MINUTES
OF THE MEETING OF THE
COUNCIL
THURSDAY, 27 SEPTEMBER 2018

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

PRESENT:

Councillor Mrs M Stockwood (The Mayor)

Councillors R Adair, S Bailey, K Beardsall, M Buckle, R Butler, H Chewings, T Combellack, B Cooper, G Davidson, N Clarke, M Edwards, A Edyvean, J Greenwood, R Hetherington, S Hull, R Inglis, K Khan, R Jones, J Lungley, A MacInnes, R Mallender, S Mallender, D Mason, G Moore, A Phillips, L Plant, F Purdue-Horan, S J Robinson, Mrs J Smith, J Stockwood, J Thurman, R Upton, R Walker, G Wheeler and J Wheeler

ALSO IN ATTENDANCE: 6 members of the public

OFFICERS IN ATTENDANCE:

D Banks	Executive Manager - Neighbourhoods
C Caven-Atack	Performance, Reputation and Constitutional Services Manager
J Crowle	Monitoring Officer
M Elliott	Constitutional Services Team Leader
A Graham	Chief Executive
P Linfield	Executive Manager - Finance and Corporate Services
K Marriott	Executive Manager - Transformation and Operations
D Mitchell	Executive Manager - Communities
S Sull	Borough Solicitor

APOLOGIES:

Councillors Mrs C Jeffreys, A Brown, B Buschman, J Cottee, A Dickinson, J Donoghue, N Lawrence and Mrs M Males

Opening Prayer

The Meeting was led in prayer by the Mayor's Chaplain, Canon Alan Haydock.

20 **Declarations of Interest**

Julian Crowle and Sanjit Sull declared an interest in agenda item 9, Arrangements for the Monitoring Officer Role.

21 **Minutes**

The Minutes of the meeting held on Thursday 26 July 2018 (subject to an amendment to the text of Minute No18 proposed by Councillor Jones) were approved as a correct record and signed by the Mayor.

22 **Mayor's Announcements**

The Mayor welcomed Councillor Walker to his first Council meeting after being elected to represent the Gotham ward.

The Mayor also referred to the following engagements:

- Attending a wide range of produce shows over the summer.
- Judging the entries at the Hicking Scarecrow Festival.
- Attending many Council run events including Lark in the Park.

The Mayor also advised what a great event the Tour of Britain Cycle race had been and how much she had enjoyed seeing the fantastic welcome that local residents had given the riders.

23 **Leader's Announcements**

The Leader welcomed Councillor Walker to his first meeting of Council after being elected. The Leader also thanked all those involved in making the Tour of Britain cycle race such a success and noted what a fantastic event it had been for the entire Borough as well as noting the positive feedback that the event had received from both residents and visitors. The Leader also referred to the partnership work that was carried out by the Council and noted the record attendance at the recent Town and Parish Forum event and the success of the Rushcliffe Business Partnership as well as the upcoming Digital Growth Programme Rushcliffe Showcase Event. The Leader also noted that Rushcliffe had again ben placed highly in the Office of National Statistics Resident Satisfaction Survey.

24 **Chief Executive's Announcements**

The Chief Executive noted the work of Nottingham Trent University and their outreach work in supporting students from Rushcliffe achieve their potential academically and in the local jobs market. The Chief Executive also advised that an electronic voting system was being currently being trialled and tested in advance of being introduced for use in council meetings.

25 **Citizens' Questions**

The following question was submitted by Alan R Harvey.

“The Cabinet’s approval of the creation of an LLP between RBC Enterprises

Ltd and PSP Facilities Ltd will influence decisions relating to the future of Council-purchased and other land, local infrastructure and the economy across the borough. Taking into account that the LLP will effectively be a commercial enterprise and not subject to all of the transparency required for local government governance, will the Council give a public assurance that any considerations of the LLP that affect or apply to parts of the borough will be the subject of notification and consultation to the local established Town/ Parish/Meeting bodies, or where such a body does not currently exist, direct consultation with the public or some other body for this purpose?"

In Mr Harvey's absence the question was read out by the Mayor.

