

**MINUTES
COUNCIL**

Wednesday 20 April 2022

Present: Councillor Sandra Barnes
Councillor Michael Adams
Councillor Peter Barnes
Councillor Chris Barnfather
Councillor Pat Bosworth
Councillor Michael Boyle
Councillor John Clarke
Councillor Liz Clunie
Councillor Bob Collis
Councillor Jim Creamer
Councillor Andrew Dunkin
Councillor Boyd Elliott
Councillor David Ellis
Councillor Rachael Ellis
Councillor Roxanne Ellis
Councillor Andrew Ellwood
Councillor Paul Feeney
Councillor Kathryn Fox
Councillor Des Gibbons
Councillor Helen Greensmith
Councillor Jenny Hollingsworth
Councillor Rosa Keneally
Councillor Ron McCrossen
Councillor Viv McCrossen
Councillor Barbara Miller
Councillor Simon Murray
Councillor Julie Najuk
Councillor Marje Paling
Councillor Michael Payne
Councillor Martin Smith
Councillor Sam Smith
Councillor Henry Wheeler
Councillor Paul Wilkinson

Absent: Councillor Meredith Lawrence, Councillor Nicki Brooks, Councillor Mike Hope, Councillor John Parr, Councillor Alex Scroggie, Councillor Clive Towsey-Hinton and Councillor John Truscott

21 THOUGHT FOR THE DAY

As the Mayor's chaplain was unable to attend, the Deputy Mayor delivered a thought for the day.

22 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Brooks, Hope, Lawrence, Parr, Scroggie, Towsey-Hinton, and Truscott.

23 MAYOR'S ANNOUNCEMENTS

The Deputy Mayor confirmed the Mayor was unable to attend and wished him well.

24 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETINGS HELD ON 26 JANUARY 2022 AND 3 MARCH 2022

RESOLVED:

That the minutes of the above meetings, having been circulated, be approved as a correct record.

25 DECLARATION OF INTERESTS

Councillor Elliott confirmed a disclosable pecuniary interest in relation to his employment and its connection to houses of multiple occupation (HMO). Due to this, he confirmed he would leave the meeting before the second motion, which related to HMOs.

26 TO DEAL WITH ANY PETITIONS RECEIVED UNDER STANDING ORDER 8A

None received.

27 TO ANSWER QUESTIONS ASKED BY THE PUBLIC UNDER STANDING ORDER 8

None received.

28 TO ANSWER QUESTIONS ASKED BY MEMBERS OF THE COUNCIL UNDER STANDING ORDER 9

Questions were received from Councillors Ellwood and Elliott, as follows:

Question by Councillor Ellwood

"In view of the fact that the Borough Council's Playing Pitch Strategy was last published in August 2016, when does the Council expect to review the Strategy and publish a revised version of the Strategy document?"

Response by Councillor Wheeler

"The Council's last Playing Pitch Strategy (PPS) was published in August 2016. As a general guide, if no review and subsequent update has been carried out within three years of the PPS being adopted, Sport England and the relevant national governing bodies of sport (NGBs) typically would consider the PPS and the information on which it is based to be technically 'out of date'. However, this 'grace period' extends up to five years where the original PPS has been updated. For further context over 2018/19 a national piece of work undertaken by the FA, Football Foundation and DCMS in partnership with local authorities to develop Local Football Facility Plans (LFFP's) for every local authority area in England. The LFFP's were due to be published in late 2019, however this didn't take place until Nov 2020. The refresh of our PPS was due to take place Spring/Summer 2020, following work on the development of the LFFP. Unfortunately, the deliverability of this was significantly impacted by the global pandemic, both locally and nationally.

However, our officers have worked hard, with local and national partners to by-in-large deliver the main strategic aims of the 2016 PPS; including four new artificial grass pitches (AGP's) including Redhill Leisure Centre/Academy, Carlton-le-Willows Academy (which were both funded via the Football Foundation and match-funding from GBC and the Academies), Goosedale Sport Club (in Bestwood Village) and the Carlton Football Centre, at Carlton Academy. Additionally, we have received Football Foundation funding to deliver a new pavilion and natural grass pitch (NGP) improvements at Lambley Lane Recreation Ground, with works due to take place later this Spring/Summer. These alongside other smaller community facility improvements across the Borough.

