

**MINUTES
OF THE MEETING OF THE
COUNCIL**

THURSDAY, 19 SEPTEMBER 2019

Held at 7.00 pm in the Council Chamber, Rushcliffe Arena, Rugby Road, West
Bridgford

PRESENT:

Councillors Mrs C Jeffreys (Chairman), S Mallender (Vice-Chairman), R Adair, B Bansal, K Beardsall, N Begum, B Buschman, R Butler, N Clarke, T Combellack, J Cottee, G Dickman, A Edyvean, M Gaunt, P Gowland, B Gray, L Healy, R Hetherington, L Howitt, R Inglis, A Brennan, A Major, R Mallender, G Moore, J Murray, F Purdue-Horan, S J Robinson, K Shaw, D Simms, J Stockwood, Mrs M Stockwood, C Thomas, R Upton, D Viridi, J Walker, R Walker, G Wheeler and G Williams

OFFICERS IN ATTENDANCE:

L Ashmore	Executive Manager - Transformation
D Banks	Executive Manager - Neighbourhoods
T Coop	Democratic Services Officer
P Linfield	Executive Manager - Finance and Corporate Services
K Marriott	Chief Executive
D Mitchell	Executive Manager - Communities
S Sull	Monitoring Officer
H Tambini	Democratic Services Manager

ALSO IN ATTENDANCE

7 members of the public

APOLOGIES:

Councillors S Bailey, R Jones, D Mason, A Phillips, L Way and J Wheeler

Minutes Silence

The Mayor referred to the sad news of the recent death of former Councillor and Mayor, George Davidson and asked for a minute's silence in remembrance of him.

Opening Prayer

The meeting was led in prayer by the Mayor's Chaplain, Reverend Michael Lees.

23 Declarations of Interest

There were no declarations of interest.

24 **Minutes of the Meeting of the Council held on Thursday, 11 July 2019**

The minutes of the meeting held on Thursday, 11 July 2019 were approved as a correct record and signed by the Mayor.

25 **Mayor's Announcements**

The Mayor reported that since the last Council meeting she had attended 22 events and enjoyed meeting many people.

The Mayor referred to the many people in the Borough who devoted their lives to others and who gave up their time in numerous different ways and how proud she was of the work they did.

26 **Leader's Announcements**

The Leader referred with sadness to the recent death of John Scott Lee the former Managing Director of Streetwise. His work had been fundamental to the success of Streetwise and he had left a lasting legacy. The Council's condolences would be passed onto his family.

The Leader reported on the successful injunction against unauthorised encampments at five key council-owned sites; Rushcliffe Arena, Gresham Park, The Hook, West Park in West Bridgford and at Rushcliffe Country Park in Ruddington. It was an important step forward to protect the rights of residents and to save resources as in the past five years £26K had been spent on enforcement and clean-up operations. Interim injunctions were in place and the Council would seek final orders at the same court next week.

The Leader reminded Councillors of the important forthcoming Celebrating Rushcliffe Awards on 20 November 2019 where community groups, businesses and sports people would be recognised and which reflected the tremendous diversity of the Borough. The event provided an opportunity to celebrate the tremendous work undertaken by volunteers and community groups and their hard work and dedication, with nominations requested by 7 October 2019.

27 **Chief Executive's Announcements**

The Chief Executive referred to the Local Plan Part 2 and advised that the Council was confident that it would receive the Inspector's final report shortly. An Extraordinary meeting of the Council would be arranged to consider the report. The report would be considered by the Local Development Framework Group before being submitted to an Extraordinary Council meeting.

The Chief Executive announced that the Council had been awarded a Government grant of just over £20K towards its planning enforcement work within the Green Belt area. Councillors would be updated in the weekly newsletter on how the money would be used.

The Chief Executive announced that the Council had achieved the Gold Employee Recognition Scheme Award for its work on the Armed Forces Community Covenant. It was the first council in Nottinghamshire to do so and

along with Charnwood Borough Council was one of only two in the East Midlands.

28 **Citizens' Questions**

There were no questions.

29 **Corporate Strategy 2019-2023**

The Leader and Portfolio Holder for Strategic and Borough Wide Leadership, Councillor Robinson presented the report of the Chief Executive outlining the draft Rushcliffe Borough Council Corporate Strategy for 2019-2023.

Councillor Robinson advised that the draft document had been reviewed by both the Cabinet and the Corporate Overview Group. The current Strategy was due to expire in March 2020; however, so many targets had already been achieved that it was considered prudent to revise the document.

