate to 3,900. Between 2013 and 2017 210 affordable homes would be built. He said that there was a national housing crisis and for Rushcliffe there were four issues; a shortage of supply of affordable homes, high private sector rents, restrictions on social housing and low housing allowance rates. Also affordability was an elastic term as in Rushcliffe a family would need an income that was greater than the average family income.

Councillor Edwards recognised the hard work of the Council's Housing Options Team in preventing homelessness but he also noted that the gap between

private sector rent and eligible housing allowance prevented placing people in private rented housing. He acknowledged the two annual private landlord forums and urged that these continue to be used to increase the supply of good accommodation.

He felt that it was vital to increase the housing supply through the use of the capital programme and by working with Metropolitan Housing Trust and Waterloo Housing.

Councillor Edwards stated that in the Chancellor's recent Autumn Statement there had been an announcement of £1.4 billion to build 40,000 affordable homes, however he queried how much Rushcliffe would receive.

He believed that one way of increasing the housing supply would be to address the number of properties that had been empty for six months or more. Councillor Butler had stated, in the Nottingham Post, that there were 339 such properties.

Councillor Edwards recognised that the Council's focus and energies had been directed to the Arena development, the Cotgrave redevelopment and the stalled work on devolution. He acknowledged that good work was being undertaken in respect of economic growth by the Growth Boards, however it was now time to prioritise the housing crisis being faced by residents.

In conclusion, Councillor Edwards informed Councillors that the Local Government Association had recognised the problem and announced that "Councils need powers and funding to address the widening gap between income and rents, and to resume their historic role as a major builder of new affordable homes." He urged all to support the motion.

Councillor Clarke said that the motion implied that the Council was not doing anything to address the issue. Therefore he proposed an amendment to the motion which recognised the work that was already being carried out. In respect of empty properties the number was constantly changing due to renovations and probate issues, however the figure was considerably lower than neighbouring local authorities.

With regard to 30% affordable housing on developments officers strived to meet this target but also had to be flexible and pragmatic about viability issues whilst striving for the greatest proportion possible. In respect of private sector rental values the Council could not enforce levels but would work with them on sensible options. He proposed the following amendment:

"It is recognized this Council continually strives to facilitate the supply of affordable housing in the Borough, including social rental properties.

This Council will continue to encourage Private Sector Landlords to offer appropriate housing to meet the aspirations of its residents, whilst also endeavouring to reduce the number of houses that have been empty for 6 months or more."

Councillor Edwards felt that with the addition of especially after the word Borough that he would accept the amendment.

Councillor MacInnes highlighted other important changes in the Autumn Statement including the relaxation of funding for suppliers to deliver low cost ownership and affordable rent homes not just starter houses. He said that the Chancellor had accepted that house building was a key to economic development. He said to increase housing supply that the development of the Abbey Road site could produce 50-60 units and that the Council could work with small to medium builders to develop small sites. In January the Housing Act would consult on issues such as land banking, completion of planning applications and viability challenges.

Councillor Jones supported Councillor Edwards comments especially in respect of the pressure on staff and moving the Council's priorities to housing. He felt that social housing with an affordable tenure was required and warned that starter homes were able to be sold after five years. The number of affordable homes as part of S106 agreements could be increased if there were more rural exception sites and garage redevelopments. He felt that the Council should look at how it could financial support Registered Social Landlords.

Councillor S Mallender said that this was not a political issue and referred to Harold MacMillan's proposal to build 300,000 homes per year. She felt that the Council should encourage small scale developments and self-build options. Although she would support the amended motion she believed that the original wording was stronger. She said that her ward had a number of long term empty properties and that these attracted vandalism, fly-tipping and arson. As this was empty homes week she felt that it was opportune for the Council to be discussing this issue.

In conclusion Councillor Edwards felt that there had been a good debate and that everyone recognised the gravity of the issue and accepted the amended amendment of:

"It is recognized this Council continually strives to facilitate the supply of affordable housing in the Borough, especially including social rental properties.

This Council will continue to encourage Private Sector Landlords to offer appropriate housing to meet the aspirations of its residents, whilst also endeavouring to reduce the number of houses that have been empty for 6 months or more."