Additionally, since joining us on 1 March 2022 our new Corporate Director has commenced a wide-ranging strategic review which will inform our current and future proposals/requirements, primarily via an overarching [Strategic Outcomes Planning Model \(SOPM\)](#) - *which is code for 'why', 'where', 'what', 'how' and for 'whom' councils can transform their local play, sport, physical activity, wellbeing and community facilities and services sustainably for their citizens and communities.* As part of the wide-ranging strategic review a new PPS will be commissioned, alongside other strategies being developed and/or refreshed. The existence of a robust and up-to-date strategies (including a PPS) via an overarching SOPM can be of significant benefit to a wide variety of parties and agendas;

- Enhance and maintain relationships between parties with an interest in provision within these facilities
- Ensure the best use of available resources to develop and deliver the strategy(ies)
- Develop a locally specific and tailored approach
- Understand the supply of and demand for these facilities within the Borough
- Assess and understand whether there is enough provision to meet both the current and future demand
- Highlight the key findings and issues with the provision of these facilities and ancillary facilities
- Develop a strong place-, sport- and site-specific set of recommendations and action plan that a range of parties are committed to delivering
- Co-ordinate current and future resources and investment in facility provision in a place to secure the maximum benefit to sport and value for money
- Ensure the strategy is kept robust and up to date.

The current timescales for the strategic review are for this to be completed towards the end of 2022, and adopted/published in spring 2023.

Question by Councillor Elliott

“Can the Portfolio holder for the Environment provide an update on the Council’s progress of u-turning on its smaller household waste bin size policy?”

Response by Councillor Payne

“Domestic waste collection across the borough is undertaken by Gedling Borough Council as the Waste Collection Authority, whilst the recycling, reprocessing, treatment and disposal of waste from the seven district and borough councils in Nottinghamshire is managed by Nottinghamshire County Council as the Waste Disposal Authority. It is important to note that although both Gedling Borough Council and Nottinghamshire County Council have a role in collecting, processing and disposing of waste, as local authorities, we cannot control where waste comes from or significantly influence the manufacturing process.

A long-term waste disposal contract between Nottinghamshire County Council and Veolia also stipulates what materials can and cannot be recycled.

Following consultation earlier this year, Gedling Borough Council has revised our Waste and Recycling Policy to support the Council’s Carbon Management Strategy, to promote a sustainable environment, and to address areas of current under-performance in relation to recycling rates and levels of recycling contamination through a formalised and standardised approach.

The policy operates within the current legal framework and includes the Nottinghamshire Principles for the Reduction of Contamination. The policy provides the framework for:

- A proportionate and considered approach to waste collection across the Borough
- Clarity and communication for residents to support GBC’s recycling targets
- Reduction in black bin (residual) waste
- Increase in recycling rates
- Reduction in contamination of waste streams
- Clarity of measures that will be taken for those who continually contaminate or do not comply with the policy
- Minimisation of the carbon impact of the Waste Service, including fleet mileage and route optimisation

The Standard Service for Individual Domestic Properties will be a minimum of a 240L wheeled black bin for residual waste and a 240L wheeled green bin for mixed recycling (*excluding glass*) with each being collected fortnightly. For Multiple Occupancy Properties (e.g. flats or apartments) large communal wheeled bins will be provided (where this is

practical) to enable residents to recycle their recyclable waste and to dispose of any residual waste that cannot be recycled. All multiple occupancy properties shall receive the same fortnightly collection service.

Additionally, recyclable materials presented as 'side waste' on the green bin collection date will be collected, provided that it is not contaminated, and is presented in a way that it can be easily handled. Furthermore, the Council provides a kerbside small (laptop size) WEEE recycling collection service from domestic properties. Residents can place items left on top the black or green bin and this will be collected on the same collection day."

Follow up question by Councillor Elliott

"As a result of the smaller bin policy at Gedling Borough Council, some residents in the borough now have a 180L waste bin. How does the council plan to provide those households with a 240L bin?"

Response from Councillor Payne

"The draft policy that was consulted on, set out a proposal to offer 240L bins as standard to all households consisting of 1-5 residents and further capacity offered for larger households. The council also has policy that allows households to have as many green bins as required.

The waste and recycling policy will be going to Cabinet after the Gedling ward by-election has happened and the pre-election period has passed."

29 TO RECEIVE QUESTIONS AND COMMENTS FROM MEMBERS CONCERNING ANY MATTER DEALT WITH BY THE EXECUTIVE OR BY A COMMITTEE OR SUB-COMMITTEE (STANDING ORDER 11.1)

None received.

30 TO CONSIDER COMMENTS, OF WHICH DUE NOTICE HAS BEEN GIVEN, UNDER STANDING ORDER 11.03(A)

None received.

31 TO CONSIDER MOTIONS UNDER STANDING ORDER 12

Motion one

Upon a notice of motion received in the name of Councillor Adams, an amended proposition was moved by Councillor Adams and seconded by Councillor Sam Smith following legal advice from the Monitoring Officer, in the following terms:

The UK leaving the European Union enabled our Government to strike our own incredible trade deals as an independent nation which boost investment and create jobs. The benefits of this were seen by millions through our rapid rollout of the COVID-19 vaccine, months ahead of EU nations, saving many lives.

