

## COUNCIL

Wednesday, 11th October, 2006

Councillor A.A. Clarke (Mayor)

Councillors:

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

### 25 MINUTES SILENCE

Members observed a minute's silence in memory of 3 recently deceased former Aldermen of the Council, Mr R.V. Baird-Parker, Mr M.S Hall and Mr. P.J. Newton.

The Leader and Members paid tribute to the work of the former Aldermen.

### 26 APOLOGIES FOR ABSENCE.

Apologies for absence were received from Councillors Beeston, Blandamer, Boot, Day, A.M. Dunkin, Glass, McCauley, Millar, Pycroft, Peet and Woodward.

**27 TO APPROVE AS A CORRECT RECORD THE MINUTES OF THE MEETING HELD ON 26 JULY 2006.**

RESOLVED:

That the minutes of the above meeting, be approved as a correct record and signed by the Mayor.

**28 DECLARATION OF INTERESTS.**

Councillor Creamer declared a personal and non-prejudicial interest in agenda items 8(ii) due to the fact that he lives in Honeywood Gardens and 12(d) due to the fact that he was a member of the working party which had proposed the redesignation of the use of Killisick Court.

**29 TO CONSIDER MINUTE 10 OF THE PERSONNEL & RESOURCES COMMITTEE HELD ON 17 JULY 2006.**

In respect of Minute 10 of the above meeting, which, in accordance with Standing Order 29, had stood adjourned, without discussion from the previous meeting of the Council after having been moved and seconded, it was:-

RESOLVED:

That the amendments to the Council's Standing Orders with regard to Contracts as proposed in appendix 1 of the recommendations contained in minute 10 of the Personnel and Resources Committee be implemented with effect from 11 October 2006.

**30 TO DEAL WITH QUESTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN UNDER STANDING ORDER NO. 9(1)(A) ON ANY MATTER IN RELATION TO WHICH THE COUNCIL HAS POWERS OR DUTIES.**

1. Questions received in the name of Councillor R.F. Spencer:-

i. Question to Councillor McCrossen, Portfolio Holder for Housing

'At a local residents meeting the Housing Department came in for some criticism. I would like to support the Portfolio Holder and her department and ask her to clarify for people our policy as a Council on dealing with unruly tenants?'

Councillor McCrossen replied in the following terms:-

'The housing department takes a proactive approach to Anti-Social Behaviour.

We have detailed policies and procedures which follow good practice and aim to develop policies to meet the Respect Standard for Housing Management.

All new tenants sign Introductory Tenancy Agreements and therefore have fewer rights to enable swifter legal action, where necessary.

Our response times are 5 working days – general ASB  
1 working day - serious/racial ASB

We take a preventative approach but in very serious cases take swift action and have a zero tolerance approach

We offer support services and mediation where appropriate

We take a multi-agency approach to most cases, working with the Anti Social Behaviour Coordinator/Environmental Health, Social Services, the Police and other relevant agencies.

Housing is an active member of the Tactical Group within the Crime and Disorder Reduction Partnership and have participated and in some cases taken the lead in several successful initiatives.

The department has a menu of possible actions including:-

- Introductory tenancies
- Mediation/Counselling
- Problem Solving
- Injunctions
- Suspended Possession Orders
- Possession Orders
- Anti Social Behaviour Orders
- Anti Social Behaviour Contracts
- Parenting Orders
- Demoted Tenancies
- Extension of Introductory Tenancies further 6 months
- Environmental Protection Act-Noise/Nuisance abatement order
- Use of Professional Witness for Courts

The department does however rely on the prompt reporting and participation of residents in order to address problems. We do provide

support to encourage this'.

ii. Question to Councillor Gollop Portfolio Holder for Crime & Community Development

'The residents of Honeywood Gardens were told by two PCSOs that although they finish work officially at 10pm, they actually go back to Headquarters at 8.30pm so that they can do their paperwork for the day. Is this the norm and could the PCSOs be given less paperwork to do and be where the public want to see them out on the streets and having a visible presence?'

Councillor Gollop replied in the following terms:-

Unlike Councillor Spencer, I took the trouble to contact Chief Superintendent Peter Moyes who has advised me that the PCSO's would return to their base at the end of their shift about 8 to 8.30 pm for a de-briefing of all the tasks recorded and he would expect them to work for a total of 6 to 6.5 hours out of an 8 hour shift. So the information provided to Councillor Spencer is not quite an accurate reflection of the work achieved by the PCSO's.

**31 TO CONSIDER AND IF APPROVED, ADOPT THE RECOMMENDATIONS OF THE CABINET AND COMMITTEES: -**

**Cabinet 3 August 2006 (Prudential Code Indicator Monitoring and Quarterly Treasury Activity Report 2006/07) minute no 39**

A proposition in respect of minute 39 was moved by Councillor R.F. Spencer and seconded by Councillor Golland that the recommendations contained in the minute be adopted.

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

RESOLVED:

To approve the amended upper limits for the indicators of prudence as detailed in the minute above.

**Cabinet 7 September 2006 (Statement of Community Involvement) minute no 47**

In respect of minute 47 it was moved by Councillor Feeney and seconded by Councillor Gollop that the recommendations contained in the minute be adopted.

