

Agenda

Council

Date: **Wednesday 15 November 2023**

Time: **6.00 pm**

Place: **Council Chamber**

For any further information please contact:

Democratic Services

committees@gedling.gov.uk

0115 901 3844

Council

Membership

Mayor Councillor Julie Najuk
Deputy Mayor Councillor Ron McCrossen

Councillor Michael Adams	Councillor Alison Hunt
Councillor Roy Allan	Councillor Viv McCrossen
Councillor Sandra Barnes	Councillor Marje Paling
Councillor Stuart Bestwick	Councillor Michael Payne
Councillor David Brocklebank	Councillor Lynda Pearson
Councillor Lorraine Brown	Councillor Sue Pickering
Councillor John Clarke	Councillor Catherine Pope
Councillor Jim Creamer	Councillor Grahame Pope
Councillor Andrew Dunkin	Councillor Kyle Robinson-Payne
Councillor Boyd Elliott	Councillor Alex Scroggie
Councillor David Ellis	Councillor Martin Smith
Councillor Rachael Ellis	Councillor Sam Smith
Councillor Roxanne Ellis	Councillor Ruth Strong
Councillor Andrew Ellwood	Councillor Clive Towsey-Hinton
Councillor Paul Feeney	Councillor Jane Walker
Councillor Kathryn Fox	Councillor Michelle Welsh
Councillor Des Gibbons	Councillor Henry Wheeler
Councillor Helen Greensmith	Councillor Russell Whiting
Councillor Jenny Hollingsworth	Councillor Paul Wilkinson
Councillor Paul Hughes	

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SUMMONS

A meeting of the Borough Council will be held on Wednesday 15 November 2023 at 6.00 pm to transact the business as set out below.



Mike Hill
Chief Executive

AGENDA

Page

- 1 Thought for the day
- 2 Apologies for absence
- 3 Mayor's announcements
- 4 To approve, as a correct record, the minutes of the meeting held on 20 September 2023 5 - 17
- 5 Declaration of interests
- 6 To deal with any petitions received under procedural rule 7.8
- 7 To answer questions asked by the public under procedural rule 7.7

Question 1

With reference to the Council's own constitution published on its own website and dated 31 October 2023, in particular 'Section 4 – The Full Council'. How does the Council feel the gendered language, which refers to Members and Mayor as 'he' in the constitution - language which is seen to reinforce glass ceilings rather than break them down, help the social mobility of women in Gedling Borough?

Question 2

I note that the Council's constitution reads 'If the questioner is not present at the meeting, the question will not be dealt with. In exceptional circumstances, in consultation with the Chief Executive, The Mayor has the discretion to put the question in the absence of the questioner, to defer it to the next meeting or to direct that a written response is

provided'. My view is that the very tone of this aspect of the constitution deters people's participation in our local democracy.

In 2023, given the technology available to us, I believe that a constitution that dictates a member of the public must attend a meeting limits people's participation in our democracy. I believe that people with caring commitments, varied working patterns, NHS shift workers, people who have challenges with accessibility etc, should have full access to our democracy. These don't strike me as 'exceptional circumstances. The reasons I cannot attend this evening are far from exceptional, they are my ordinary weekly commitments.

Does the Council not agree that people's participation in our democracy should not rest on the 'discretion' of the Mayor or Chief Executive and should be fully backed and protected within the constitution?

Question 3

What plans does Gedling Borough Council have in place to mitigate the use of council property being used to display election campaign material?

Question 4

Given that over several years there has been issues with Gedling Borough Council's responses to Freedom of Information requests, for example:

- FOI 11304 – late response attributed to the 'a issue with our FOI collation system'. The FOI was only answered once the requester chased the Council.
- FOI 11396 – wrong information was given in the response to the request. This was only picked up because the requester challenged the data. Gedling Borough Council responded, 'we made an error on this question'.
- FOI 8728 – Late response
- FOI 12399 – Late response and partially answered response. Requester had to chase the Council for a response. The reason for the late reply was 'This was due to no other reason that workload issues and annual leave.' The reason the FOI was only partially answered was because 'It would appear that I [the responder] was not provided with the full details of your query'. The requester had to chase the remaining parts of the query.
- FOI 12022 – Regarding Levelling Up bids. Initially the response said 'We do not hold any feedback for round one, as this was dealt with by officers who are no longer employed by the Council. I have included the feedback for round two as a PDF document.' When the requester queried

this they were told in a follow up email 'I have spoken with colleagues and found that feedback for round 1 of the Levelling Up Fund was given verbally at a meeting, attached are notes that were taken by an officer in attendance.'