This Council notes that, as a result of Brexit, the UK Government has now gained the ability to remove VAT from products. This Council also notes that, during his recent Spring Statement, the Conservative Chancellor exercised his ability to deliver on this Brexit bonus by removing the 5% VAT from solar panels.

This Council supports in principle the adoption of a SPD for 'Renewables on Affordable housing' ensuring developers add Solar Power, with batteries, to all affordable properties built across the Borough, resulting in those in need of affordable housing also benefiting from lower bills as soon as practicable.

This measure is within the Council's remit and does not require any letter being sent to Government or our local Members of Parliament.

An amendment to remove the first two paragraphs of the motion was moved by Councillor Ellwood and seconded by Councillor Dunkin. The amended motion read as follows:

This Council supports in principle the adoption of a SPD for 'Renewables on Affordable housing' ensuring developers add Solar Power, with batteries, to all affordable properties built across the Borough, resulting in those in need of affordable housing also benefiting from lower bills as soon as practicable.

This measure is within the Council's remit and does not require any letter being sent to Government or our local Members of Parliament.

Councillor Wilkinson, seconded by Councillor Boyle, proposed a motion to briefly adjourn the meeting to allow members to consider the amendments put before them. The motion was supported and the Mayor declared it carried.

The meeting adjourned at 6:54pm.

The meeting resumed at 7:16pm.

The amendment was accepted by the proposer and seconder and became the substantive motion. In accordance with standing order 17.03, the motion was put to a named vote as follows:

For the motion:

Councillor Adams
Councillor Barnfather
Councillor Bosworth
Councillor Dunkin
Councillor Elliott

Councillor Ellwood
Councillor Greensmith
Councillor Murray
Councillor Martin Smith
Councillor Sam Smith

Against the motion:

Councillor Peter Barnes
Councillor Sandra Barnes
Councillor Boyle
Councillor Clarke
Councillor Clunie
Councillor Collis
Councillor Creamer
Councillor David Ellis
Councillor Rachael Ellis
Councillor Roxanne Ellis
Councillor Feeney
Councillor Fox

Councillor Gibbons
Councillor Hollingsworth
Councillor Keneally
Councillor Viv McCrossen
Councillor Ron McCrossen
Councillor Miller
Councillor Najuk
Councillor Paling
Councillor Payne
Councillor Wheeler
Councillor Wilkinson

Abstentions:

None.

The Mayor declared the motion lost.

Councillors Bosworth and Elliott left the meeting.

Motion two

Upon a notice of motion received in the name of Councillor Adams, an amended proposition was moved by Councillor Adams and seconded by Councillor Sam Smith following legal advice from the Monitoring Officer, in the following terms:

This Council notes that there is a rising number of Homes of Multiple Occupancy (HMO) in the Netherfield area and that both residents and elected Councillors do not currently have a say in the decision to change the use of a family home (Class C3) into a HMO (Class C4) shared by up to six occupants. Under permitted development rights, this change is not subject to the usual full planning permission process, meaning Netherfield resident are not able to comment in support or objections to

plans for individual property conversions and the Gedling Borough Council Planning Committee is not able to debate them.

This Council also notes that the Government has introduced powers to enable Planning Authority Councils, like Gedling Borough Council, to require property owners to apply for planning permission should they wish to convert a property into a HMO. This is called an 'Article 4 Direction' and has been introduced by neighbour Councils, including the City of Nottingham and Broxtowe.

This Council recognises how these short-term tenancies in HMOs are impacting the Netherfield community with:

- Increased traffic on the roads;
- More cars parked on already congested streets;
- Added strain on the Victorian drainage system;
- The loss of family housing stock;

This Council resolves to support in principle the making of an Article 4 Direction to remove permitted development rights for change of use from Use Class C3 (dwelling house) to Use Class C4 (house in multiple occupation) covering the Netherfield area, and resolves that the matter be referred to May's Cabinet meeting for consideration.

This measure is within the Council's remit and does not require any letter being sent to Government or our local Members of Parliament.

Councillor Wilkinson, seconded by Councillor Boyle, proposed a motion to briefly adjourn the meeting to allow members to consider the amendments put before them. The motion was supported and the Mayor declared it carried.

The meeting adjourned at 8pm.

The meeting resumed at 8:23pm.

An amendment to the motion was moved by Councillor David Ellis and seconded by Councillor Payne. The amended motion read as follows:

This Council notes that there is a rising number of Homes of Multiple Occupancy (HMO) in the Netherfield area and that both residents and elected Councillors do not currently have a say in the decision to change the use of a family home (Class C3) into a HMO (Class C4) shared by up to six occupants. Under permitted development rights, this change is not subject to the usual full planning permission process, meaning Netherfield residents are not able to comment in support or objections to plans for individual property conversions and the Gedling Borough Council Planning Committee is not able to debate them.

