

## COUNCIL

Wednesday 5<sup>th</sup> October 2011

Councillor P Andrews (Mayor)

Councillors:	S Ainley	PA Allan (a)
	R D Allan	B Andrews
	P A Andrews	E Bailey
	P G Barnes	S J Barnes
	C P Barnfather	D N Beeston MBE
	A S Bexon (a)	K Blair (a)
	F J D Boot (a)	N Brooks
	G V Clarke	W J Clarke
	R F Collis (a)	J Creamer
	R Ellis	P Feeney
	A. Ellwood	A J Gillam (a)
	K Fox (a)	G G Gregory
	M Glover	S Hewson
	C J Hewlett	M Hope
	J Hollingsworth	P A Hughes
	P R Key	M Lawrence
	P McCauley	B S R Miller
	R J Nicholson (a)	M Paling
	J M Parr	M R Payne
	V C Pepper	S Poole
	C J Powell	S J Prew-Smith
	D E Pulk	N Quilty
	R F Spencer	S J Tomlinson (a)
	J Truscott	G G Tunnicliffe
	M Weisz	H T N Wheeler

### 35 OPENING PRAYERS

### 36 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors P. Allan, A. Bexon, K. Blair, J. Boot, R. Collis, K. Fox, A. Gillam, R. Nicholson and S. Tomlinson.

### 37 MAYORS ANNOUNCEMENTS

The Mayor welcomed Councillor Ellwood on his return to the Council following his recent election to Phoenix Ward.

### 38 TO APPROVE AS A CORRECT RECORD THE MINUTES OF THE MEETINGS HELD ON 6 JULY 2011 AND 31 AUG 2011.

RESOLVED:

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

### **39 DECLARATIONS OF INTEREST**

Councillor P. Key declared a personal, non prejudicial interest in item 8.1 on the agenda.

### **40 TO DEAL WITH QUESTIONS ASKED BY THE PUBLIC UNDER STANDING ORDER NO.8.**

The Mayor invited members of the public to submit questions to the Leader as set out in the agenda, and asked the Leader to respond to each in turn as set out below:

#### **Question 1**

From Martyn Bye

Is the safeguarded land between Mapperley Plains and the Arrow Public House to remain as green open space in view of the Councils desire to build a major road through the colliery site area up to Mapperley Plains opposite this safeguarded land?

#### **Response of the Leader**

In the current Local Plan, the land in question is not safeguarded, as in 'safeguarded for future development', but is designated as Protected Public Open Space. This designation will not change unless it is proposed, consulted upon and then re-allocated under the Aligned Core Strategy. It is not proposed to change this designation at this point in time.

#### **Question 2**

From Michael L. Ward

Associated with the Locally Distinct Housing Issues for Gedling Borough Council paper (July 2011) is a consultation response process designed around the so called Limehouse online system or the submission of the Council's consultation response form? Since the vast majority of the residents in the Borough are unaware of either, in this short botched consultation process, or find the computerised Limehouse system difficult to use how is the Council going to take into account the objections that have been received by letter, email, and by petition of objection when it is delivered?

#### **Response of the Leader**

All written responses to the consultation exercise, regardless of how they have been received, will be recorded, considered and reported upon when the responses are collated. If anyone has had any difficulties using the Limehouse online system, they should contact the Head of Planning and Environment for advice.

It is also important to point out that the current consultation is not required by law, and has been run by the Council specifically to allow members of the public to have an early say on the principle of considering building on the Golf Course and on the wider picture of building houses in the Borough. A ten week consultation process is hardly short and

the considerable level of interest and views that it has generated neither suggests that it has been botched. The purpose of consultation is to generate views - we've done that so to suggest that the consultation has been anything other than effective is simply wrong.

### **Question 3**

From P. Gunn

Could Councillor Clarke please clarify if any covenants, obligations or commitments etc. currently exist relating to Nottingham City Council's interest in the possible development of the Mapperley Golf Course land and to what extent the associated infrastructure and road proposals for the site are linked to the City Council's plans to develop Chase Farm?

### **Response of the Leader**

There's been a lot of nonsense spread around about Nottingham City Council's involvement in the possible development of the golf course, with some mischief makers trying to suggest that there is some sort of underhand dealings between Gedling and the City Council. I'm therefore delighted that members of the public have given me the opportunity to set the record straight. The City Council has a legal interest in the land – or to put it another way, there's a covenant between Gedling Borough Council and the City Council. It's not uncommon for the City Council to have a legal interest in land outside its boundary and if we decide to go ahead with the golf course development, the covenant will be the subject of negotiation. The City's interest in the golf course has absolutely nothing to do with this Council putting the site forward for consultation.

