

**MINUTES
OF THE MEETING OF THE
COUNCIL**

THURSDAY, 24 SEPTEMBER 2020

Held at 7.00 pm and live streamed on the
Rushcliffe Borough Council YouTube channel

PRESENT:

Councillors S Mallender (Chairman), T Combellack (Vice-Chairman), R Adair, S Bailey, B Bansal, K Beardsall, N Begum, A Brennan, B Buschman, R Butler, N Clarke, J Cottee, G Dickman, A Edyvean, M Gaunt, P Gowland, B Gray, L Healy, L Howitt, R Inglis, Mrs C Jeffreys, R Jones, A Major, R Mallender, D Mason, G Moore, A Phillips, 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, J Wheeler and G Williams

OFFICERS IN ATTENDANCE:

C Caven-Atack	Service Manager - Finance and Corporate Services
T Coop	Democratic Services Officer
P Linfield	Executive Manager - Finance and Corporate Services
K Marriott	Chief Executive
S Sull	Monitoring Officer
H Tambini	Democratic Services Manager
L Webb	Democratic Services Officer

APOLOGIES:

Councillors J Murray, L Way and G Wheeler

Moment of Reflection

The meeting was led in a moment of reflection by Mr Brij Phakey, ex-Chairman of the Hindu Temple in Nottingham.

A link to this is available by using the YouTube link:

<https://youtu.be/dTCh5jW6wjM>

22 Declarations of Interest

There were no declarations of interest.

23 Minutes of the meeting held on 16 July 2020

The minutes of the meeting held on Thursday, 16 July 2020 were approved as a correct record and signed by the Mayor.

24 Mayor's Announcements

The Mayor informed Council that despite the continued Covid restrictions she

had been able to attend some events and charitable engagements since the last meeting. Those included a Secrets of Saxondale walk, the Wilford Hill residents' garden sale, the Merchant Navy Day flag raising at County Hall and media opportunities with each of her three charities for this year – Nottinghamshire Wildlife Trust, Trent First Responders and Music Works. By far the most moving event attended over the last few months, was the commemorations held for the 75th anniversary of VJ Day in August.

25 Leader's Announcements

The Leader of the Council paid tribute to Councillor Debbie Mason who, after 18 years in the role, would be stepping down from the Cabinet at the end of the month. He recognised her support as Deputy Leader for the last three and half years as well as the commitment she had shown to the residents of Rushcliffe through her participation in many working groups and outside bodies in addition to her duties as Cabinet Portfolio holder for Communities.

The Leader was very pleased to announce Councillor Andy Edyvean as Deputy Leader and that Councillor Rob Inglis would take up the Chairmanship of the Bingham Growth Board. He reminded Council that Councillor Abby Brennan would be joining the Cabinet and would be taking on the role of Cabinet Portfolio Holder for Communities.

Finally, the Leader thanked officers and Councillors for their continued support, dedication and hard work during the continued Covid-19 pandemic. He particularly drew Council's attention to the fantastic work of those supporting businesses to reopen, managing multiple government grants for businesses and individuals, enforcement officers keeping the Borough's residents safe, and those who had worked hard to bring a revised budget forward for consideration at this meeting. The Leader also informed Council that the officers were currently working on the self-isolation contributions, which were announced this week and would be available to support residents on lower incomes should they need to self-isolate from next month.

26 Chief Executive's Announcements

There were no Chief Executive's announcements.

27 Citizens' Questions

There were no questions.

28 Covid-19 Budget

The Portfolio Holder for Finance, Councillor Moore, presented the report of the Executive Manager – Finance and Corporate Services providing Council with a position statement on the budget, which, as a result of Covid-19, had been revised for this year. The revised budget would support and maintain operational services in an ever-changing environment. The budget position covered by the report had been explained to Councillors recently in a series of budget briefings delivered by Mr Linfield – Executive Manager for Finance and Corporate Services.