This Council also notes that the Government has introduced powers to enable Planning Authority Councils, like Gedling Borough Council, to require property owners to apply for planning permission should they wish to convert a property into a HMO. This is called an 'Article 4 Direction' and has been introduced by neighbour Councils, including the City of Nottingham and Broxtowe.

This Council recognises how these short-term tenancies in HMOs are impacting the Netherfield community with:

- Increased traffic on the roads;
- More cars parked on already congested streets;
- Added strain on the Victorian drainage system;
- The loss of family housing stock;

This Council resolves to refer the principle of making of an Article 4 Direction to remove permitted development rights for change of use from Use Class C3 (dwelling house) to Use Class C4 (house in multiple occupation) covering the Netherfield area, to Cabinet.

This Council calls upon the government to reverse the legislation it introduced in September 2010 that removed a requirement for planning permission for HMOs, and resolves to write to local members of parliament accordingly.

Councillor Sam Smith, seconded by Councillor Adams, proposed a motion to briefly adjourn the meeting to allow members to consider the amendments put before them. The motion was supported and the Mayor declared it carried.

The meeting adjourned at 8:32pm.

The meeting resumed at 8:40pm.

Councillor Wilkinson, seconded by Councillor Hollingsworth, proposed that the amendment was put to a named vote as follows:

For the motion:

Councillor Peter Barnes
Councillor Sandra Barnes
Councillor Boyle
Councillor Clarke
Councillor Clunie
Councillor Collis
Councillor Creamer
Councillor Dunkin
Councillor David Ellis
Councillor Rachael Ellis
Councillor Roxanne Ellis

Councillor Gibbons
Councillor Hollingsworth
Councillor Keneally
Councillor Viv McCrossen
Councillor Ron McCrossen
Councillor Miller
Councillor Najuk
Councillor Paling
Councillor Payne
Councillor Wheeler
Councillor Wilkinson

Councillor Ellwood
Councillor Feeney
Councillor Fox

Against the motion:

None.

Abstentions:

Councillor Adams
Councillor Barnfather
Councillor Greensmith

Councillor Murray
Councillor Martin Smith
Councillor Sam Smith

The Mayor declared the motion carried, making the amendment the substantive motion.

Councillor Payne, seconded by Councillor Hollingsworth, proposed that the motion was put to a named vote as follows:

For the motion:

Councillor Peter Barnes
Councillor Sandra Barnes
Councillor Boyle
Councillor Clarke
Councillor Clunie
Councillor Collis
Councillor Creamer
Councillor Dunkin
Councillor David Ellis
Councillor Rachael Ellis
Councillor Roxanne Ellis
Councillor Ellwood
Councillor Feeney
Councillor Fox

Councillor Gibbons
Councillor Hollingsworth
Councillor Keneally
Councillor Viv McCrossen
Councillor Ron McCrossen
Councillor Miller
Councillor Najuk
Councillor Paling
Councillor Payne
Councillor Wheeler
Councillor Wilkinson

Against the motion:

None.

Abstentions:

Councillor Adams
Councillor Barnfather
Councillor Greensmith

Councillor Murray
Councillor Martin Smith
Councillor Sam Smith

RESOLVED that:

This Council notes that there is a rising number of Homes of Multiple Occupancy (HMO) in the Netherfield area and that both residents and elected Councillors do not currently have a say in the decision to change the use of a family home (Class C3) into a HMO (Class C4) shared by up to six occupants. Under permitted development rights, this change is not subject to the usual full planning permission process, meaning Netherfield residents are not able to comment in support or objections to plans for individual property conversions and the Gedling Borough Council Planning Committee is not able to debate them.

This Council also notes that the Government has introduced powers to enable Planning Authority Councils, like Gedling Borough Council, to require property owners to apply for planning permission should they wish to convert a property into a HMO. This is called an 'Article 4 Direction' and has been introduced by neighbour Councils, including the City of Nottingham and Broxtowe.

This Council recognises how these short-term tenancies in HMOs are impacting the Netherfield community with:

- Increased traffic on the roads;
- More cars parked on already congested streets;
- Added strain on the Victorian drainage system;
- The loss of family housing stock;

This Council resolves to refer the principle of making of an Article 4 Direction to remove permitted development rights for change of use from Use Class C3 (dwelling house) to Use Class C4 (house in multiple occupation) covering the Netherfield area, to Cabinet.

This Council calls upon the government to reverse the legislation it introduced in September 2010 that removed a requirement for planning permission for HMOs, and resolves to write to local members of parliament accordingly.

The meeting finished at 9.15 pm

Signed by Chair:
Date: