

**MINUTES
OF THE MEETING OF THE
COUNCIL**

THURSDAY, 5 DECEMBER 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, N Begum, A Brennan, B Buschman, N Clarke, T Combellack, J Cottee, G Dickman, A Edyvean, M Gaunt, P Gowland, B Gray, L Healy, R Hetherington, L Howitt, 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, L Way, G Wheeler, J Wheeler and G Williams

OFFICERS IN ATTENDANCE:

L Ashmore	Executive Manager - Transformation
D Banks	Executive Manager - Neighbourhoods
C Caven-Atack	Service Manager - Finance and Corporate Services
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

APOLOGIES:

Councillors S Bailey, K Beardsall, R Butler, R Inglis and J Murray

37 Declarations of Interest

There were no declarations of interest.

38 Minutes of Meetings of the Council held on Thursday, 19 September and Tuesday, 8 October 2019

The minutes of the meeting held on Thursday, 19 September 2019 and Thursday, 8 October 2019 were approved as a correct record and signed by the Mayor.

39 Mayor's Announcements

The Mayor wished all Councillors and members of the public in attendance a very Merry Christmas and invited Councillors to join her in the Parlour after the meeting for a festive bite to eat.

40 Leader's Announcements

The Leader reflected upon the recent Rushcliffe Community Awards, which saw over 170 nominations reflective of local community volunteers, businesses, sports teams and individuals, and was an excellent evening for all involved.

He also asked the Chief Executive to pass on his thanks to officers across a number of teams who responded so swiftly to the recent floods. The floods were very disruptive to a number of residents and businesses and he praised officers for their human approach during this distressing time.

Finally, the Leader commended the Council's free trees scheme, which had a fantastic response from the local community and told Councillors of his experiences when collecting his tree recently.

41 Chief Executive's Announcements

The Chief Executive informed Councillors that there would be a further presentation on the Development Corporation in January 2020 from Anthony May, the Chief Executive of the County Council and senior responsible officer for the Development Corporation.

The Chief Executive also outlined the new queueing system for the microphones on trial at the meeting.

42 Citizens' Questions

A Citizens' Question was received from Mr Steve Cook who asked his question in person:

"As the consultation survey on the future of Lutterell Hall has now been completed, can the Leader of the Council inform residents how the qualitative data (ie residents' comments) will be analysed and feed into any recommendations / decisions being made on the future of Lutterell Hall? "

Councillor Edyvean informed Mr Cook that the qualitative data from the survey would be analysed in line with best practice by officers and the results included in a report to Cabinet in the New Year.

43 Public Spaces Protection Order Review

The Deputy Leader and Portfolio Holder for Community and Sustainability, Councillor Mason presented the report of the Executive Manager for Neighbourhoods outlining the review of the Public Spaces Protection Order.

Councillor Mason advised that she remained fully supportive of the Public Spaces Protection Order (PSPO) following its introduction three years ago. A review had been undertaken to consider an extension of the current PSPO for a further three years as guided by legislation. The Orders were a flexible enforcement tool to control Anti-Social Behaviour (ASB) on reasonable grounds. A full public consultation had taken place from 20 August to 20 September 2019 and the feedback had been broadly supportive. Key partners

including the Police, the Police and Crime Commissioner, community safety partners, Nottinghamshire County Council and other key stakeholders who have been dealing with the PSPO over the last three years were also very supportive. The Council has always recognised that outdoor sleepers need support rather than an enforcement approach and the Council worked closely with partners to ensure that they receive the support they need. Each case was different and she had previous experience through working with Metropolitan Housing. The PSPO was a guiding factor in the formation of the multiagency Rough Sleepers Group to help individuals. The Communities Scrutiny Group had scrutinised the establishment of the PSPO and the review and endorsed it both times. Whilst there were differing views within the Group, the overall view was in favour of the extension.

The report was moved by Councillor Mason and seconded by Councillor Brennan.

Councillor Bansal stated that rough sleeping had doubled since 2010. Increasing numbers of homeless people were dying, with a 50% increase in the last five years. Last year 726 homeless people had died. The Labour Group's concern with the PSPOs was that 36% of local authorities use PSPOs specifically against rough sleepers, despite guidance not to. Rough sleepers should not be criminalised they should be offered more education and support and the Council should work with local groups to help them. It was a concern that the problem would develop further and the Council would not get to the root cause. Whilst the support already being given was acknowledged, it was important that where the PSPO was being used, it was not targeting the rough sleepers.