Councillor Moore explained that despite in-year savings and government grant funding as a result of Covid-19, the Council was anticipating a budget deficit this year of £0.422m. A worst-case scenario of £1.7m had been calculated but was not, at this point, expected. Council income had been affected by the lockdown, in terms of facilities hire and car-parking charges, and additional funding had been required to support front-line services and most significantly Lex Leisure who managed the Council's leisure facilities. Changes had been made to budget projections, but it was too early to be confident how quickly normality would return; the projections had been made in line with the latest government guidance.

The Council was confident moving forward with its £38m capital programme including developments at Abbey Road in West Bridgford, a new Bingham Leisure Centre and a crematorium. Changes have been made to the repayment plan for Rushcliffe Arena.

The Borough remained open for business. Officers had distributed £18.3m in business grants, and an additional £1m in discretionary grants to businesses struggling to operate in the pandemic. The situation remained challenging and would be severely tested if the Borough was forced into a local lockdown. Additional grant payments of £500 would be available for those on low incomes needing to self-isolate, and the Council had recently been given the mandate to provide additional business grants in the event of a local lockdown.

Councillor Moore reminded Councillors that as challenging as the current situation was, Rushcliffe remained a well-managed Council with a comfortable reserve fund allowing it to steer a way through the current health crisis. He extended his thanks to Mr Linfield and the Finance team for their exceptional work under difficult circumstances and presented the recommendations to Council.

Councillor Robinson reminded Council that the authority had never before been tested in such a way but was, at present, proving resilient, continuing to provide high quality frontline services whilst delivering an ambitious capital programme and dealing with all that Covid-19 had to test the Council with. Councillor Robinson delivered his personal thanks to all officers who were keeping the authority running over this difficult time. He noted that leisure remained a real concern and informed Council that both he and the Chief Executive had made representations to ministers for support as the leisure industry had a huge part to play in keeping the community fit, healthy and able to fight Covid. He also mentioned the capital programme and reiterated his commitment to the future by growing the Borough as well as supporting the project to deliver climate change.

Councillor Gray thanked Councillor Moore and the Finance team for the updated budget report and the workshops held recently to bring Councillors up to speed. Councillor Gray expressed his concerns that the Council was subsidising leisure provision and continued to deliver an ambitious capital programme. He also thanked all officers who continued to work above and beyond to respond to Covid-19.

Councillor Jones thanked the officers involved in preparing a revised budget alongside their ordinary work and issuing Covid-19 related grants. He told

Council that he found the current situation very alarming and asked that consideration be given to deliberately slipping the capital programme to focus on the short-term financial concerns brought about as a result of Covid-19 rather than the Council's longer-term ambitions.

Councillor R Mallender thanked both the officers and Councillor Moore for their hard work during these extraordinary times. He noted that the climate change reserve remained in the budget for which he was extremely pleased.

Councillor Shaw conveyed his thanks to the Portfolio Holder and officers involved in presenting Council with a revised budget.

Councillor Moore conveyed the view that Cabinet were determined to progress the Bingham Leisure Centre development to demonstrate their commitment to positive outcomes for the Borough.

It was **RESOLVED** that:

a) the revised projections to the 2020/21 revenue budget and remainder of the current MTFS in **Appendix A** as a result of the impact of Covid-19 be approved;

b) the revised projections to the Capital Programme for 2020/21 and the impact on the Capital Programme over the MTFS in **Appendix B** be approved;

c) the changes to the Transformation Strategy in **Appendix C** be approved;

d) the Council Tax Hardship Fund Policy Paper at **Appendix D** and its current application be approved;

e) the strategy of utilising in-year budget efficiencies, the Organisation Stabilisation reserve, reviewing the use of existing reserves, reduced use of Voluntary Revenue Provision and therefore use of New Homes Bonus; as fiscal levers so the Council balances the budget and delivers its corporate objectives (**paragraph 4.8.6**) be approved; and

f) the transfer of three reserves totalling to £0.524m as stated at **paragraph 4.8.7** to the Organisation Stabilisation Reserve from 2020/21 and the revised anticipated position over the next five years (**Appendix E**) be approved.