Councillor Edyvean provided the following response.

"Any projects undertaken by the LLP will be subject to sign off by Cabinet. The Council can give public assurance that it will continue to make decisions in line with the Council's constitution which includes consultation with relevant bodies as appropriate."

26 **Approval of the Scrutiny Annual Reports**

Councillor Robinson presented the report of the Executive Manager – Finance and Corporate Services that provided a review of the work undertaken by the Council's four scrutiny committees during 2017/18. After the report had been seconded by Councillor Mason, Councillor Robinson invited the scrutiny committee chairmen to deliver a brief summary of the work of their committee over the last year.

The Chairman of the Community Development Group, Councillor Combellack, thanked the Vice-Chairman, Councillor Thurman and members of the committee, as well as officers for their work and support over the past year. Councillor Combellack outlined the work of the committee including a review of the delivery of the YouNG initiative that had resulted in a delivery partnership with the Trent Bridge Community Trust, tree protection and promotion that had resulted informed the introduction of the Council's free tree scheme as well as reviewing the use of single use plastics across Council sites. Councillor Combellack also referred to the reviews of rural broadband provision and the Councils off-street car parking strategy.

The Chairman of the Corporate Governance Group, Councillor Beardsall, thanked the Vice-Chairman, Councillor Davidson, members of the committee and officers for their support as well as Councillor MacInnes for standing in as Vice-Chairman at times during the year. Councillor Beardsall noted the working group that had been set up by the committee to review the Council's Constitution and of the positive impact that the review had had with the introduction of public speaking at Cabinet and Council meetings. Councillor Beardsall also referred to the current Centre for Public Scrutiny review of scrutiny at Rushcliffe and advised he was looking forward to seeing their report.

The Chairman of the Partnership Delivery Group during 2017/18, Councillor Mrs Smith, outlined the work of the committee throughout the year including reviews of Positive Futures the Cooperation Agreement for Fleet Maintenance

and Garage Services with Nottingham City Council and the partnership with Metropolitan Housing. Councillor Mrs Smith thanked the Vice-Chairman, Councillor Greenwood, members of the committee and officer for their support.

The Chairman of the Performance Management Board during 2017/18, Councillor G Wheeler, thanked the Vice-Chairman Councillor Chewings, members of the committee and officers for their support and work during the year.

Councillor Chewings thanked all the different delivery partners for attending the meetings of the Partnership Delivery Group during the year and for all the work they did in providing excellent services to Rushcliffe residents. Councillor Richard Mallender advised that he welcomed the current Centre for Public Scrutiny review of scrutiny and that he looked forward to seeing their recommendations for how scrutiny could be delivered in the future at Rushcliffe.

It was **RESOLVED** that the work carried out by the Council's scrutiny committees during 2017/18, be endorsed.

Julian Crowle and Sanjit Sull who had declared an interest in the following item left the room at this point.

27 **Arrangements for the Monitoring Officer Role**

The Chief Executive submitted a report seeking approval for Sanjit Sull to be appointed as the Council's Monitoring Officer from 1 October 2018.

The report was moved by Councillor Robinson and seconded by Councillor Mason. Councillor MacInnes noted his support for the recommendation and wished the current Monitoring Officer all the best for the future.

It was **RESOLVED** that Sanjit Sull be appointed and designated as the Council's Monitoring Officer from 1 October 2018.

Julian Crowle and Sanjit Sull returned to the room at this point.

28 **Notices of Motion**

In advance of the motion being moved, the Mayor read the following statement from the Borough Solicitor.

"Councillors are reminded that the local plan is to be considered for adoption by full Council following the conclusion of the Public Inquiry and that any discussion on the motion this evening will be a matter of public record. Therefore, Councillors should be mindful of the need to avoid any discussion that may give the appearance of bias or of having predetermined view before taking a decision on planning policy."

The following motion was moved by Councillor Robinson and seconded by Councillor Upton.

"Despite building more houses, including social housing, within the Greater

Nottingham Housing Market Area, than any other District over the last 7 years, Rushcliffe is being unfairly penalised under current Government Planning Policy.