Councillor Jones confirmed that the Liberal Democrat Group would be supporting the recommendation. It was important that rough sleepers were treated according to the guidance as appropriate. He advised that the Police did not always appear to be aware of the PSPO and it would be helpful to improve communication.

Councillor Howitt arrived at 7.20pm.

Councillor Richard Mallender stated that he had expressed reservations when the issue was considered at the Communities Scrutiny Group. It was important that rough sleepers were provided with help and support and the Green Party did not believe that this was the correct legislation and would therefore not be supporting it.

Councillor Thomas confirmed that the Independent Group supported the recommendation. It was noted that measures to support the individuals concerned were far more important than punishment, together with the support that was already being given. The Group urged that performance indicators be developed to measure the support offered and its effectiveness alongside the existing indicators such as the number of warning notices issued, which only measured enforcement activity.

Councillor J Wheeler advised that some of the recently elected Councillors who had joined the Communities Scrutiny Group had been unaware of the purpose of the PSPO; given that when it was first introduced there had been inaccurate

media coverage of its intentions to fine all rough sleepers. Through the in-depth briefings from the officers, it clearly showed that the Council was not using the Order to target rough sleepers; it was used to work with agencies and partners to help people. It was essential to communicate to people that the aim of the Order was to help people.

Councillor Mason confirmed that the PSPO had been useful to all agencies, including the Police and no enforcements been served on rough sleepers. The PSPO was in place to stop ASB in public areas and it was not focused on rough sleepers. It had given the Police and Council officers “tools” to assist their work and had helped to focus attention and resources on particular areas that had known problems. The consultation had been supported by 17 people; one was neutral, with seven against. It was not a rigid policy; it was fluid and would deal with prescribed types of ASB.

It was RESOLVED that the Public Spaces Protection Order to control street drinking and outdoor sleeping be approved.

44 Upper Broughton Neighbourhood Plan

The Portfolio Holder for Housing, Councillor Upton presented the report of the Executive Manager – Communities providing information on the Upper Broughton Neighbourhood Plan.

Councillor Upton advised that the documents had been introduced by the Localism Act 2011 and were recognised by the National Planning Policy Framework, with local residents empowered to shape the future of their community. A plan had to be in general conformity with the strategic policies of the local planning authority and if the plan was made part of the Local Development Plan, then planning applications within that area would be determined in accordance with both the Rushcliffe Local Plan and the relevant Neighbourhood Plan. The Plan had been promoted by the Parish Council, publicised, consulted on, examined by an independent Examiner and considered by the Borough Council. If the Plan was approved, it would then proceed to a referendum and if more than 50% of those voting voted “yes” then the Borough Council was required to “adopt” the Plan. If the result was “no”, then the Parish Council would have to decide what it wanted to do.

Councillor Upton moved the recommendation.

In seconding the recommendation, Cllr Combellack advised that Upper Broughton Parish Council had worked extremely hard on its Neighbourhood Plan and produced a very supportive document, which had been well received by local residents. Such plans gave local residents the opportunity to have their say in the future of their local community and meet increasing demands for housing, protecting the environment and local heritage.

Councillor Gray commended all those involved in producing the Plan and confirmed that the Labour Group supported the recommendation.

Councillor Jones confirmed that the Liberal Democrat Group supported the recommendation.

Councillor Richard Mallender confirmed that the Green Party supported the recommendation.

Councillor Thomas confirmed that the Independent Group supported the recommendation and passed on its congratulations to all those involved in producing the Plan.

It was RESOLVED that Council:

- a) 'make' (adopt) the Upper Broughton Neighbourhood Plan; and
- b) delegates authority to the Executive Manager – Communities to issue a statement setting out this decision as soon as possible following referendum.

45 **Temporary Co-Option to Parish Councils**

The Leader and Portfolio Holder for Strategic and Borough Wide Leadership, Councillor Robinson presented the report of the Monitoring Officer outlining the procedure to be adopted where a Parish Council was unable to function due to insufficient occupation of seats to facilitate quorate meetings.