How does the Council plan to address the issues with the way it handles FOI requests alongside balancing the wellbeing of its colleagues and allowing proper scrutiny within its statutory obligations?

Question 5

Given that the setting up of a Gedling Social Mobility Commission was an objective for the 2020-2023 Gedling Plan, and that it has been over 7 months since its only meeting, and with no further meetings currently scheduled.

Does Gedling Borough Council feel they have adequately seized an opportunity to use the expertise available to review the current social mobility of our residents and consider how all our communities might be enabled to reach their full potential?

Question 6

Communication is a two-way process.

I do not consider that residents near site H8 Killisick Fields were given the same opportunities to have their say about the Local Plan as those in other villages, for example no actual 'event' was held. I do not consider concerns raised by residents on the Development Brief 2019 consultation were properly addressed. Friends of the Hobbucks as a group were omitted from both the consultation processes.

Having decided not to sell their land on Killisick Fields in August 22 citing residents' views, a year later G.B.C. change their minds. The decision to re-consult was made by one person 'The Leader' and then voted through by a small committee, one in which only 3 members need to be present to make a decision. When re-consulted, 198 residents responded. There was a parallel petition raised, signed by 1900 people, 1100 of whom were 'local' which were not allowed to be heard at the earlier Full Council meeting. My concerns and those of residents were not, in my view, properly considered, including my own concern around health and safety on The Hobbucks following any development on site H8. The proposal suggested objections could be mitigated, leading to the proposal to sell the land being voted through, in my opinion.

My question at the last Full Council Meeting was not fully answered. A questioner has no right to respond even if their question has not been answered.

I have made several requests to the council for information, and raised a

number of queries in relation to Killisick fields which I do not consider have been responded to or answered properly. I have raised concerns under the Council's Whistleblowing policy – they were downgraded to complaints (despite being matters of public interest).

My concerns around conflicts of interest, predetermination, use of the planning process to further the Council's aims and Freedom to Speak Up within the Council have also not been answered satisfactorily. I wrote to 41 Councillors, individually by name, around some of my concerns – receiving only 4 responses.

Responses by the Chief Executive do not answer my questions, tending to repeat what I have said. He suggests I “may not be happy with decisions taken...” – whilst yes, I am unhappy with decisions, my communications have always been about failings in process and have largely been ignored.

I have spoken to other residents who have felt the same when communicating with the Council.

I have offered numerous times to speak in person about these matters – my offer has been entirely ignored.

Gedling Borough Council has suggested I seek independent advice or approach the Ombudsman. I have contacted them and await the allocation of a case officer. This is a long process, which will mean the Council can go ahead with any sale before the Ombudsman can have any input and while my questions remain unanswered.

Considering Gedling Borough Council's Customer Promise and, bearing in mind that a response is not necessarily an answer, how should residents communicate with Gedling Borough Council to ensure their concerns are considered, and questions answered in full, in an equitable, open and transparent manner?

8	To answer questions asked by Members of the Council under procedural rule 7.9	
9	Gedling Statement of Licensing Policy	19 - 73
	Report of the Head of Environment	
10	Co-option of Parish Representative to Standards Committee	75 - 77
	Report of the Monitoring Officer	
11	Changes to committee membership	79 - 81
	Report of the Democratic Services Manager	

- 12 To receive questions and comments from Members concerning any matter dealt with by the Executive or a Committee (procedural rule 7.10)**
- a Minutes of meeting Monday 4 September 2023 of Overview and Scrutiny Committee 83 - 86**
 - b Minutes of meeting Thursday 7 September 2023 of Cabinet 87 - 91**
 - c Minutes of meeting Tuesday 19 September 2023 of Audit Committee 93 - 94**
 - d Minutes of meeting Thursday 21 September 2023 of Standards Committee 95 - 96**
 - e Minutes of meeting Tuesday 3 October 2023 of Environment and Licensing Committee 97 - 99**
 - f Minutes of meeting Wednesday 4 October 2023 of Appointments and Conditions of Service Committee 101 - 103**
 - g Minutes of meeting Wednesday 4 October 2023 of Licensing Act Panel 105 - 106**
 - h Minutes of meeting Thursday 5 October 2023 of Cabinet 107 - 109**
 - i Minutes of meeting Wednesday 18 October 2023 of Planning Committee 111 - 129**
 - j Minutes of meeting Thursday 26 October 2023 of Licensing Act Panel 131 - 132**
 - k Minutes of meeting Tuesday 31 October 2023 of Environment and Licensing Committee 133 - 135**
 - l Decisions made under delegated authority 137 - 139**
- 13 To consider comments, of which due notice has been given, under procedural rule 7.11**
- 14 To consider motions under procedural rule 7.12**

Motion 1

This Council expresses its concern at the seriousness of the flooding across Gedling Borough, which took place on 20 October 2023 and subsequent days.