On being put to the vote the amended motion was carried.

42. To answer questions under Standing Order 11 (2)

a) Question from Councillor S Mallender to Councillor Mason

"Given that Rushcliffe Borough Council are fully in agreement with the need to take action regarding the concern raised at the full council meeting on 30 June 2016 about the general rise in hate crime and racist attacks following the European referendum, and that the council has signed up to the 'No to Hate' Pledge on 18th December 2015, what

positive actions or programmes has the council put in place to prevent such crimes?”

Councillor Mason answered that the Council took an active role on this agenda through the South Notts Community Safety Partnership (SNCSPP). The Police and County Council were the strategic lead on hate crimes and at last month’s SNCSPP Operational Delivery Group, the Nottinghamshire County Hate Crime Action Plan and Priorities were presented which would be coordinated and implemented by the Partnership.

She stated that Hate Crimes were a standing item on the anti-social behaviour working group which was chaired by the Borough Council and other attendees includes the Police, Metropolitan Housing Trust, Nottinghamshire County Council, Fire & Youth Justice. Hate crime cases were discussed and action plans agreed to tackle individual incidents and if necessary any victims were supported by referring them on to the Vulnerable Persons Panel. The Council worked with other partners to give an holistic approach.

Supplementary Question

Councillor S Mallender asked if the council had been collecting evidence as to the number of hate crimes, racist attacks and other related incidents and if so what were the figures before and after signing the ‘No to Hate’ Pledge on 18 December 2015?”

Councillor Mason stated that a full report and review of Hate Crimes in the South Notts Area had been produced in October 2015. This considered trends since 2005 in terms of the number of reports, victim age and gender, by type and also by area. At that time the trends were showing reductions in the number of reports and South Nottinghamshire showed lower than average numbers when compared to its peers. As a result of ‘Brexit’ and a concern around perceived levels of hate crimes in the County the Police were preparing a further report and breakdown of Hate Crimes which would cover the South Notts area for 2016. She said that this would be released in the New Year and that she would ensure that Councillors could see the report and what was happening.

b) **Question from Councillor S Mallender to Councillor Butler**

“In the year 2016 so far, how many homeless people has the borough council helped to find appropriate accommodation?”

Councillor Butler replied that the Council had assisted 18 statutory homeless families since January 2016.

Supplementary Question

Councillor S Mallender then asked if Councillor Butler could assure Councillors that Following the seriously bad publicity the Borough Council had received at the time of the announcement of the Public

Space Protection Order, that the situation would be monitored to ensure that no genuinely homeless people were fined.”

Councillor Butler stated that this was unfortunate, and in his view unfair publicity and that monitoring of this issue had already been agreed as part of the scrutiny of this item by the Community Development Group.

c) **Question from Councillor Jones to Councillor Butler**

“How many households is the Council aware of in the last 12 months who are benefit capped and of those how many have presented for housing advice?”

Councillor Butler stated that 31 claimants had been capped and that they had all been contacted prior to the cap and given information advising them of their options. Only six had sought advice.

d) **Question from Councillor Jones to Councillor Butler**

“How many residents in the last 12 months, affected by the removal of spare room subsidy also known as the bedroom tax or the benefits cap, have become homeless?”

Councillor Butler replied that there had been none.

e) **Question from Councillor Jones to Councillor Butler**

“How many residents are currently on the social housing register and could any afford to enter the part rent part buy housing schemes?”

Councillor Butler responded that this was a more complex issue. There were approximately 500 on the register, however the Council did not undertake a complex financial assessment as part of the process and therefore he could not give an answer.

f) **Question from Councillor MacInnes to Councillor Butler**

“What arrangements have been put in place to deal with rough sleepers over the Christmas and New Year period?”

Councillor Butler replied that the Council already had an out of hour’s duty officer arrangement to respond to homelessness service requests and this would be in place over the festive period.

Councillor MacInnes stated that previously Councillors were provided with this information as part of Members’ Monthly and asked if this could be provided again.

Councillor Butler agreed that this should be instigated and provided in the most efficient and effective way.

The meeting closed at 8.25 pm.

MAYOR