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

RESOLVED:

That the submission draft of the SCI be modified in accordance with the binding Inspector's Report and that the modified version of the document be adopted as the Gedling Borough Statement of Community Involvement.

## **32 NOTICES OF MOTIONS**

A. Upon a Notice of Motion received in the name of Councillor Gillam, a proposition was moved by Councillor Gillam and seconded by Councillor Pratt in the following terms:-

“ Council notes that

1. The quantity of affordable housing specified in the Borough's Local Plan, 20% on sites of over one hectare, is insufficient to meet the need for such housing in the Borough
2. Many Councils around the country are specifying higher figures, some as high as 50%.

The council will therefore seek to ensure that, following the public consultation on the Local Development Framework, the needs of local people for affordable housing are met.”

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

RESOLVED:

Council notes that

1. The quantity of affordable housing specified in the Borough's Local Plan, 20% on sites of over one hectare, is insufficient to meet the need for such housing in the Borough
2. Many Councils around the country are specifying higher figures, some as high as 50%.

The council will therefore seek to ensure that, following the public

consultation on the Local Development Framework, the needs of local people for affordable housing are met.”

B. Upon a Notice of Motion received in the name of Councillor R.F. Spencer, it was proposed by Councillor R.F. Spencer and seconded by Councillor Golland:-

‘i. At a residents meeting on Monday 18 September 2006, the Police Local Area Commander complained that he has more Police but they are so tied down with paperwork that he has less operational police on the beat.

Therefore this Council resolves to write to our MP’s to ask why the residents of Gedling Borough are paying for more policing but are actually getting less.’

An amendment was moved by Councillor Gollop and seconded by Councillor Feeney in the following terms:-

‘At a recent residents meeting on Monday 18 September 2006, the Police reported an increase in resources.

This Council recognises the increased resourcing of the divisional police force which has resulted in an increased number of police officers.

It calls on the Portfolio Holder for Crime Reduction to write to the Divisional Commander and the LACs to welcome this improvement and pledges the Council's support to the continuing work on improving the efficiency and effectiveness of the force. Through the newly merged CDRP, the Council will continue to work in partnership to develop the community policing initiative’.

The Mayor put the amendment to the meeting and declared the same carried.

The amendment then became the substantive proposition and upon the Mayor putting the proposition to the meeting it was declared carried and it was:-

RESOLVED:

At a recent residents meeting on Monday 18 September 2006, the Police reported an increase in resources.

This Council recognises the increased resourcing of the divisional police force which has resulted in an increased number of police officers.

It calls on the Portfolio Holder for Crime Reduction to write to the Divisional Commander and the LACs to welcome this improvement and pledges the Council's support to the continuing work on improving the efficiency and effectiveness of the force. Through the newly merged CDRP, the Council will continue to work in partnership to develop the community policing initiative.

C. Upon a Notice of Motion received in the name of Councillor Gollop, it was proposed by Councillor Gollop and seconded by Councillor Feeney:

-

'i. This Council recognises the significant strides taken to reduce crime in the Borough and wishes to place on record its congratulations to the police, the PCSOs and the Neighbourhood Wardens for their work on the front line of that action.

It calls on the Portfolio Holder for Crime Reduction to write to the appropriate bodies to pass on our thanks, and reassure their organisations of the continuing support of this Council, in terms of both action and resources, to continue to further reduce crime levels

It calls on the Cabinet to continue the current subsidy to the Police for the employment of Police Community Support Officers for the financial year 2007/08 and to continue to consult with the Council Tax payers of Gedling with regard to further subsidy'.

An amendment was moved by Councillor Golland and seconded by Councillor R.F. Spencer in the following terms:-

delete the final word of the last sentence 'subsidy' and add the following words, 'additional subsidy in subsequent years to increase the number of PCSO's'

The Mayor put the amendment to the meeting and declared the same carried.

The amendment then became the substantive proposition and upon the Mayor putting the proposition to the meeting it was declared carried and it was:-

RESOLVED:

This Council recognises the significant strides taken to reduce crime in the Borough and wishes to place on record its congratulations to the police, the PCSOs and the Neighbourhood Wardens for their work on

the front line of that action.

It calls on the Portfolio Holder for Crime Reduction to write to the appropriate bodies to pass on our thanks, and reassure their organisations of the continuing support of this Council, in terms of both action and resources, to continue to further reduce crime levels

It calls on the Cabinet to continue the current subsidy to the Police for the employment of Police Community Support Officers for the financial year 2007/08 and to continue to consult with the Council Tax payers of Gedling with regard to a further additional subsidy in subsequent years to increase the number of PCSO's'

D. Before moving the Notice of motion previously submitted, Councillor Gollop sought and received the approval of the Council under Standing Order 14.1.1 to alter the motion of which he had given notice, by the deletion of the final sentence contained in the final paragraph and the addition of: -

'Therefore it calls on the Leader of the Council to take immediate action to resolve this situation.

It further resolves to request that the Portfolio Holder for Housing write to the tenants of Killisick Court and to individuals and organisations that have expressed an interest in the subject, setting out the reasons for the decision and pointing out that all parties on the council supported that decision'.

