

COUNCIL

Wednesday 11 July 2012

Councillor S J Barnes (Mayor)

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

19 OPENING PRAYERS

20 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors P Andrews, Beeston, Creamer, Fox, McCauley, Powell, Quilty, Spencer and Tomlinson.

21 MAYOR'S ANNOUNCEMENTS

The Mayor reminded all present of the upcoming Civic Service to be held on 15 July. She added that her time in office so far had been varied and enjoyable.

22 TO APPROVE AS A CORRECT RECORD THE MINUTES OF THE MEETINGS HELD ON 25 APRIL, 9 MAY AND 19 JUNE 2012

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

23 DECLARATIONS OF INTEREST

Councillors Brooks and Glover declared prejudicial interests in item 8.4 (minutes 26, iv refers) as trustees of the management company for Netherfield Lagoons Local Nature Reserve.

24 QUESTIONS ASKED BY THE PUBLIC UNDER STANDING ORDER NO. 8

No questions were received.

25 QUESTIONS OF WHICH DUE NOTICE HAD BEEN GIVEN UNDER STANDING ORDER 9. (1) (A) ON ANY MATTER IN RELATION TO WHICH THE COUNCIL HAS POWERS OR DUTIES

No questions were received.

26 REPORTS, MINUTES AND RECOMMENDATIONS

i) New Standards Regime under the Localism Act

Consideration was given to a report of the Council Solicitor and Monitoring Officer, copies of which had been circulated, seeking Council's approval to introduce a new regime to deal with complaints made against members.

On the motion of Councillor J Clarke seconded by Councillor Payne it was

RESOLVED to:

- 1) UNANIMOUSLY agree to set up a Standards Committee that is not politically balanced;
- 2) Agree that the Standards Committee will consist of 2 representatives from each political group together with 3 co-opted non-voting members (1 Independent and 2 Parish reps);
- 3) Appoint members to the Committee as follows: Councillors Barnes (Chair); Boot (vice Chair); Payne, Prew-Smith, Hughes and Tunnicliffe
- 4) Appoint the following co-opted members to the Committee as follows: Mr G Parkinson, Mr D Evans, Mr G Wallis;
- 5) Agree that Sub-Committees of the Standards Committee (Hearings Panel) consisting of 1 representative from each political group and 1

co-opted non-voting Member will deal with decisions on allegations following an investigation;

- 6) Agree that the Council Solicitor and Monitoring Officer be given delegated authority to constitute the membership of the Hearings Panel at any time;
- 7) Approve the remit of the Standards Committee and Hearings Panel set out in Appendix 1 to the report;
- 8) Approve the Code of Conduct at Appendix 2 to the report;
- 9) Approve the arrangements for dealing with complaints at Appendix 3 to the report;
- 10) Agree the appointment of the Independent Person (Mr JR Baggaley) and reserve;
- 11) Agree that the Independent Person be paid a fixed fee retainer of £500 per year with a fee of £100 per allegation which is subject to an investigation dealt with and the reserve be paid a fixed fee retainer of £250 per year with a fee of £100 per allegation which is subject to an investigation dealt with;
- 12) Appoint the Council Solicitor and Monitoring Officer as the proper officer for the receipt of a written request for a dispensation;
- 13) Approve the delegations to the Standards Committee and Council Solicitor and Monitoring Officer relating to dispensations;
- 14) Request that the Council Solicitor and Monitoring Officer prepare and maintain a new Register of Interests of Members and co-opted Members to comply with the requirements of the Localism Act and the Council's Code of Conduct;
- 15) Request that the Council Solicitor and Monitoring Officer prepare and maintain new Register of Interests of Members and co-opted Members for each Parish Council to comply with the Localism Act and any Code of Conduct adopted by each Parish Council; and
- 16) Agree that the Council Solicitor and Monitoring Officer be authorised to make any consequential amendments to the Constitution.

ii) Approval of a Standing Order excluding a Member from a meeting where they have a disclosable pecuniary interest.

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

Standing Order in the Council Procedure Rules requiring a member to withdraw from the meeting room where they have a disclosable pecuniary interest.

On the motion of Councillor J Clarke seconded by Councillor Payne it was

RESOLVED to

- 1) Approve the adoption of the Standing Order excluding a Member from the meeting where they have a disclosable pecuniary interest as set out in the report; and
- 2) Authorise the Council Solicitor and Monitoring Officer to make the appropriate amendments to the Constitution to incorporate the amendment.

iii) Proposed amendment of the Constitution: removal of the requirement to refer the Council Budget to Policy Scrutiny for consideration.