Turning to the other side of the road, Chase Farm is part of an outstanding planning application for the development of the wider Gedling Colliery site, which was submitted by East Midlands Development Agency and whose interests have now been taken over by the Homes and Communities Agency. This application includes land owned by a number of parties, one of who happens to be the City Council but the City Council is not the applicant. Any suggestion that somehow the City Council is behind or driving the development of Chase Farm or the proposed development of the golf course is factually incorrect and has absolutely no substance.

### **Question 4**

From James Faulconbridge

The Conservatives had enough land earmarked for development when they were in power, so what has changed?

### **Response of the Leader**

If the Conservatives were still in power, they would be faced with exactly the same challenge as the current administration is. Land earmarked for development needs to

be deliverable. And let me be absolutely clear, delivering 1100 houses at Gedling Colliery isn't deliverable without an access road and an access road isn't deliverable without the money to construct it. So let's not pretend that the new Council could simply inherit what it was left with and everything would be ok. If Gedling Colliery had been sorted out before now, before the recession arrived, we wouldn't now be talking about the possibility of re-developing Mapperley Golf Course. The current proposal, and I emphasise proposal, is a way of meeting our housing need – a way of improving homes and jobs for local people and a country park for all of them to enjoy.

#### **Question 5**

From G.E. Marshall

Does the Nottingham City Council have any right to build some of its housing quota on the Mapperley Golf Club land, if the building development is to go ahead?

#### **Response of the Leader**

No it doesn't.

#### **Question 6**

From Denise Bailey

As well as the intention to build a supermarket and business park on the colliery site is it also true that there are plans to relocate the Nottingham City bus garage and maintenance depot on the colliery site? How much more pollution and daily traffic movements of buses would that bring?

#### **Response of the Leader**

Firstly, on the matter of an intention to build a supermarket and business park: The allocation in the Local Plan, and the outstanding planning application for the Gedling Colliery/Chase Farm site both include land for employment uses. However there is no detail in either the Local Plan or the planning application about what kind of employment use or individual employers might locate there if permission was granted. Secondly, the traffic generated by such uses, and the sustainability of their operations, would be material considerations, which would be considered as part of the determination of the application. In other words, clear assessment of pollution and daily traffic movements would form part of the consideration for planning approval.

#### **Question 7**

From Sandra Beak

The Environment Agency encourages developers to use a Sustainable Drainage System which should ensure that the environment is neither polluted nor increases the risk of flooding. How does the Council intend to meet these requirements on their proposal to develop housing on Mapperley Golf Course, with particular reference to

Linsdale Gardens, Kneeton Close and Gunthorpe Road, where surface water runoff is already an existing concern?

### **Response of the Leader**

Firstly, the Golf Course has not yet been allocated for development. It is one of a number of options that is being consulted upon. If the Council were minded to pursue this option, it would need to be allocated in the next stage of the Aligned Core Strategy (which will replace the Local Plan), which would go out to public consultation in Spring next year. If, after that stage, the Council still wanted to allocate it, it would be inspected by an independent Planning Inspector at a Public Examination in Autumn 2012. The Inspector could then make recommendations on the allocation, which the Council would consider before deciding whether to adopt the Core Strategy in Winter 2012. If the Golf Course allocation were to make that stage, it would be allocated for housing development, but would still need to be the subject of a planning application with full public consultation. It would be at the planning application stage, once the details of numbers, location and design of the proposed houses were submitted, that the Council would be able to look at the specific details needed to make sure that the particular scheme being proposed did not have an unacceptable impact on surrounding properties as a result of run-off. If the detail of what was proposed was unacceptable, the Council would seek amendments or refuse permission for that layout, requiring a new application until the details could be satisfactorily resolved. The Borough Council does already take the Environment Agency guidance into consideration when determining planning applications, and would continue to seek to apply whatever standards apply at the time of determining an application.

### **Question 8**

From Doreen Edwards

When did the Labour group decide to make the Mapperley Golf Course land available to be built on?

### **Response of the Leader**

The Labour Group haven't decided to make Mapperley Golf Course available to be built on. I say it again. It's one of a number of options being consulted upon. And it's being consulted upon because, as I've already explained, it's a suitable, potential option to provide much needed homes and jobs for the people of our Borough. That's not just the view of the current Labour Group. It was the view of the Local Plan Inspector back in 2005 and as Councillor Tony Gillam reminded us all at the last Council meeting, the decision to remove Mapperley Golf Course from the greenbelt and to safeguard it for future development was taken back in 2005 by a Conservative, Liberal Democrat and Labour administration. And amongst those who voted in favour was the current Conservative Leader, Councillor Roland Spencer and the current Conservative Deputy Leader, Councillor Richard Nicholson. There's been an awful lot of misinformation flying

around about the golf course. But no-one can dispute what I've just said as it's a matter of public record, recorded in the minutes of the Council meeting dated 1 June 2005. So from now on, let's be honest and acknowledge that members of all political groups on the Council recognise that the golf course is an appropriate location for future housing development.

