

# Agenda

## Council

Date: **Wednesday 18 September 2024**

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Time: **6.00 pm**

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Place: **Council Chamber**

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For any further information please contact:

**Democratic Services**

[committees@gedling.gov.uk](mailto:committees@gedling.gov.uk)

0115 901 3844

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# Council

## Membership

**Mayor** Councillor Ron McCrossen

**Deputy Mayor** Councillor Kyle Robinson-Payne

Councillor Michael Adams  
Councillor Roy Allan  
Councillor Sandra Barnes  
Councillor Stuart Bestwick  
Councillor David Brocklebank  
Councillor Lorraine Brown  
Councillor John Clarke  
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 Helen Greensmith  
Councillor Jenny Hollingsworth  
Councillor Paul Hughes

Councillor Alison Hunt  
Councillor Viv McCrossen  
Councillor Julie Najuk  
Councillor Marje Paling  
Councillor Michael Payne  
Councillor Lynda Pearson  
Councillor Sue Pickering  
Councillor Catherine Pope  
Councillor Grahame Pope  
Councillor Alex Scroggie  
Councillor Martin Smith  
Councillor Sam Smith  
Councillor Ruth Strong  
Councillor Clive Towsey-Hinton  
Councillor Jane Walker  
Councillor Michelle Welsh  
Councillor Henry Wheeler  
Councillor Russell Whiting  
Councillor Paul Wilkinson

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## SUMMONS

A meeting of the Borough Council will be held on Wednesday 18 September 2024 at 6.00 pm to transact the business as set out below.



**Mike Hill**  
Chief Executive

## AGENDA

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- 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 26 July 2024 5 - 15
- 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 – received by Matthew Francis

“To remain compliant with legislation and operate lawfully, Gedling Borough Council must appoint three statutory officers: a Head of Paid Service, a Chief Financial Officer and a Monitoring Officer, the uninterrupted continuation of these three roles within local government, is essential. In accordance with Section 5 (1) (b) and (1A) of the Local Government and Housing Act 1989 the Monitoring Officer cannot be appointed to the position of and/or act as either the Chief Financial Officer and/or the Head of Paid Service. In line with Section 9P (1) (c) of the Local Government Act 2000 when read with Direction 3 of The Local Government Act 2000 (Constitutions) (England) Directions 2000, Gedling Borough Council must have all delegations to officers, statutory or otherwise, written within the Gedling Borough Council Constitution. Within your constitution you have mechanisms in place so that individuals can act as the Monitoring Officer or Chief Financial Officer if they are on

annual leave, off sick or absent for other reasons, however there is no mechanism of any form, in place for someone to act as the Head of Paid Service, if they are absent for any reason. It is essential to note that the designations of Chief Executive and Head of Paid Service are two separate and distinct roles, within both the Gedling Borough Council Constitution and legislation, as stated by case law, however they can be assigned to one individual.

I have been in communications with your Deputy Chief Executive and Monitoring Officer for some time regarding this, but we haven't made any progress. The responsibilities of the Head of Paid Service are very serious, such as reports to the council, health and safety matters, and decisions regarding how the discharge of various functions at Gedling Borough Council are coordinated. Any decisions taken by any officer at the council, other than the Head of Paid Service, in relation to the aforementioned responsibilities, would currently be unlawful, as they would be acting without authority.

Your current Deputy Chief Executive is also the Monitoring Officer, and is therefore prohibited by law from acting as the Head of Paid Service in any way and at any time, will you therefore write into the constitution, as a matter of urgency, so it complies with the law, and make known now to the public, who currently acts and can act moving forward, as the Head of Paid Service, when the Head of Paid Service is absent?"

## **8 To answer questions asked by Members of the Council under procedural rule 7.9**

Question 1 – from Cllr Whiting to Portfolio Holder for Corporate Resources and Performance

"What support, if any, is Gedling Borough Council able to provide those pensioners who will lose their Winter Fuel Allowance as a result of the introduction of means testing?"

Question 2 – from Cllr Bestwick to Portfolio Holder for Sustainable Growth and Economy

"Will the Council be following the new Labour Government's directive to drop the local connection test for social housing? If so how many non UK nationals are likely to be added to the list in Gedling and what will that mean to the local residents already on the waiting list?"

