

**GEDLING BOROUGH COUNCIL**  
**15 DECEMBER 2004**

Councillor J.A. Woodward (Mayor)

Councillors:	P.G. Barnes	S.J. Barnes
	D.N. Beeston	A.S. Bexon (a)
	P.M. Blandamer	F.J.D. Boot
	V.H. Bradley (a)	T.R. Chandran
	A.A. Clarke	G.V. Clarke
	W.J. Clarke	J.M. Cole
	S.M. Creamer	R.T. Day
	A.M. Dunkin (a)	M.S. Dunkin (a)
	P. Feeney (a)	A.J. Gillam
	J.F. Glass	W.H. Golland
	I.S. Gollop	R.J. Goodwin (a)
	W.T. Grainger	G.J. Griffiths
	R.G. Kempster	S.M. Lane
	C.M. Lockett (a)	H. Maddock (a)
	J.J. McCauley (a)	V. McCrossen
	G.L. Millar	R.J. Nicholson
	J.M. Parr	W.A. Peet
	V.C. Pepper	R.A. Poynter
	C.N.F.W. Pratt	C. Preston
	S.J. Prew-Smith	D.E. Pulk
	D.A. Pycroft	S.J. Ragsdale
	A. Rigby (a)	J.J. Spencer
	M.S. Spencer	R.F. Spencer
	J.O. Tanner	G.G. Tunnicliffe
	M.A. Wright	

**27 MINUTES SILENCE**

Members held a minute silence in memory of the late former Councillor Stephen Dobson.

Members also paid tribute to the work of Council Dobson over his many years as a Borough Councillor.

**28 APOLOGIES FOR ABSENCE.**

Apologies for absence were received from Councillors Bexon, Bradley, A.M. Dunkin, M.S. Dunkin, Lockett, Maddock, McCauley and Rigby.

**29 TO APPROVE AS A CORRECT RECORD THE MINUTES OF THE MEETING HELD ON 6 OCTOBER 2004.**

RESOLVED:

That the above minutes be approved as a correct record and signed by the Chairman, subject to the inclusion of Councillor A.A. Clarke in the list of those members apologising for non-attendance.

**30 QUESTIONS RECEIVED UNDER STANDING ORDER 9 (1) (a)**

i) Question received in the name of Councillor R. F. Spencer Leader of the Council to Councillor I S Gollop Portfolio Holder for Agenda 21, Crime & Community Development Portfolio Holder:-

'Is it true that the Government has told the Police not to prosecute first time offenders and to record crimes as incidents in order to keep crime figures down? If so, will the Portfolio Holder use his influence as chairman of the Gedling Community Safety Partnership to seek to change this policy?'

Councillor Gollop replied in the following terms:-

'The simple answer to this question is a definitive and resounding 'No'. Further I can assure Councillor Spencer that our Government is extremely serious in dealing with Crime and rebalancing the tension between offenders and victims through a speedier connection between offence, detection and punishment. I believe we can all be safely assured that the fall in crime that we have seen in the recent police figures, of over 18% in Gedling, is genuine and it is our challenge to make it entirely sustainable and then press for further reductions'

ii) Question received in the name of Councillor R F Spencer to the Chairman of the Planning committee:-

'After a number of eventful and boisterous Planning Committee meetings which have had large numbers of the public wishing to attend, is the Chairman of the Planning Committee satisfied that the arrangements with regard to the organisation of such meetings are adequate?'

Councillor Barnes replied in the following terms:-

'It is true that there have been a number of Planning Committee meetings this year where applications which have attracted a lot of public interest have been debated.

Under current arrangements it is only the very contentious planning applications which are debated at the committee and where a number

of such applications have been on the agenda, procedures to manage public attendance have been introduced.

In such circumstances, members of the public are directed to the reception room in the first instance and are then escorted into the Council Chamber where the application they are interested in is to be debated. They are then invited to leave after each decision is made.

These procedures appear to have worked well to date and it is unusual to have more than one or two contentious items on an agenda in any event.

Can I also, while we are talking about Planning, congratulate staff in Development Control in turning around the performance in dealing with applications as I am aware that this financial year to date all national targets for the various categories of planning applications are now being exceeded.'

31

**i) PERSONNEL AND RESOURCES COMMITTEE  
11 OCTOBER AND 6 DECEMBER 2004.**

In respect of minute numbers 36 and 48 of the above meetings respectively, it was proposed by Councillor Boot and seconded by Councillor Lane to appoint Mr E.R. Mills and Mr T. Lee as members of the Independent Remuneration Panel for a period of 3 years, their appointment to terminate in November 2007.

The Mayor put the proposition to the meeting and declared the same carried and it was:-

RESOLVED:

To appoint Mr E.R. Mills and Mr T. Lee as members of the Independent Remuneration Panel for a period of 3 years, their appointment to terminate in November 2007.

**ii) CABINET 4 NOVEMBER 2004**

In respect of minute 83 it was proposed by Councillor R.F. Spencer and seconded by Councillor Gollop to approve the revised set of Prudential Indicators as detailed in Appendix A of the report.

The Mayor put the proposition to the meeting and declared the same carried and it was:-

RESOLVED:

To approve the revised set of Prudential Indicators as detailed in Appendix A of the report.

**NOTICES OF MOTION**

a) Upon a Notice of Motion received in the name of Councillor I S Gollop and seconded by Councillor R.F. Spencer:-

“This Council wishes to place on record its pride in Gedling and its residents. It deprecates the actions of all who fail to recognise the achievements of its community as it builds on its good performance, and aims for excellence.”