29 **Scrutiny Annual Reports 2019/20**

The Leader and Portfolio Holder for Strategic and Borough Wide Leadership, Councillor Robinson, presented the report of the Executive Manager – Finance and Corporate Services providing a review of the work undertaken by the Council's four Scrutiny Groups during 2019/20. The Leader invited each of the Scrutiny Group Chairmen to deliver a brief summary of the work of each Group over the year.

Councillor J Wheeler, Chairman of the Communities Scrutiny Group, informed Council that the Group had experienced a very productive year during which they had looked at Young, Positive Futures, Carbon Management, Community Facilities, the Waste Strategy and Fly-tipping. He noted that Councillors had

suggested a number of those topics and the officers who had brought information forward and supported the meetings were thanked, as well as members of the Group, and his supportive Vice Chairman, Councillor Bal Bansal.

Councillor Clarke, Chairman of Growth and Development Scrutiny Group also reported an interesting and varied year in terms of scrutiny. The Group had examined seven issues including Abbey Road, the CIL, the business support offering, vibrancy in local town centres, the management of open spaces, the effect of Covid-19 on local businesses, and customer service and digital transformation. Councillor Clarke commended the commitment of officers in supporting the Group, even under the difficult circumstances created by Covid-19, and thanked his Vice Chairman, Councillor Abby Brennan, for her support and the contributions of members of the Group.

Councillor Purdue-Horan, Chairman of Governance Scrutiny Group, reminded Council that a well-run council like Rushcliffe was not accidental; it took considerable hard work to achieve high quality outcomes for residents. He thanked the third parties that had presented to the Group over the year, the officers involved in supporting the meetings, his Vice Chairman, Councillor J Walker, and the members of the Group for their constructive questioning and dedicated action over the last twelve months.

Councillor Combellack, Chairman of the Corporate Overview Group, reflected upon what had been a challenging year for scrutiny both in terms of adapting to the new structure, remits of the groups, and the impact of the Covid-19 pandemic. The beginning of the year had seen comprehensive scrutiny training for all Councillors and the recent survey undertaken as part of the review of scrutiny had shown a significant amount of understanding and engagement. The Group had participated in the development of the Corporate Strategy, considered potential topics for scrutiny, and could demonstrate through customer feedback and performance that the Council was faring much better through the current health crisis. She thanked all Councillors and officers involved in scrutiny for their enthusiasm and participation.

Councillor Robinson reminded Council that scrutiny was a very important function of the Council and thanked the four Chairmen for their hard work during the year. He believed that the new matrix was an improvement and thanked Councillor Combellack specifically for re-energising scrutiny through her proactive approach. Councillor Mason echoed those thoughts in seconding the recommendation.

Councillor J Walker spoke on behalf of the Labour group and noted that scrutiny was an essential part of a functioning democracy. She endorsed the work of the Groups over the last twelve months and hoped to see scrutiny continue to evolve. She would welcome Cabinet member participation in the meetings to help Councillors understand why decisions were made, and would like to see a willingness to engage the public in scrutiny both directly and through interest groups.

Councillor Jones reported an improvement in the relevance and depth of topics under scrutiny last year and was pleased to see a good level of engagement from Councillors across all parties. Councillor Jones agreed with Councillor J

Walker in that engagement of the public should be extended and looked forward to that over the course of the next year.

Councillor R Mallender was pleased to note that the changes brought in after the last election had settled down and were resulting in more effective scrutiny. He told Council that in his view the only recommendation made in the last review was for Cabinet to be more present at scrutiny to answer questions from the scrutiny group. He would also like to see more public engagement in scrutiny.

Councillor Thomas thanked officers and councillors for their contribution to scrutiny over the last twelve months. Although there was still some way to go, the process had become less inward looking.

Councillor Robinson thanked Councillors for their views and confirmed that members of Cabinet were available to attend scrutiny when invited.

It was **RESOLVED** that the work undertaken by the four Scrutiny Groups during 2019/20 be endorsed.

30 **Notices of Motion**

- a. The following Notice of Motion was proposed by Councillor Robinson and seconded by Councillor Brennan.