Question 3 – from Cllr S Smith to Portfolio Holder for Sustainable Growth and Economy

"Following the Labour Government's announcement of the reintroduction of housing targets and the increase of 45% in Gedling. Can you inform the Council of what additional sites you have highlighted for future housing development across our borough?"

<b>9</b>	<b>Reports and recommendations of the Executive or a Committee (procedural rule 7.10)</b>	
<b>10</b>	<b>Approval of the new Contract and Procurement Rules</b>	<b>17 - 41</b>
	Report of the Assistant Director - Governance and Democracy	
<b>11</b>	<b>Changes to committee membership</b>	<b>43 - 44</b>
	Report of the Democratic Services Manager	
<b>12</b>	<b>To consider comments, of which due notice has been given, under procedural rule 7.11</b>	
<b>a</b>	<b>Minutes of meeting Monday 22 April 2024 of Overview and Scrutiny Committee</b>	<b>45 - 50</b>
<b>b</b>	<b>Minutes of meeting Wednesday 17 July 2024 of Cabinet</b>	<b>51 - 56</b>
<b>c</b>	<b>Minutes of meeting Thursday 18 July 2024 of Standards Committee</b>	<b>57 - 58</b>
<b>d</b>	<b>Minutes of meeting Tuesday 23 July 2024 of Audit Committee</b>	<b>59 - 61</b>
<b>e</b>	<b>Minutes of meeting Wednesday 24 July 2024 of Planning Committee</b>	<b>63 - 81</b>
<b>f</b>	<b>Minutes of meeting Monday 29 July 2024 of Overview and Scrutiny Committee</b>	<b>83 - 86</b>
<b>g</b>	<b>Minutes of meeting Tuesday 6 August 2024 of Environment and Licensing Committee</b>	<b>87 - 88</b>
<b>h</b>	<b>Minutes of meeting Tuesday 27 August 2024 of Joint Consultative and Safety Committee</b>	<b>89 - 91</b>
<b>i</b>	<b>Minutes of meeting Tuesday 3 September 2024 of Environment and Licensing Committee</b>	<b>93 - 95</b>
<b>j</b>	<b>Minutes of meeting Tuesday 3 September 2024 of Licensing Act Committee</b>	<b>97 - 98</b>

13 To consider motions under procedural rule 7.12

Gedling Borough notes:

- The Labour Government's recent decision to restrict the Winter Fuel Payment to only pensioners in receipt of means-tested benefits like Pension Credit, as announced by Chancellor Rachel Reeves.
- The estimated impact of this decision, which Age UK says will mean 2 million pensioners who badly need the money to stay warm this winter will not receive it.
- The significant role that Winter Fuel Payments play in helping older residents across Gedling Borough and the UK afford heating during the coldest months, thereby preventing 'heat or eat' dilemmas and safeguarding health.
- The additional strain this decision will place on vulnerable pensioners, many of whom do not claim Pension Credit despite being eligible, further exacerbating their financial hardship.

Gedling Borough Council believes:

- That the Winter Fuel Payment has been a lifeline for many older people across the Borough and that restricting its availability solely to those on Pension Credit risks leaving many pensioners in financial hardship.
- While some pensioners currently in receipt of the Winter Fuel Payment may not require it, other pensioners within Gedling Borough sit just above the cut-off for Pension Credit and will now lose their entitlement to the Winter Fuel Payment.

Therefore, Gedling Borough Council resolves to:

- 1) Launch a Council-led local awareness campaign in a future Contacts Magazine to alert and encourage those eligible for Pension Credit to apply for it because doing so will trigger access to Winter Fuel Payments.
- 2) Send a letter from the Council Leader to the Chancellor of the Exchequer, urging a review of the decision to means-test the Winter Fuel Payment and asking the Government to ensure that vulnerable pensioners, particularly those who do not claim Pension Credit, are protected from fuel poverty.
- 3) Commit the Council to signing the 'Save the Winter Fuel Payment for Struggling Pensioners' petition being run by Age UK and write to all members offering them the opportunity to sign the petition themselves.
- 4) Encourage local efforts to promote Pension Credit uptake through council services and partnerships with local charities and community organisations to ensure that all eligible pensioners in Gedling Borough are supported in claiming their entitlement.

Proposer: Cllr Mike Adams

Seconder: Cllr Boyd Elliott