"This Council would like to express to the Government, in the strongest terms, its frustrations in the delays of developers and landowners in progressing housing sites that have been allocated since December 2014 in our core strategy. This is having an unacceptable impact on the Council's five year land supply, resulting in approvals being given on appeal on housing allocations that it does not support.

The current housing land supply is 3.1 years due to a lack of delivery by landowners and developers on the major allocated housing sites. The soon to be adopted Local Plan Part 2 will provide Rushcliffe once again with 5 years of housing land supply, but this could quickly be put at risk again through continued inaction by the landowners and developers on the major allocated housing sites.

This Council is calling for government to step up its support in both:

1. Ensuring that developers and landowners progress the developments on these strategic sites and,

2. Increasing the protection for areas outside the core city area, by preventing speculative developments which are not allocated within the Local Plan or the Emerging Local Plan Part 2."

In moving the motion, Councillor Robinson advised that this motion had been brought to Council to highlight the unfairness of Government housing policy and the negative impact that it was having on the Borough and its residents. Councillor Robinson advised that while the preparation of the Local Plan Part 1 had been challenging in identifying the number of housing sites required, it was a challenge that the Council had successfully met. I having met this challenge it was now frustrating to see that many of the sites identified for housing, and having extant planning permissions in place, were not being delivered. Councillor Robinson noted that both developers and landowners were responsible for the slow pace of development of identified housing sites.

Councillor Robinson noted the frustration of many communities in the Borough, particularly in East Leake, due to planning appeals being lost on speculative applications for unsuitable and unstainable development, due the fact that the Council was unable to demonstrate a five-year housing supply. Councillor Robinson advised that in order to stop unsustainable and unsuitable development it was essential that Councils were given more powers to bring the development of identified housing sites forward. Councillor Robinson advised that as he and the Chief Executive would be meeting the Housing Minister in the coming weeks, it was essential that the Council sent a strong message via his motion that the current situation with developers and landowners not developing identified housing sites was not acceptable.

Councillor Upton in seconding the motion noted the need for more housing nationally, and for that housing to be built now, with the current lack of housing being a pressing social problem with over 300,000 new homes needing to be

built nationally every year in order to meet demand. Councillor Upton noted that while the Council had had successes in identifying and brining housing sites forward for development more needed to be done with Rushcliffe needing to deliver another 13,000 homes by 2028. Councillor Upton noted that while Rushcliffe had seen more house building than any other area in the Greater Nottingham housing area the Council still needed to enable more houses to be built.

Councillor Upton stated that Council could only grant planning permission and did not build houses and that there were large numbers of sites in the Borough with planning permission that were not being developed due to developers siting on planning permissions. Councillor Upton also noted the long delays from planning permissions being granted on sites to work beginning and sites being completed. Councillor Upton advised that while developers and landowners needed to deliver housing, the Council lacked the powers to compel developers and landowners to bring housing developments forward on allocated sites, a situation that resulted in speculative and unsustainable developments being built across the Borough.

Councillor MacInnes advised that the issue of the pace of house building and growth was the biggest planning issue that was confronting the Borough. Councillor MacInnes noted that despite having an up to date Local Plan Part 1 in place with Part 2 to be approved later this year, as well an effective Planning Service, 60% of planning permissions granted in the last five years had still not been built. Councillor MacInnes agreed with Councillor Upton that Local Authorities could only make land available for housing; and then rely on private developers to build the homes at the required rate and that if developers did not build on allocated land it was then the responsibility of the Council to address the shortfall by allocating even more land for housing. Councillor MacInnes also noted his frustration with the planning appeals process in the current situation that he saw as being used by developers to bypass democratic procedures and gain planning permissions on appeal.

Councillor MacInnes noted that amendments should be made to the Nation Planning Policy Framework to relive pressure on areas that had identified housing sites that were not being moved forward by developers and that permissions granted, but not yet built, should be included in the calculations of the Council's five-year housing supply.