Consideration was given to a report of the Chief Financial Officer and Council Solicitor and Monitoring Officer, copies of which had been circulated, containing a proposal to require the Leader to report the Budget to Cabinet.

On the motion of Councillor J Clarke seconded by Councillor Payne it was

RESOLVED that the matter stand adjourned without discussion to the next ordinary meeting of the Council.

iv) Netherfield Lagoons Local Nature Reserve Application for Byelaws

Consideration was given to a report of the Service Manager Parks and Street Care, copies of which had been circulated, seeking approval to establish Byelaws for the Netherfield Local Nature Reserve.

On the motion of Councillor J Clarke seconded by Councillor Payne it was

RESOLVED

- 1) To approve the making of Byelaws for Netherfield Lagoons Local Nature Reserve in the form set out in Appendix A to the report
- 2) To authorise the affixing of the common seal to the Byelaws
- 3) To authorise the Council's Solicitor and Monitoring Officer to carry out the necessary procedures and apply to the Secretary of State for confirmation of the Byelaws
- 4) That in the event of any representations being received, the Corporate Director, in consultation with the Council's Solicitor and Monitoring

Officer, be authorised to decide whether to proceed with the application for confirmation

v) Independent Local Government

Consideration was given to a report of the Service Manager Elections and Members' Services, copies of which had been circulated, introducing a consultation being carried out by the Political and Constitutional Reform Select Committee on the relationship between Central and Local Government.

On the motion of Councillor J Clarke seconded by Councillor Payne it was

RESOLVED to delegate authority to the Chief Executive, in consultation with the Leaders of each Political Group, to submit a written response to the Select Committee on behalf of Gedling Borough Council.

vi) Nottinghamshire Police and Crime Panel.

Consideration was given to a report of the Service Manager Elections and Members' Services, copies of which had been circulated, seeking approval for the arrangements to establish a Nottinghamshire Police and Crime Panel.

On the motion of Councillor Payne seconded by Councillor Brooks it was

RESOLVED to

- 1) Approve the arrangements for the Police and Crime Panel as set out in the report
- 2) Confirm the appointment of Councillor WJ Clarke as the Council's representative on the Panel (Councillor Clarke having been previously appointed at Annual Council)
- 3) Seek a recommendation from the Remuneration Panel as to whether the Council's representative on the Panel should receive a Special Responsibility Allowance and, if so, the amount of that allowance (as Chair of the Panel or an ordinary member)

vii) Changes to Appointments

Consideration was given to a report of Stephen Bray, Corporate Director, proposing changes to the Council's representatives on Outside Bodies.

On the motion of Councillor Payne seconded by Councillor Brooks it was

RESOLVED to:

- 1) Re-nominate Councillor Tunnicliffe to the Gedling Parochial Charities Board and JW Harris Charity.

2) Nominate Councillor WJ Clarke to the East Midlands Councils Board, and to the following subsidiary boards:

- The Regional Employers Board
- East Midlands Improvement and Efficiency Partnership

27 TO CONSIDER AND IF APPROVED, ADOPT THE FOLLOWING RECOMMENDATIONS OF THE CABINET AND COMMITTEES

i) Cabinet 7 June 2012, Minute 4 Item 4 a, b and c - Council Plan and Budget Outturn and Budget Carry Forwards 2011-12)

In respect of minute 4 of the meeting of Cabinet on 7 June 2012 it was moved by Councillor J Clarke and seconded by Councillor Payne and

RESOLVED to approve

- 1) The overall method of financing of the 2011/12 capital expenditure as set out in Appendix 3 of the report.
- 2) The capital determinations in Section 4.4 of the report.
- 3) The capital carry forwards of £264,700 for the Affordable Housing Scheme, £150,000 for the Arnold Town Centre Redevelopment Scheme and £267,600 for the completion of the Photovoltaic Panels scheme, all being non-committed Capital schemes in excess of £50,000.

ii) Cabinet 7 June 2012, Minute 5 - Annual Treasury Activity Report 2011-12

In respect of minute 5 of the meeting of Cabinet on 7 June 2012 it was moved by Councillor J Clarke and seconded by Councillor Payne and

RESOLVED to approve the Annual Treasury Activity report 2011/12.

28 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 of Committee Chair.

29 DECISIONS MADE UNDER DELEGATED AUTHORITY

Council noted the decisions that had been made under delegated authority since the last ordinary meeting.

**30 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 had been received.

The meeting concluded at 7.25 pm