Councillor Robinson confirmed that the Strategy had been constructed as a living strategy and encompassed a number of commitments under four corporate priorities; quality of life, efficient services, sustainable growth and the environment. The key actions and timescales for each group would be monitored and amended as required to ensure feasibility.

The report was moved by Councillor Robinson and seconded by Councillor Edyvean.

Councillor Begum stated that it was disappointing that there was no reference in the document to the recently retired Chief Executive or the newly elected Councillors.

Councillor Richard Mallender noted and welcomed the ambition of the Strategy and referred to the importance of sustaining public interest and involvement going forward. The establishment of Growth Boards and the review of community facilities was pleasing. The Council's commitment to achieve a carbon neutral status would highlight how the Borough could lead the way.

Councillor Thomas advised that the Independent Group would be unable to support the Strategy for the following reasons. The document had insufficient measures to combat climate change, the lack of a five-year housing supply and its associated impact had not been addressed, as had the housing needs of the elderly and specific issues related to the New Homes Bonus for East Leake and other areas. Section 106 Contributions were not used quickly enough, whilst Borough assets were being sold. Transport improvements were sporadic, leading to serious road safety concerns for some residents.

Councillor Robinson advised that the Strategy was an ambitious document and related to the Council as a whole, rather than looking at specific ward issues. Specific issues raised would always be considered by the scrutiny committees.

It was RESOLVED that the Corporate Strategy 2019-23 be adopted.

30 Community Infrastructure Levy

The Portfolio Holder for Housing, Councillor Upton presented the report of the Executive Manager – Communities outlining the process of introducing a Community Infrastructure Levy (CIL) across the Borough, following the two formal stages of consultation that had already taken place.

Councillor Upton advised that the CIL was a discretionary charge to support the provision of new infrastructure and could be levied in conjunction with Section 106 contributions. Two formal stages of consultation had taken place; firstly one on the proposed charging rates; and secondly an examination in public in March 2019. The Examiner had concluded that the charging rates were both realistic and fair and would not undermine development viability. The CIL would be chargeable on all new developments of 100sq.m or over and to all dwellings where a statutory exemption did not apply. The levy would not apply retrospectively on sites that already had outline or full planning permission. Five charging zones were proposed and one Borough-wide zone. A Payment in Kind Policy would also be available. In parished areas, each year a parish would receive 15% of the CIL income raised in that parish and that would rise to 25% if the parish was covered by a neighbourhood plan.

The report was moved by Councillor Upton and seconded by Councillor Butler.

Councillor Gaunt confirmed that whilst the Labour Group was broadly in favour of the proposal, there was a concern that extensions of just under 100sq.m would be permitted, only to be followed by a further application to increase the size again, thereby avoiding the imposition of the CIL levy.

Councillor Major confirmed that the Liberal Democrat Group welcomed the proposal as it would provide clarity for developers and capture smaller developments.

Councillor Richard Mallender welcomed the report and the contributions that would be made specifically to parishes.

Councillor Thomas welcomed the report and referred to the importance of being proactive when spending funds locally. In non-parished areas where the Council retained control of income, it was important that the local communities were fully consulted on potential spending.

Councillor Clarke highlighted the importance of adopting the CIL given the levels of growth and development taking place both locally and nationally which was creating challenges for all communities.

Councillor Butler advised that individual developments did not provide a challenge, that came from the larger developments and given the scale, any potential loophole would not be a cause for concern.

Councillor Upton confirmed that additional guidance for parish councils in relation to CIL receipts would be provided and the CIL regulations would be reviewed in 12 months.

It was RESOLVED that Council

- a) adopts the Community Infrastructure Levy Draft Charging Schedule, as set out in Annex 3 and Annex 4 of the Examiner's report, with it being brought into force on Monday, 7 October 2019; and
- b) adopts the Community Infrastructure Levy Instalment Policy and Community Infrastructure Levy Payment in Kind Policy.

31 **Gotham Neighbourhood Plan**

The Portfolio Holder for Housing, Councillor Upton presented the report of the Executive Manager – Communities outlining the Gotham Neighbourhood Plan and seeking approval of the Plan to form part of the Council's Development Plan, subject to a positive referendum result.