“In light of recent reports on council company governance issues leading to company failures, job losses, significant financial losses to the tax payer and council budgets being overly reliant on single commercial income streams, potentially impacted by Covid-19.

This Council calls on the Government to provide clearer governance and risk management guidance to councils taking part in commercial ventures - to ensure that local council taxpayers' money and jobs are better protected.”

Cllr Robinson informed Council, in moving the motion, that he had brought this motion forward to protect local businesses and people employed by local authorities. He reminded Council that since 2010, local authorities had been encouraged to diversify, generate additional income streams and become more business-like. Central Government did this on trust leaving it up to councils to ensure they had the right governance structures, skilled employees, risk awareness and financial backing. Rushcliffe had taken up that challenge and delivered. There was an Asset Investment Board, which considered investments and risks, it had developed a very successful portfolio, and senior council officers have been trained by the Institute of Directors to be competent in this new area. At the heart of this approach was the understanding that councils managed public money and, consequently, had substantial responsibility to ensure that was used wisely and prudently. Councillor Robinson reminded Council that Rushcliffe had recently been recognised as the Best Commercial Council and the most Entrepreneurial Local Authority in the same year after a number of successes including the delivery of Bridgford Hall, the regeneration of Cotgrave town centre, Rushcliffe Arena and Streetwise. He outlined a

number of other councils that had not been as effective with their investments, with a detrimental effect on local communities, local authority finances, and in many cases people employed by those new businesses. He believed that central government should be setting guidelines for local authorities to steer their activities in this area to protect local taxpayers, council run businesses and their employees.

Councillor Brennan seconded the motion and reminded Council that all local authorities were facing extreme financial challenges and that many front-line services were under threat. The Covid-19 pandemic had left many councils weaker still. She supported the need for guidelines to be published to support local authorities in their commercial ventures to protect public resources.

Councillor Gray informed Council that the Labour Group would be supporting the motion but that they objected to the overtly political manner in which the Leader had presented the motion. He also reported that research showed that councils with the greatest social need invested heavily and early to off-set the losses made by austerity cuts – cuts they would not have needed to make if Central Government had not removed the Revenue Support Grant.

Councillor Jones also supported the motion but informed Council that political point scoring was unnecessary in this case. Councils of all political persuasions had diversified in order to meet the growing budget gap, some had been successful, others had not. Commercialism was not an effective way to support public services in all areas.

Councillor R Mallender suggested that it was a failure of scrutiny and risk management by parties with an overwhelming majority thinking that they knew best on behalf of their residents. He claimed it was a warning that all councils needed to heed. Commercialisation was not a bad idea per se, councils just needed to do it better. Local authorities needed to have the competence to understand how businesses worked, as did Councillors, to ensure that they could ask the right questions.

Councillor Thomas declared that the motion was politically motivated, designed to highlight the risks of commercial activity in relation to other councils but not this authority. She proposed an amendment to the motion, which would be seconded by Councillor Jones.

On checking against the Constitution, the Monitoring Officer declared that the motion, as amended, was not acceptable as it completely changed the purpose and function of the original motion. Councillor Thomas was given the option of continuing with any further comments she wished to add on the motion but declined.

Councillor Robinson agreed with the comments made by Councillor R Mallender and stated that the Council had an excellent process in place for managing its risks. It was noted that the Council had turned down projects and investments in order to manage its risks.

On being put to the vote, the motion was carried, with two abstentions

(Councillors Thomas and Shaw).

- b. The following Notice of Motion was proposed by Councillor Gaunt and seconded by Councillor J Walker.

“The 21% of new homes built in the flood zone in Rushcliffe is the highest in Nottinghamshire and cannot still be considered a sustainable option. The Environment Agency in England has said building homes on flood plains should be resisted where possible and Conservative MP John Redwood has stated in February 2020 that “building on land most at risk of flooding was a very foolish thing to do.” With the future impact of climate breakdown meaning that flooding is likely to intensify in both frequency and severity, we call on the Borough Council to commit to the following actions:

Give due consideration to the potential impact of the building of housing in flood risk areas, zones 1-3.