Councillor Robinson advised that whilst the recommendation was straightforward it had significant implications, as it gave strong reassurance that the Council supported all parish councils, as they were the first line of democracy. The parish referred to in the report was Widmerpool, where Councillor Edyvean stepped in to ensure that the Parish Council could operate. The report recommended the adoption of this procedure across the Borough to ensure that all parishes fulfilled their statutory duties. The Council recognised the excellent work all the parishes did.

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

Councillor Gray confirmed that the Labour Group supported the recommendation and he stated that he supported the comments made by Councillor Robinson.

Councillor Jones confirmed that the Liberal Democrat Group supported the recommendation. He asked what process was followed to inform local residents that a parish council was not quorate.

Councillor Mallender confirmed that the Green Party supported the proposal.

Cllr Way confirmed that the Independent Group supported the proposal and noted the action taken for Widmerpool. The Group requested that all parish councillors be specifically informed of the adopted procedure and any other parish councils at risk of becoming inquorate be identified as soon as possible. The Group also requested that measures be put in place to encourage residents to stand as parish councillors.

Councillor Brennan suggested that the Parish Forum would be a suitable

platform to look at publicity to encourage residents to become parish councillors and proactively promote the important role of parish councils.

Councillor Edyvean confirmed that when a vacancy on a parish council occurred, the parish clerk would advertise it on the parish notice board and website and the Parish Council encouraged local residents to join. If no one came forward, then people would be co-opted.

It was RESOLVED that Council:

- a) notes the action taken by the Monitoring Officer in respect of Widmerpool Parish Council; and
- b) adopts the process for temporary co-option to Parish Councils.

46 **Notices of Motion**

There were no notices of motion.

47 **Questions from Councillors**

a) Question from Councillor Shaw to Councillor Upton

“What is being done to progress the Gamston/Tollerton strategic site in the required timescale, in particular to provide access, given the location of the land Nottinghamshire County Council owns but is not releasing?”

Councillor Upton confirmed that the site had been proposed by all its landowners and work continued with many stakeholders, including Highways England to progress this large housing site to planning application stage as soon as was reasonably practicable. Often with such large sites, there were many challenges and issues to resolve and that took time. However, the Council had employed a dedicated Large Sites Officer who was responsible for progressing this site as a matter of urgency, and it remained optimistic that significant progress would soon be made.

Supplementary Question

Councillor Shaw asked what land would be released to ensure a five-year land supply was maintained if the land owned by the County Council was not released.

Cllr Upton said that he remained hopeful that the whole site could be progressed at the same time. He also reminded Councillors that since the adoption of Local Plan Part 2, the Council had secured a five-year land supply.

b) Question from Councillor Way to Councillor Robinson

“What will be the impact of Nottinghamshire County Council’s decision to stop participating in the Rushcliffe Growth Boards?”

Councillor Robinson stated that Growth Boards make a positive contribution

across the Borough and that he was confident that they would continue to make tangible differences within our local communities going forward. He informed Councillors that there continued to be a very good relationship with the County Council.

Supplementary Question

Councillor Way asked if there was anything Councillors sitting on both the Borough and County Council could do to repair what appeared to be a broken relationship between the two councils.

Councillor Robinson stated that he did not agree the relationship between the two councils was broken and in need of repair.

c) Question from Councillor Jones to Councillor Mason

“Will the implications sections of reports to Councillors have the additional heading of “Climate Emergency and Environmental Implications” and when will this occur?”

Councillor Mason responded that following the adoption of ‘the environment’ as a fourth corporate priority, this additional heading would be included for consideration along with the other Council priorities on reports from December onwards.

d) Question from Councillor R Mallender to Councillor Mason

“Given the considerable work involved, what human and other resources will be put in place to update the council's Climate Change policy by March 2020?”

Councillor Mason informed Councillors that the Council had formed an internal corporate working group to explore the feasibility of the Council setting a net zero carbon target for 2030. The group are due to share a draft action plan with the Communities Scrutiny Group ahead of a report to Cabinet in March 2020. Furthermore, she reminded Councillors that the Council’s budget approved by Full Council, resources the delivery of the Council’s Corporate Strategy and associated objectives.

The meeting closed at 7.46 pm.

CHAIRMAN