Councillor Upton confirmed that three Neighbourhood Plans had already been approved, and this would be the fourth. The Plan had been produced by Gotham Parish Council in conjunction with the local community and conformed to the Borough Council's strategic policies. The Plan had been assessed by the Council and an independent Examiner and through a consultation process with both stakeholders and the public. The Examiner had reported to the Council that, subject to the modifications proposed in his report, the Plan should proceed to referendum. The Council had produced a Decision Statement that included all the proposed modifications suggested by the Examiner and the Council had agreed that those should be made to meet the basic conditions. During the examination, there had been extensive debate regarding the identification of areas of land as local, green spaces and the Examiner had concluded that one of those should be removed and the other retained. Whilst the Council had raised its concerns regarding the designation of both of those areas of local, green space, and could under the Town and Country Planning Act have removed the second area of local, green space, the Examiner considered that the retained local, green space was compliant with national planning policy and guidance. Consequently, its removal by the Council would be hard to justify and its removal would also have necessitated further consultation, and given the implications of its removal, the modification would require further independent examination. Following consideration of those issues, it was recommended that the Plan should proceed to a referendum, no later than Monday, 9 December 2019 as required under the Neighbourhood Planning Referendum Regulations.

The report was moved by Councillor Upton and seconded by Councillor Rex Walker.

Councillor Gray welcomed the report and acknowledged the hard work of all those involved in producing the Plan.

Councillor Howitt welcomed the report and acknowledged the importance of Neighbourhood Plans to local communities.

Councillor Thomas confirmed that although the Independent Group had previously raised some issues regarding the Plan that had been taken through representations the Independent Group was now in support of its adoption.

Councillor Rex Walker, in inviting all Councillors to support the Plan referred to the hard work and dedication of all those involved in producing the Plan. Members of the Gotham Neighbourhood Plan Advisory Committee and Councillor John Anderson were thanked in particular for their involvement.

It was RESOLVED that

- a) Council approves the Decision Statement on the Gotham Neighbourhood Plan for publication.
- b) Council approves the holding of a referendum for the Gotham Neighbourhood Plan, with the area of the referendum being the Parish of Gotham.
- c) Subject to a majority vote from the referendum, the Council 'makes' (adopts) the Neighbourhood Plan and authority be delegated to the Executive Manager – Communities to issue a statement setting out this decision as soon as possible following the referendum.

32 **Polling Places Review**

The Leader and Portfolio Holder for Strategic and Borough Wide Leadership, Councillor Robinson presented the report of the Chief Executive outlining proposals for revised polling places following that review.

Councillor Robinson confirmed that the Council was required by law to undertake periodic reviews of polling districts and polling places. A public consultation period had been held in June - August 2019, with 14 responses received. Details of those responses were referred to in the report, with seven requesting variation changes which had been assessed by the (Acting) Returning Officer and the revised schedule was set out in the report.

The report was moved by Councillor Robinson and seconded by Councillor Moore.

Councillor Gowland welcomed the report and that all schools would remain open during elections.

Councillor Richard Mallender welcomed the report. He stated that currently Lady Bay had three polling places which he hoped would be reduced at a future review.

It was RESOLVED that:

- a) Council approves the:
 - (i) proposals setting out changes to polling districts, polling places and polling stations; and
 - (ii) revised schedule of polling districts and polling places as set out in Appendix 2 of the report;
- b) Council requests the Chief Executive to formally publish the notice of the

conclusion of the review and its findings.

- c) The (Acting) Returning Officer be given authority to select an appropriate alternative polling place (if required). Formal retrospective approval be sought by Council following the election if appropriate.

33 Notices of Motion

Following cross party discussions, the following altered motion was moved by Councillor J Walker and seconded by Councillor Gaunt:

“This Council agrees to:

- (1) Conduct an immediate audit of all its investments to ascertain the current level of fossil fuel equity investments.
- (2) Conduct an immediate audit of the carbon footprint of its operational assets through its Carbon Reduction Work Programme.
- (3) Incorporate in its Environmental Plans the reduction of the use, and future investment in, fossil fuels wherever possible.”

It was RESOLVED that Council accept the altered motion.

The altered motion became the motion and was discussed.

Councillor J Walker in moving the motion stated that it was simple economics to vote for the motion given that fossil fuel investment continued to decline as the market realised that to remain within the guidelines of the Paris Accord, fossil fuels would have to remain in the ground, thus changing their status to stranded assets. As a newly elected Councillor with a family, she felt the decision could not be simpler, by voting for the motion, it would mean something positive had been achieved and young people in particular would see that the Council was trying to make a difference. Young people were not interested in the Council’s excuses; they wanted to hear that Councillors had done everything possible. She asked Councillors to cast their minds ahead and consider the bleak future for the planet if nothing was done. The decisions taken by the Council could offer another vision for others to follow. International efforts to reduce carbon emissions to reduce catastrophic climate change would result in the majority of known fossil fuel reserves being left unused. The market value of fossil fuel companies was based largely on the notion that all known reserves could be exploited; however, as international policies changed it was becoming increasingly apparent that those reserves would soon be rendered useless and that would result in share prices falling and significant losses for fossil fuel industries. The decisions made by the Council now could have lasting implications and Councillors were urged to vote for this Motion.