Councillor Davidson noted his agreement with Councillor MacInnes that sites with planning permission, but not yet built should be included in the calculation of the Council's five-year housing supply. Councillor Davidson also noted that Councils needed much more power to get developers to develop sites and wished the Leader and the Chief Executive good luck in their upcoming meeting with the Housing Minister.

Councillor Jones in supporting the motion advised that he wished the terms of the motion were stronger, and that a major factor in the current housing crisis was that fewer homes were being built, and that those that were being built were less affordable and were being built more slowly with insufficient infrastructure being provided on those developments for residents. Councillor Jones noted that the number of houses being built nationally had declined and that developers who benefitted from rising house prices could not be relied on

to deliver the required amount of houses. Councillor Jones advised that the Government should enable Councils to borrow, directly or through Housing Associations, to build and sell houses and to use local builders to build locally Councillor Jones also advised that Council's should be able to compulsory purchase at undeveloped land prices land if landowners and national builders were not developing allocated housing sites at the required pace.

Councillor Butler noted the difficult decisions that had been made with regard to the allocation of housing sites for the Local Plan Part 1 and expressed frustration that due to the inactivity of developers more difficult decisions were now needing to be taken in the development of the Local Plan Part 2. Councillor Butler advised that it was essential that the Council, having played its part by granting planning permissions and allocating sites was supported by land owners and developers. Councillor Butler advised that local communities were being let down, as due to a lack of a five-year housing supply it appeared to residents that development was occurring indiscriminately across the Borough in unsustainable locations.

Councillor Sue Mallender noted her support for the previous comments and her support for local authorities to be able to compulsory purchase land that had be allocated for housing in order to bring development forward, and to require more affordable housing to be built on developments. Councillor Sue Mallender also noted that it was essential that all new housing development was supported by adequate infrastructure such as transport links, schools, GP surgeries and green open spaces. Councillor Khan noted his support for the motion and his agreement with Councillor Jones that the powers available to local authorities to get sites developed including compulsory purchase powers and penalties for developers who did not build on sites with planning permission should be introduced.

Councillor Robinson in responding to the debate thanked members for their support for the motion. Councillor Robinson advised it was essential that housing should be built on allocated sites with appropriate infrastructure as building on unallocated sites with insufficient infrastructure would create a poor quality of life for the residents of those houses, and noted that the legacy of the Council should not be large amounts of houses built where they should not be. Councillor Robinson noted that in addition to his and the Chief Executive's upcoming meeting with the Housing Minister, the Rt Hon.Ken Clarke MP was also talking to Government minsters regarding the issue of housing supply in Rushcliffe. Councillor Robinson noted the success of the Council in brining housing sites forward to development, for example at Sharphill but noted that more support for Councils, to get developments started was essential.

On being put to the vote the motion was declared as carried.

29 **Questions from Councillors**

a) Question from Councillor Richard Mallender to Councillor Upton.

"Following councillors' recent visit to the Materials Recovery Facility at Mansfield it became clear that current guidelines issued to residents are insufficient to provide clear direction on the type and nature of materials that can be recycled. Will the councillor undertake to improve and clarify the

information Rushcliffe Borough Council provides to residents such that our recycling rates can be substantially improved?"

In response to the question, Councillor Upton stated that the Council had recently been working with all the other Nottinghamshire districts, the County Council and Veolia to support the development of enhanced information and guidance on materials that could be recycled linked to the input specification of Material Recycling Facility and noted that this information would be used in any future engagement work.

Supplementary question

Councillor Richard Mallender asked that as the end of the Nottinghamshire County Council contract with Veolia was not until 2032 would the Council be working with other districts to try and get the input specification changed or to seek additional recycling provision.

Councillor Upton advised that a letter had been sent to Nottinghamshire County Council this week regarding the matter.

b) Question from Councillor Sue Mallender to Councillor Upton.

"Will the councillor please update council on the progress made to date on reducing single use plastic within the borough council and by our partner organisations?"

In response to the question, Councillor Upton stated that an updated report and action plan on the successful work of the Single Plastic Working Group had been provided to the Community Development Scrutiny Group on 18 September 2018.