It was thereupon moved by Councillor Gollop and seconded by Councillor McCrossen that: -

'This Council has grave concerns about the current controversy regarding its Housing Strategy

That Strategy was received and passed by the Cabinet on 13 January 2005 and by Full Council, with unanimous cross party support on 9 February 2005 – both under the leadership of Councillor R. Spencer.

Since then work has progressed on Priority Action 9, namely seeking funding for a new homeless hostel and domestic violence refuge, as detailed in Chapter 6 of the Strategy. Work has focused on progressing a scheme which takes account of property that has been difficult to let while having the potential to meet the need outlined above.

Since that time members of the Conservative group, most prominently the Leader of the Council Councillor R. Spencer, have attempted to



entirely divorce themselves from their own and the Council's policy.

Despite these supposed misgivings, Councillor R. Spencer, brought forward to Cabinet on the 3 August 2006, as Leader of the Council and Portfolio Holder for Finance, proposed amendments to the 2006/07 Capital Programme which included the sum of £98,900 for 'Killisick Court – Temp Accommodation for Families'. Moved and passed the same with a Conservative majority. He further seconded the same report when it was presented to the Personnel and Resources Committee on the 4 September 2006. Since which time he has continued to declare he is opposed to the scheme and informed members of the public that he has removed this money from the budget. This is not the case and is demonstrably not so according to the Council's own record of decisions.

He does however have Executive powers under Gedling's Constitution to redesignate the use of Killisick Court, over-ruling both the Portfolio Holder and the Council's policy. This he has been challenged to do in order to give clarity to members of the public and Council officers. This opportunity continues to be available but remains unused. This is clearly not in the best interests of the Council or the Community.

Further as Finance Portfolio Holder, it is incumbent on Councillor R Spencer to show clearly where funding will come from in order to allow the Council to meet its responsibilities with regard to refuge accommodation for domestic abuse victims and homeless families. He also needs to identify facilities and fully costed support mechanism to allow for the provision of the appropriate care and aid required by and for these emergency cases.

Therefore it calls on the Leader of the Council to take immediate action to resolve this situation.

It further resolves to request that the Portfolio Holder for Housing write to the tenants of Killisick Court and to individuals and organisations that have expressed an interest in the subject, setting out the reasons for the decision and pointing out that all parties on the council supported that decision.

An amendment was moved by Councillor Spencer and seconded by Councillor Golland in the following terms:-

That the Motion be amended by the deletion of all the words after the first sentence and with the addition of further words so as to read as follows:

'Having listened to the concerns of local residents, the Council will

confirm the reinstatement of Killisick Court to elderly persons accommodation and will consult AKRA in the design and refurbishment. As regards homeless accommodation we would ask the Deputy Chief Executive to look into the possibility of a Registered Social Landlord buying Balmoral House with a remit to demolish and replace with high quality supervised provision.'

The Mayor put the amendment to the meeting and declared the same defeated.

A request was made by two Members for a named vote on the substantive proposition 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, A.A. Clarke, Cole, Creamer, Dunkin, Feeney, Gillam, Gollop, Griffiths, Lane, Lockett, Maddock, McCrossen, Poynter, Pratt, Preston, Pulk, Ragsdale, Rigby, Tunnicliffe and Wright.

Against the proposition

Councillors Bexon, Bradley, Chandran, G.V. Clarke, Golland, Goodwin, Grainger, Kempster, Nicholson, Parr, Pepper, Prew-Smith, J.J. Spencer, M.S. Spencer, R.F. Spencer and Tanner.

The Mayor declared the proposition carried and it was:-

RESOLVED:

'This Council has grave concerns about the current controversy regarding its Housing Strategy

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Since then work has progressed on Priority Action 9, namely seeking funding for a new homeless hostel and domestic violence refuge, as detailed in Chapter 6 of the Strategy. Work has focused on progressing a scheme which takes account of property that has been difficult to let while having the potential to meet the need outlined above.

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Further as Finance Portfolio Holder, it is incumbent on Councillor R Spencer to show clearly where funding will come from in order to allow the Council to meet its responsibilities with regard to refuge accommodation for domestic abuse victims and homeless families. He also needs to identify facilities and fully costed support mechanism to allow for the provision of the appropriate care and aid required by and for these emergency cases.

Therefore it calls on the Leader of the Council to take immediate action to resolve this situation.

It further resolves to request that the Portfolio Holder for Housing write to the tenants of Killisick Court and to individuals and organisations that have expressed an interest in the subject, setting out the reasons for the decision and pointing out that all parties on the council supported that decision.

#### **14 APPOINTMENT OF INDEPENDENT MEMBER OF THE STANDARDS COMMITTEE**

Consideration was given to a report of the Head of Legal and

Democratic Services on the appointment of an Independent Member to the Standards Committee

It was proposed by Councillor Pratt and seconded by Councillor Rigby that Mr John Baggaley be appointed as an Independent Member of the Standards Committee.

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

RESOLVED:

That Mr John Baggaley be appointed as an Independent Member of the Standards Committee.

The meeting closed at 9.20 pm