In seconding the motion, Councillor Gaunt reiterated the concerns already addressed regarding future investment in fossil fuels, as markets became increasingly risky and companies were left with assets that could no longer be utilised. Traditionally more investment had been provided for fossil fuels rather than renewables. The Institute for Sustainable Development had outlined that a shift of 10% from fossil fuels to renewables would pay for the transition to clean

energy. Annual investment in renewables for electricity generation had been greater than for fossil fuels since 2008 and renewable capacity had exceeded fossil fuel capacity each year since 2014. Politically, subsidies on fossil fuels would become increasingly less palatable due to worsening climate change. If Rushcliffe took the lead and encouraged other local councils to do the same, it would send a message to central Government. New research undertaken by the University of Nottingham, in conjunction with the British Geological Society had identified that shale gas reserves in northern England could be as little as 10% of the original estimates. Any investment in shale gas and fracking could therefore be jeopardised. Financial analysis had shown that investment portfolios that excluded fossil fuel companies performed at least as well as those that included them. There was considerable scope to invest locally in sustainable projects that would bring considerable, social, economic and environment benefits to the area and Councillors were urged to support the motion.

Councillor Robinson referred to the importance of this issue for all parties. It was disappointing to note that a recent application to allow deep coal mining in northern England had been approved by a Labour run council and endorsed by Labour central office. In Rushcliffe the Council's environmental ambition was outstanding, with current initiatives including the free tree scheme proving extremely effective. The Council would continue to lobby both the Government and developers to improve environmental standards on all new housing and it was hoped that the Abbey Road development would be an exemplar scheme. Motions had to be realistic, pragmatic and deliverable and the motion now achieved that.

Councillor Richard Mallender referred to the movement away from fossil fuel technology and investment, even in the Middle East. The move to renewable technology was vital as environmental concerns continued to grow.

Councillor Major welcomed the motion and hoped that it would be a catalyst for the future.

Councillor Thomas supported the motion. She requested that the carbon reduction work programme should include a change to the standard format of committee reports to include an additional section to assess the impact of the matter under consideration on climate change.

Councillor Combellack stated that the Council continued to be proactive and this matter was on the agenda for scrutiny.

Councillor J Walker noted her disappointment in the recent decision to allow a new deep coalmine and stated that everyone had to take responsibility for previous actions.

There was no further debate on the motion. On being put to the vote, the motion was carried.

34 **Questions from Councillors**

a) Question from Councillor Gowland to Councillor Upton

“Is the Council aware of the changes in the timetable and fare for the L22 and L23 buses that link Abbey Ward, Lady Bay and Ruddington with West Bridgford town centre, in particular of the loss of the Saturday service, since the start of this month?”

In response to the question, Councillor Upton stated that the Council was aware of the changes to the bus service; however, the County Council was the lead authority regarding this matter and provided subsidies to many bus services. The Council consulted with the County Council, as the Transport Authority on planning applications and often a subsidy for a bus service is a planning requirement; especially for large developments. However, such subsidies were often time limited, for example for the health centre on Wilford Lane, which had now expired. The Council had and was prepared to continue to discuss this issue with the County Council; however, it was not minded to subsidise bus routes, as that was the responsibility of the County Council. The Rushcliffe CVS did provide a voluntary scheme for people who had difficulty accessing transport.

Supplementary Question

Councillor Gowland stated that although she acknowledged that this was an issue for the County Council, elderly residents living in local complexes who did not drive now had no access to local shops over the weekend. It was hoped that contributions from the Abbey Road housing development could potentially be put back into this area.

Councillor Upton reiterated the comments he had already made and advised that the situation was not unique to any area.

b) Question from Councillor Richard Mallender to Councillor Edyvean

“Given this Council’s view that there is a climate change emergency, will the responsible Cabinet member explore investing in land and a solar panel farm as other local authorities such as West Sussex County Council have done?”

In response to the question, Councillor Edyvean confirmed that the Council was already investigating a range of measures to reduce its carbon footprint. Any asset investment would be subject to a business case and have to take into account the Council’s wider Medium Term Financial Strategy.

Supplementary Question

Councillor Mallender asked if the Council would discuss with developers the possibility of installing photovoltaic panels on all new properties in the Borough.

Councillor Edyvean advised that the Council had considerable aspirations going forward; however, currently it could not insist that panels be installed.

The meeting closed at 8.25 pm.

CHAIRMAN