

## COUNCIL

Wednesday, 29th October 2008

Councillor R.J. Goodwin (Mayor)

Councillors:	P.A. Andrews	P.G. Barnes
	S.J. Barnes	C.P. Barnfather
	A.G. Barton	D.N. Beeston
	A.S. Bexon	P.M. Blandamer
	F.J.D. Boot (a)	V.H. Bradley
	G.V. Clarke	W.J. Clarke
	E.J. Collin	S.M. Creamer
	R.T. Day	W.H.F. Doe
	M.S. Dunkin	A.M. Ellwood
	P. Feeney	G. Fullwood
	A.J. Gillam	W.H. Golland
	P.A. Hughes	R.G. Kempster
	D.I.A. Kumarasiri	H. Maddock
	S. Mason-Kempster (a)	B.S.R. Miller
	R.J. Nicholson	J. O'Riordan
	J.M. Parr	W.A. Peet
	T.J. Pepper	V.C. Pepper
	C.J. Powell	R.A. Poynter (a)
	C.N.F.W. Pratt (a)	S.J. Prew-Smith
	D.E. Pulk	M. Roach
	M.A. Shepherd	J.J. Spencer
	M.S. Spencer (a)	R.F. Spencer
	R.J. Tait	J.O. Tanner
	G.G. Tunnicliffe	G.E. Withers
	M.A. Wright	

### 31 APOLOGIES FOR ABSENCE.

Apologies for absence were received from Councillors Boot, Poynter, M.S. Spencer and Pratt.

### 32 MINUTES

RESOLVED:

That the minutes of the meeting held on 3 September 2008 be approved as a correct record and signed by the Mayor

### 33 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.

i. Question received in the name of Councillor Miller to the Portfolio Holder for Safe and Sustainable Neighbourhoods: -

“Why does the derelict site of the former Ashwell Street School remain in a dangerous, unhealthy and insecure state despite concerns expressed to the Council by ward Councillors and residents (both individually and through the action group of the Netherfield Forum and the ABI initiative)? It is an eyesore and does little to enhance the Healthy, Green, Safe and Clean Logo of this Council.

Councillor G.V. Clarke replied in the following terms:-

"This site, formerly Carlton Netherfield Infants School, received planning permission to be demolished in November 2007. The site, which was at the time owned by the County Council, was then sold to I H Moore and demolished in 2008.

The County Council did not put any conditions on the sale of the site. This has resulted in the eyesore that has now been inflicted on the people of Netherfield, and particularly those living on Ashwell Street, Moor Street and Knight Street. Gedling Borough Council has been left to take action on their behalf.

Complaints were received in the Public Protection Section and environmental health staff visited the site directly. Originally complaints suggested that fires were being lit and the smoke was affecting nearby residents. During visits to the site no fires were detected. However as a large accumulation of wood was on the site officers took the pro-active step to serve an Abatement Notice requiring that a statutory nuisance was not caused by smoke from the site. No further incidents of smoke have been reported.

Following further complaints regarding litter and fly tipping officers visited again. It was not possible to establish if fly tipping was taking place, but there was evidence that some litter had been thrown over the boundary onto the site. Officers felt that there was no public health significance to the litter and as such could not take immediate steps under the Environmental Protection Act 1990.

As officers were also aware that residents were concerned about the appearance the site was having on the amenity of the area, a letter of concern was sent to the owner on 16th October 2008 requesting him to contact the Council with this intention to improve the site within 7 days. A Town and Country Planning Act 1990 section 330 Notice was enclosed with the letter, requesting certain information regarding his ownership and involvement with the site. Such a notice is usually used as an information-gathering tool prior to taking action under section 215.

The owner has 21 days to comply with the section 330 Notice after which a formal assessment will be taken.

On Thursday 23rd October 2008 the owner of the site made contact with

the Council. He is very keen to improve the site but expressed frustration at the financial condition of the market and has arranged to meet with an Officer from Public Protection on Thursday 13th November to discuss the site in depth.

Building control inspectors have visited the site and specifically looked at the safety of the remaining boundary wall. It was noted that the wall was not a safety concern.

Development Control have visited the site and found that the buildings have been demolished as permitted by planning permission 2007/0959. However, a sign had been recorded on the site advertising the sale of reclaimed goods from the site. The Enforcement Officer has subsequently telephoned, and confirmed in writing, to the individual involved that planning permission would be required for such an activity from the site as this would constitute a material change of use of the land. The individual has agreed to cease this practice and subsequent visits have not recorded any such activity from the site.

Officers will continue to monitor the site.

I invite Councillor Miller to ask her Ward colleagues, County Councillors John Clarke and O'Riordan, to table a question to the County Council to determine why no conditions were put on the sale, and to repay Gedling Borough Council's costs for the work they have had to undertake because of the County Council's oversight"

**ii. Question received in the name of Councillor W.J. Clarke to the Leader of the Council: -**

"Due to the global financial problems, could the Leader of the Council provide information regarding the financial stability of Gedling Borough Council?"

Councillor R.F. Spencer replied in the following terms: -

"The Borough Council remains in a strong financial position with a balance of £2,028,109 being predicted for the end of this financial year. This is some £892,616 above the minimum recommended by the Council's Head of Corporate Services.

It is true that Gedling cannot escape the impact of the global financial problems and reductions in income; increased energy costs and higher inflation have already been reported to Council. This does mean that financial planning for the future will be challenging.

It is pleasing to note that we have not been subject to potential losses through the banking system; like some of our neighbouring authorities but we need to be ever vigilant in this rapidly changing financial environment.

I am already taking steps to explore options in order to present budget

proposals to Cabinet, Scrutiny Committee and eventually to Budget Council for the 2009/10 financial year. This, as ever, will be guided by the robust set of financial strategies that are currently in place and have served the Council well in the past.

As we move forward we will need to ensure services remain fit for purpose and continue to deliver the value for money that they have in the past. The Council's track record of delivering efficiency savings will need to be maintained. The current financial risks will also place increasing burdens on the council's services such as Homelessness, Housing Benefit and Council Tax collection to name a few. It would be nice for central government to recognise that this will also need additional funding but I suspect that this will not be forthcoming.

Nor will the burden of the Concessionary Fares Scheme be fully funded leaving local taxpayers yet again having to pay for national government promises.

Gedling Borough Council, under my leadership, will continue to deliver sound financial management, taking care to balance the costs of services within the amount of money that Council taxpayers can afford.

I can assure Councillor Clarke that the financial stability of the Council remains strong but although difficult times lie ahead, the Council is in a better position than most to deal with these challenges".

#### **34 NOTICE OF MOTION**

Upon a Notice of Motion received in the name of Councillor W.J. Clarke, a proposition was moved by Councillor W.J. Clarke and seconded by Councillor S.J. Barnes in the following terms: -

"That this Council promises to carry out a full investigation about why Gedling Council tenants were not given adequate information regarding the recent housing surveys, thereby causing so much concern and distress to the tenants, and that this Council resolves, without delay, to apologise to the tenants for the stress and inconvenience caused by these actions."

An amendment to the proposition was moved by Councillor V.C. Pepper and seconded by Councillor R.F. Spencer in the following terms: -

" This Council commends the work of the housing staff in organising the recent housing survey and thanks them for the sensitive way in which they tried to help tenants to cope with any stress and inconvenience experienced"

A request was made by 2 members for a named vote, and upon the Mayor putting the amendment to the meeting the voting was as follows:

### **For the amendment**

Councillors: - Andrews, Barnfather, Bexon, Blandamer, Bradley, G.V. Clarke, Collin, Day, Doe, Fullwood, Golland, Goodwin, Kempster, Nicholson, Parr, T.J. Pepper, V.C. Pepper, Powell, Prew-Smith, Roach, Shepherd, J.J. Spencer, R..F.Spencer, Tait and Tanner.

### **Against the amendment**

Councillors:- P.G. Barnes, S.J. Barnes, Beeston, W.J. Clarke, Creamer, Dunkin, Ellwood, Feeney, Gillam, Hughes, Kumarasiri, Maddock, Miller, O'Riordan, Pulk, Tunncliffe, Withers and Wright.

### **Abstained**

Councillors: - Barton and Peet.

The Mayor declared the amendment 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 That:

This Council commends the work of the housing staff in organising the recent housing survey and thanks them for the sensitive way in which they tried to help tenants to cope with any stress and inconvenience experienced.

The meeting closed at 8.15 pm