Where proposed sites in the Rushcliffe part of the Greater Nottingham Strategic Plan fall within flood prone areas to actively engage with statutory consultees to ensure robust assessment of the proposal.”

The Mayor made Council aware that the motion contained a typographical error. A vote was taken to accept the correction of the error before the Mayor invited Councillor Gaunt to present his motion.

The corrected motion reads:

“The 21% of new homes built in the flood zone in Rushcliffe is the highest in Nottinghamshire and cannot still be considered a sustainable option. The Environment Agency in England has said building homes on flood plains should be resisted where possible and Conservative MP John Redwood has stated in February 2020 that “building on land most at risk of flooding was a very foolish thing to do.” With the future impact of climate breakdown meaning that flooding is likely to intensify in both frequency and severity, we call on the Borough Council to commit to the following actions:

Give due consideration to the potential impact of the building of housing in flood risk areas, zones 2-3.

Where proposed sites in the Rushcliffe part of the Greater Nottingham Strategic Plan fall within flood prone areas to actively engage with statutory consultees to ensure robust assessment of the proposal.”

Councillor Gaunt, in moving the motion, gave a number of examples where senior public officials had made comment on the dangers of building new homes on local flood plains. He also drew Council’s attention to the part that flooding was playing in the climate emergency, which this Council had pledged to address locally. However, Rushcliffe continued to approve plans allowing others to build on the flood plain. It also allocated land at risk of flooding for development in the Local Plan. Councillor Gaunt explained that this motion was necessary to ensure the Council considered and consulted

upon all other options before building on the flood plain. He concluded by saying that building new homes on the flood plain was not sustainable – economically, socially or environmentally.

Councillor J Walker seconded the motion and reserved the right to speak.

Councillor Upton responded to the motion on behalf of the leading group. He stated that he was very surprised that the motion had been put forward as the Council already considered alternative options and undertook extensive consultation before approving land for allocation or new developments. He also pointed out that there had not been significant flooding on any new development in the Borough built in the last five years and moved that the motion be put to the vote without further debate.

Councillor Gaunt argued against setting aside discussion of the motion as he felt this was an important issue that deserved to be debated democratically in an open forum.

Councillor Gray raised a point of order, referred the Mayor to section 14.11.c of the Council's Constitution, and stated that Councillor Upton's motion to proceed directly to the vote had not been seconded.

Councillor Robinson seconded the motion to proceed directly to the vote and reassured Councillor Gaunt that his Group would be supporting the motion as the Council already undertook the measures he was proposing.

Councillor Jones added his support to the motion and raised concerns that what the Council was currently doing was not working and did not go far enough to protect the flood plains. He pointed out that building on flood plains did not necessarily mean that those properties would flood but suggested the Council look more widely at the impact of developments as there had been significant additional flooding in more established parts of the Borough adjacent to new developments.

Councillor Thomas encouraged the Council to take the opportunity to assess flood risk as more than just a box ticking exercise.

Councillor J Walker, who had reserved her right to speak, was disappointed that a more productive debate had not taken place. She reiterated that the Council needed to stop allocating land for development and approving plans to develop in Zones 2-3.

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

31 **Questions from Councillors**

a) **Question from Councillor Gowland to Councillor Moore**

“There is a pressing need for a reliable source of IT support that our residents can trust, and many people would be happy to pay for IT support service from an organisation like Rushcliffe Borough Council that they trust. Can this Council undertake a feasibility study into the possibility of providing a paid for IT support and training service to the

residents of Rushcliffe?”

Councillor Moore noted that the Council’s ICT services was currently fully occupied with maintaining services and dealing with effects of Covid-19 on the Council. He reported that he had seen no evidence of a pressing need for this kind of service and any requirement within the community could be adequately met by the private sector.

Supplementary question

Councillor Gowland asked if a pilot scheme could be considered perhaps outsourcing the actual work whilst raising much needed money for the Council.

Councillor Moore replied that any pressing need was dealt with by the private sector and that such a scheme was very unlikely to generate an income for the Council if outsourced.

The meeting closed at 8.40 pm.

CHAIRMAN