This Council recognises that homes and businesses have been damaged as a result of these flood waters and debris.

This Council recognises the severity of recent flooding and damage to properties in Woodborough and Lambley, as well as flooding impact in Burton Joyce, Newstead, Ravenshead and locations across Arnold and the wider Borough. This Council extends its sympathy and support to residents and businesses within our borough who have been personally affected by the recent flooding.

This Council expresses its thanks to everyone involved in the response to October's floods, including the emergency services, members of the community, businesses, council officers and public agencies.

This Council notes that in November 2014 the National Audit Office warned half of Britain's flood defence systems were being maintained at a 'minimal level' and were likely to 'deteriorate faster' as a result of government budget cuts.

This Council is disappointed that central government cuts to the Environment Agency led to a reduction in staff and capacity, with the independent Chair of the Environment Agency warning in a letter to government in April 2021, that without an 'uplift' in funding 'we would not be able to maintain all our defences in the desired condition, putting communities at risk.'

This Council urges the Government and the Environment Agency to urgently commit to providing significant capital funding and support for the communities of Woodborough, Lambley and other aforementioned flooding hot spot areas across Gedling Borough to help prevent and mitigate against future flooding.

This Council urges the Government to reform HM Treasury 'green book' rules for investment into flood mitigation, where an evaluation of cost against economic benefit is required. This means that some properties will never be protected because of this calculation, as it ignores wellbeing, stress caused and psychological impacts on flooded residents.

This Council commits to making representations to the Secretary of State for Environment, Food and Rural Affairs on these issues.

Proposer: Cllr Michael Payne

Secunder: Cllr John Clarke

Motion 2

This Council expresses bitter disappointment and anger that the Conservative government has chosen not to give Gedling a single penny from the billions of pounds it has allocated as part of the Towns Fund (July 2021), Levelling Up Fund Round 1 (October 2021), Future High Streets Fund (December 2021), Levelling Up Fund Round 2 (January 2023), Levelling Up Partnerships (March 2023), Long Term Plan for Towns Fund (October 2023).

This Council also notes with disappointment the Conservative government's decision not to award the communities of Gedling a single penny from the Levelling Up Parks Fund (September 2022).

This Council notes the unfairness and significant disparity when comparing the funds allocated to our nearest neighbouring councils and the fact Gedling's communities have not received a single penny. The allocations from the Conservative government for Nottinghamshire councils from the Towns Fund, Levelling Up Fund Round 1, Future High Streets Fund, Levelling Up Fund Round 2, Levelling Up Partnerships Funding and Long-Term Plan for Towns Fund are as follows:

Ashfield District - £91.980 million
Bassetlaw District - £55.969 million
Broxtowe Borough - £37.639 million
Gedling Borough - £0
Mansfield District - £72.300 million
Newark & Sherwood District - £65.000 million
Rushcliffe Borough - £0
Nottingham City (unitary council) - £50.524 million

This Council believes Gedling's communities of Carlton, Carlton Hill, Colwick, Netherfield, Burton Joyce, Stoke Bardolph, Newstead, Arnold, Woodthorpe, Mapperley, Gedling, Ravenshead, Calverton, Woodborough, Lambley, Papplewick, Linby, Daybrook, Porchester, Redhill, Killisick, Warren Hill & Bestwood village are being held back by the Conservative government's decision not to award Gedling a single penny from the billions of pounds it has allocated from the aforementioned funds.

This Council implores the Conservative government to provide Gedling a fair share of funding when allocating the Levelling Up Fund Round 3, in order to ensure Gedling's communities are given the same opportunities and benefits our nearest neighbouring communities in Nottinghamshire have been.

This Council also implores the Conservative government to take action in the local government finance settlement to significantly uplift Gedling Borough's revenue funding and ensure Gedling is no longer the fifth worst affected council in the country in terms of Core Spending Power

(government's official measure of local government funding) compared to 2015/16.

This Council commits to making representations to Government and the Secretary of State for Levelling Up, Housing and Communities on these issues.

Proposer: Cllr John Clarke

Seconder: Cllr Michael Payne