### **Question 9**

From Allan Barter

In the minutes of the meeting held between Council members and the members of Mapperley Golf Club on the 6<sup>th</sup> September, he, Cllr Clarke is recorded as saying, 'we have invited all interested parties to engage in the consultation process, which remains open, but residents have so far chosen to ignore this invite'. Is this minute correct, and if so, how does he come to the conclusion that residents have ignored this invitation?

### **Response of the Leader**

At the time of that meeting, there had been little in terms of public response to the formal consultation. I'm pleased to say that this is no longer the case, and we have had a good response. We have also offered to and indeed met with concerned residents upon request but have been disappointed at the lack of invitation for the leadership of Gedling Borough Council and our local MP to address public meetings on this important matter, only to discover political capital was trying to be made out of our lack of attendance.

### **Question 10**

From William Bedward

Would the Leader of the Council identify the area of land being considered for the replacement golf course should the plans for Mapperley Golf Course go ahead?

### **Response of the Leader**

Every time a local authority seeks to acquire land, it has a duty to secure the best value for the tax payer. If anyone in this Chamber was considering buying a plot of land, I'd be surprised if they would choose to announce it to the whole world. So I'm not quite sure why Mr Bedward thinks that would be a good idea for our Council to do this. For a very good reason, therefore, I'm not prepared to say what land we might be interested in at this stage. That's not being evasive – it's just sensible not to disclose commercially sensitive information.

### **Question 11**

From Tom Butcher

When the proceeds from the sale of Mapperley Golf Club have been received,

after payments to Nottm. City Council, the purchase of land and proposed building of the promised, new, enhanced golf course, costs of the road development and other ancillary costs have been deducted, how much will be left to pay to Gedling Borough Council for the benefit of the Gedling council tax payers?

### **Response of the Leader**

I keep saying over and over and over again that we've been consulting, at an early stage, on options for housing development. The information you're asking for only becomes available after detailed negotiation and feasibility studies have taken place, not two days after the end of the consultation period. On the one hand, some people are attempting to criticise the Council for alleged negotiations with third parties. On the other hand, we've got questions such as this one which is asking for the outcomes of such negotiations. The level of detail that we have available is consistent with the fact that we are consulting on the principle of housing development – we're not consulting on detailed design or feasibility results.

### **Question 12**

From R. Calver

Since the proposed development of the Mapperley Golf Course land and the adjoining area of the old Colliery site and Chase Farm site is the biggest development in the Borough for many decades, why was this huge issue not a feature in the Labour party manifesto?

### **Response of the Leader**

It wasn't an issue because it wasn't something we were planning to do. Our Manifesto included things that we were committed to and things that we were aware of that needed to be sorted out – things like scrapping the wasteful summer bins service and scrapping parking charges that have sucked the life out of our town centres. It wasn't until we took control in May that we found out that, without the 1100 houses allocated for Gedling Colliery, the Council would be unable to meet its requirement of providing a 5 year land supply for housing, unless alternative sites were identified. And that's a very serious issue. Early this week, house builders told me first hand that Councils that don't have an adequate land supply, Councils that have not done their job and allocated sites for housing, will face challenge from developers and place themselves and their local communities in a very vulnerable situation of not being able to control development within their areas. I completely understand the concerns that are being expressed by people that fear the loss of Mapperley Golf Course. No decision has been made yet and every single representation that has been lodged will be considered. But there's no getting away from the fact that the Borough needs to provide more homes and needs to provide more jobs. That's a responsibility that my Council will not duck even if it means having to make difficult decisions. And let's be straight. There are no easy decisions when it comes to allocating sites for housing. If we don't go ahead with

Mapperley Golf Course then don't think the alternatives will be any easier. Roland's suggestion at the last Council meeting - to build in the villages – is an alternative but I doubt whether the residents of Ravenshead, Papplewick, Linby and Calverton would agree.

**41 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.**

No questions were received.

**REPORTS**

**42 Findings of the Polling Station Review.**

Consideration was given to a report of the Head of Strategy and Performance, copies of which had been circulated together with an addendum incorporating comments received from Councillor M Weisz in relation to Porchester Ward.

Following discussion, it was RESOLVED that, on the motion of Councillor Clarke and seconded by Councillor Payne

- (I) the entire campus of the Ernehale Infants and Junior Schools be assigned as the polling place for Kingswell L2
- (II) properties between Bennett Road, Woodborough Road, Westdale Lane and Kent Road in the Porchester Ward, be moved from polling district T1 to polling district T2
- (III) no further changes be made to polling places and polling stations as a result of this review
- (IV) the Chief Executive be authorised to designate an alternative polling place should one become unavailable at short notice before an election
- (V) possible changes to future requirements for the review of polling districts and places being proposed by the Government.

**43 Boundary Commission for England 2013 review update.**

Consideration was given to a report of the Head of Strategy and Performance, copies of which had been circulated.

Following discussion and on the motion of Councillor Clarke and seconded by Councillor Payne, it was RESOLVED that:-

The Leader of the Council be authorised to respond to the consultation on the Council's behalf, following consultation with the Leaders of the Conservative and Liberal Democrat groups.



#### **44 Committee and outside body representation.**

Consideration was given to a report of the Head of Strategy and Performance, copies of which had been circulated.

On the motion of Councillor Brookes and seconded by Councillor Payne, it was RESOLVED that :--

- (I) Councillor Ellwood be appointed to the Planning Committee
- (II) Councillor Ellis replaces Councillor Clarke on the Environment and Licensing Committee
- (III) Councillor Lawrence be appointed Vice-Chair of the Environment and Licensing Committee
- (IV) Councillor R Allan replaces Councillor Quilty as the Council's representative on the Industrial Communities Alliance.

#### **45 Amendments to the Contract Standing Orders, Standing Orders for dealing with Land and Financial Regulations.**

Consideration was given to a report of the Council Solicitor and Monitoring Officer, copies of which had been circulated.

On the motion of Councillor Clarke and seconded by Councillor Payne, it was RESOLVED that:-

- (I) the amendments to the Contract Standing Orders, Standing Orders for Dealing with Land and Financial Regulations outlined in the attached report be approved.
- (II) the Council Solicitor and Monitoring Officer be authorised to make the appropriate amendments to the Constitution to incorporate the amendments.

#### **46 Amendments to the Contract Standing Orders relating to prevention of corruption.**

Consideration was given to a report of the Council Solicitor and Monitoring Officer, copies of which had been circulated.

On the motion of Councillor Clarke and seconded by Councillor Payne it was RESOLVED that:- the matter stand adjourned without discussion to the next ordinary meeting of the Council.

#### **47 Minutes and Recommendations.**

Consideration was given to minute 22, items 3 and 4 of Cabinet dated 4 August 2011 and on the motion of Councillor Clarke, seconded by Councillor Payne, it was RESOLVED:-

- (I) approve a change in the General Fund budget associated with the LAA Performance Reward Grant allocation of £82,000
- (II) approve the capital programme schemes totalling £30,000 proposed for deferral into 2011/2012 and the additional Arnold Town Development Scheme of £100,000 funded from £70,000 LAA Performance Reward grant and £30,000 revenue contribution to capital.

Consideration was given to minute 23 of Cabinet dated 4 August 2011 and on the motion of Councillor Clarke, seconded by Councillor Payne, it was RESOLVED to:- approve the revisions to Prudential Code Indicators as outlined in the minute.

Consideration was given to minute 32 of Cabinet dated 1 September 2011 and on the motion of Councillor J. Clarke and seconded by Councillor Payne it was RESOLVED that:- the recommendations for a revised Council vision, values, priorities and draft objectives be approved.

**48 TO CONSIDER COMMENTS UNDER STANDING ORDER NO 11 (1) UPON ANY MATTER DEALT WITH BY THE EXECUTIVE OR BY A COMMITTEE OR SUB - COMMITTEE.**

In accordance with Standing Order 11(1), a number of comments were made and responded to by the appropriate Cabinet Member or Committee Chair.

**49 TO CONSIDER COMMENTS OF WHICH DUE NOTICE HAS BEEN GIVEN UNDER STANDING ORDER NO.11(3)(A) UPON ANY MATTER IN RELATION TO WHICH THE COUNCIL HAS POWERS OR DUTIES OR WHICH SPECIFICALLY AFFECT THE DISTRICT OTHER THAN ANY MATTER WHICH HAS BEEN THE SUBJECT OF A RECOMMENDATION OF A COMMITTEE.**

No comments were received.

**50 ANY OTHER ITEMS WHICH THE CHAIRMAN CONSIDERS URGENT.**

**Potential for installation of Photovoltaic Panels on Council owned buildings.**

The Mayor was of the opinion that this item should be considered at the meeting on the grounds of urgency in order to enable the purchase of photovoltaic panels to be progressed as quickly as possible and so enable the Council to benefit from preferential feed-in-tariffs.

Consideration was given to a report of the Head of Planning and Environment, copies of which were circulated.

On the motion of Councillor Clarke and seconded by Councillor Payne, it was RESOLVED that:- the capital programme be increased by £430,000 to enable the procurement and installation of a programme of photovoltaic panels on Council owned buildings.