Supplementary question

Councillor Sue Mallender asked as there were very few places in Rushcliffe included on the refill app could the Council work with local businesses to encourage them to sign up to such apps, and also whether a ban on non-biodegradable confetti on Council property could be considered.

In response to the question, Councillor Upton stated that these areas of concern were currently being considered.

c) Question from Councillor Sue Mallender to Councillor Upton.

"In view of the need to increase recycling rates within the borough will the councillor commit to seeking new locations for bring-sites for glass recycling?"

In response to the question, Councillor Upton stated the Council was always open to working with key stakeholders to develop bring sites in appropriate and sustainable locations and that currently the Council were exploring an option for the Hook Car Park in Lady Bay.

There was no supplementary question.

d) Question from Councillor Hull to Councillor Upton.

“In view of what we learnt at the MRF, will the Council make representations to the Government to bring about legislation requiring manufacturers to simplify the number of types of food packaging that is recyclable?”

In response to the question, Councillor Upton stated that in March this year the Council coordinated a combined response from the Nottinghamshire Joint Waste Management Committee to the Governments consultation on ‘’tackling the plastic problem’. This included specific questions regarding the opportunity for manufacturers to do more to reduce and simplify current food packaging arrangements. The Council is also a member of LARAC (Local Authority Recycling Advisory Committee) and also RECOUP (Recycling of Used Plastics) which are national organisations aiming to influence central government decision making on recycling.

Supplementary question

Councillor Hull asked that if as it appears, the MRF is not able to change and recycle more types of plastic food packaging waste before the end of their contract and as RBC is a customer of MRF, will the Cabinet have a say in the County Council’s decision-making process?

In response to the question, Councillor Upton stated that Council had a strong record of accomplishment of challenging the input specification of the MRF through the Joint Waste Management Committee, however any decisions to change the input specification ultimately rested with the County Council, as the Waste Disposal Authority, and their contractual arrangements with Veolia.

e) Question from Councillor Edwards to Councillor Mason.

“It is now 3 years since Council approved that the proceeds of the sale of the Art Collection be used for art in the Borough and more than 2 years since Cabinet approved the sum of £25,000 for a sculptured seat outside the Arena. Why is it taking so long for this work to be completed?”

In response, Councillor Mason advised the agreement that the proceeds of the Borough Art Collection could be used to commission a sculpture outside the new Rushcliffe Arena was discussed at the Community Development Group on the 23 August 2016. Councillor Mason advised that options to create a bespoke seating sculpture have been considered, however when the detailed designs were received it had been considered that the design was not appropriate for the proposed location. Councillor Mason acknowledged this had taken some time but emphasised that it was more important to get it right rather than spend the money in haste. It was noted that the capital monies totalling £25,000 (£15,000 from the art collection sale and a further £10,000 from the Rushcliffe Arena project) had been protected in the Council’s capital programme and Councillor Mason advised that she was open to suggestions for a potential solution and for the Community Development Group to reconsider the way forward.

Supplementary question

Councillor Edwards asked if a timescale could be given for a completion of the project.

In response to the question Councillor Mason advised that were no set timescales and that the matter should be considered further by the Community Development Group.

f) Question from Councillor Edwards to Councillor Robinson.

"In considering the County Council's plans for the creation of a unitary council or councils, what are the Leader's "red lines" to protect Rushcliffe's residents and services?"

In response Councillor Robinson advised that it was not relevant or possible to define red lines at the current time. Councillor Robinson advised that the Council was committed to entering a dialogue in respect of reorganisation with any Upper Tier Authority, as agreed within the terms of motion passed by this Council on 7 December 2017. Councillor Robinson advised that as Leader he would expect any business case put forward to address four key issues for Rushcliffe residents that were maintained or improved local service delivery, maintained or improved local value for money, real and tangible cost savings without affecting points one and two and provision of equivalent or stronger strategic and local leadership to support future growth.

Supplementary question

Councillor Edwards asked was it not the case that Nottinghamshire County Council wanted to take advantage of Rushcliffe's positive financial position.

In response, Councillor Robinson advised that that was a question for the Leader of Nottinghamshire County Council.

The meeting closed at 8.20 pm.

MAYOR