A request was made for a named vote by two members, and upon the Mayor putting the proposition to the meeting the voting was as follows:-

**For the proposition:**

Councillors P.G. Barnes, S.J. Barnes, Beeston, Blandamer, Boot, Chandran, A.A. Clarke, G.V. Clarke, W.J. Clarke, Cole, Creamer, Day, Gillam, Glass, Golland, Gollop, Grainger, Griffiths, Kempster, Lane, McCrossen, Millar, Nicholson, Parr, Peet, Pepper, Poynter, Pratt, Preston, Prew-Smith, Pulk, Pycroft, Ragsdale, J.J. Spencer, M.S. Spencer, R.F. Spencer, Tanner, Tunncliffe Woodward and Wright.

**Against the proposition:**

None.

The Mayor declared the proposition carried and it was:-

**RESOLVED:**

That this Council wishes to place on record its pride in Gedling and its residents. It deprecates the actions of all who fail to recognise the achievements of its community as it builds on its good performance, and aims for excellence.

b) Upon a Notice of Motion received in the name of the Leader of the Council Councillor R F Spencer and seconded by Councillor Gollop:-

“After a good and positive year for the Council and staff, Members would like to confirm their intention to build on these achievements with positive and progressive leadership. The Council thanks all members of staff and wishes everyone a Happy Christmas and hopes that by working together we can have an even more successful 2005.”

The Mayor put the proposition to the meeting and declared the same carried and it was:-

RESOLVED:

That after a good and positive year for the Council and staff, Members would like to confirm their intention to build on these achievements with positive and progressive leadership. The Council thanks all members of staff and wishes everyone a Happy Christmas and hopes that by working together we can have an even more successful 2005.

**33 PLANNING CODE OF CONDUCT.**

The Head of Legal and Democratic Services reported that the Standards Committee, in accordance with good practice and the principles of corporate governance had produced a Code of Conduct for Members of the Planning Committee. The Planning Committee had approved the document which was submitted at Appendix 1 to the report.

Council was now recommended to formally adopt the Code of Practice for Members Dealing with Planning Applications for inclusion in the Council's Constitution.

A proposition was moved by Councillor P.G. Barnes and seconded by Councillor R.F. Spencer in the following terms:-

'Council is now recommended to formally adopt the Code of Practice for Members Dealing with Planning Applications for inclusion in the Council's Constitution.'

The Mayor put the proposition to the meeting and declared the same carried and it was:-

RESOLVED:

To formally adopt the Code of Practice for Members Dealing with Planning Applications for inclusion in the Council's Constitution.

**34 ADOPTION OF THE BOROUGH COUNCIL'S LICENSING POLICY.**

Consideration was given to a report of the Head of Planning and Environment recommending the approval of the Borough Council's Licensing Policy.

It was proposed by Councillor Wright and seconded by Councillor Gillam:-

1. 'To accept and adopt the policies set out in the proposed Statement of Licensing Policy for the Borough Council as Licensing Authority pursuant to section 5 of the Licensing Act 2003.

2. To publish the adopted Statement of Licensing Policy by 7th January 2005.'

The Mayor put the proposition to the meeting and declared the same carried and it was:-

RESOLVED:

1. To accept and adopt the policies set out in the proposed Statement of Licensing Policy for the Borough Council as Licensing Authority pursuant to section 5 of the Licensing Act 2003.

2. To publish the adopted Statement of Licensing Policy by 7th January 2005.

**35**

### **LICENSING ACT 2003.**

The Head of Legal and Democratic Services reported that the Licensing Act 2003, which transfers responsibility for liquor licensing to local authorities from the Magistrates' Court, would come into effect from 7 February 2005. The legislation required the Council to appoint a Committee to deal with its functions under the Act, of between 10 and 15 Members.

It was proposed that a committee to be called the Licensing Act Committee be established of 15 Members. This would enable the Committee to create five Panels of 3 Members to deal with applications under the Act. It is proposed, following discussion with the Chair, that the membership of the Committee be the same as the Environment and Licensing Committee, currently 14 members, with the addition of the independent member.

The Licensing Act Committee would be dealing with those applications where there have been objections. In many cases, these would be objections from the Police and Councillor W.J. Clarke has asked that in the circumstances he be not appointed to the new Committee. Councillor J.A. Woodward is proposed as the Labour Group nominee in his place.

The remit of the Committee would be to exercise all the functions of the Council under the Licensing Act 2003, except those functions which are reserved to the Council, such as the adoption of the Statement of Licensing Policy.

A proposition was moved by Councillor Wright and seconded by Councillor P.G. Barnes that Council to:-

1. Establish a Licensing Act Committee of 15 members;
2. Appoint the Members of the Environment and Licensing Committee to serve on the Licensing Act Committee, except for Councillor W.J. Clarke, who is replaced by Councillor J.A. Woodward, together with Councillor W. Peet;
3. That the Licensing Act Committee be delegated authority to deal with all the Council's functions under the Licensing Act 2003, save for those matters reserved to the Council by the legislation.

The Mayor put the proposition to the meeting and declared the same carried and it was:-

RESOLVED To:

1. Establish a Licensing Act Committee of 15 members;
2. Appoint the Members of the Environment and Licensing Committee to serve on the Licensing Act Committee, except for Councillor W J Clarke, who is replaced by Councillor J A Woodward, together with Councillor W Peet;
3. That the Licensing Act Committee be delegated authority to deal with all the Council's functions under the Licensing Act 2003, save for those matters reserved to the Council by the legislation.

The meeting closed at 7.45 pm.