

MINUTES COUNCIL

Wednesday 18 September 2019

Councillor Sandra Barnes (Mayor)

Present:

Councillor Meredith Lawrence	Councillor Rosa Keneally
Councillor Michael Adams	Councillor Ron McCrossen
Councillor Peter Barnes	Councillor Viv McCrossen
Councillor Chris Barnfather	Councillor Barbara Miller
Councillor Pat Bosworth	Councillor Simon Murray
Councillor Nicki Brooks	Councillor Julie Najuk
Councillor John Clarke	Councillor Marje Paling
Councillor Liz Clunie	Councillor John Parr
Councillor Bob Collis	Councillor Michael Payne
Councillor Boyd Elliott	Councillor Martin Smith
Councillor David Ellis	Councillor Sam Smith
Councillor Rachael Ellis	Councillor Jennifer Thomas
Councillor Andrew Ellwood	Councillor Clive Towsey-Hinton
Councillor Paul Feeney	Councillor John Truscott
Councillor Kathryn Fox	Councillor Henry Wheeler
Councillor Des Gibbons	Councillor Paul Wilkinson
Councillor Mike Hope	

Absent: Councillor Michael Boyle, Councillor Jim Creamer, Councillor Roxanne Ellis, Councillor Helen Greensmith, Councillor Jenny Hollingsworth and Councillor Alex Scroggie

31 OPENING PRAYERS.

The Mayor's Chaplain, Reverend Sally Baylis, delivered opening prayers.

32 APOLOGIES FOR ABSENCE.

Apologies for absence were received from Councillors Boyle, Creamer, Roxanne Ellis, Greensmith, Hollingsworth and Scroggie.

33 MAYOR'S ANNOUNCEMENTS.

The Mayor informed Members about some of the recent engagements she had undertaken, including Calverton Play Day. The Mayor gave thanks to Councillors Viv and Ron McCrossen for hosting the Charity Quiz Night on 5 September and thanked everyone else who had supported the event.

34 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 17 JULY 2019.

RESOLVED:

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

35 DECLARATION OF INTERESTS.

Councillor Wheeler declared a non-pecuniary interest in item 8 (Questions from Members) as a resident personally affected by recent flooding.

36 TO DEAL WITH ANY PETITIONS RECEIVED UNDER STANDING ORDER 8A.

None received.

37 TO ANSWER QUESTIONS ASKED BY THE PUBLIC UNDER STANDING ORDER 8.

Question from Nick Quilty

In June 2018, Calverton Parish Council wrote to Gedling BC making the suggestion, 100 years after the end of the Great War, that we could honour and remember those from the Parish killed in the war through GBC using the family surnames of those killed, to name new streets in Calverton. GBC wrote back to Calverton PC advising that it was something they would strongly consider for all future developments. However, the first new development to be named since then was not named in such a manner. Bearing in mind the large number of new developments which have recently had planning approval, and that these will soon require new street names, will GBC be implementing the Calverton PC request - or is there some reason it cannot, or will not?

Answer from Councillor Payne

The suggestion of honouring and remembering the names of soldiers is fully supported but other reasonable requests also need be considered on a case by case basis. The first new development named since the request is Woodward Way, named in memory of Arthur Woodward, who served as a Councillor in Calverton for 20 years (1987-2007) and served as Mayor in 2004. This request was put forward by the Leader and Deputy Leader of the Council in January 2019.

Several large new residential developments are expected to be built in Calverton and it is envisaged that groups of new roads will be named in honour of the soldiers, subject to Portfolio Holder approval.

TO ANSWER QUESTIONS ASKED BY MEMBERS OF THE COUNCIL UNDER STANDING ORDER 9.Questions received from Councillor AdamsQuestion 1Flooding in Arnold

The recent awful flooding in Arnold, apparently brought about as a result of the Gedling Borough Council maintained lagoon bursting its banks for the 3rd time in 10 years despite this supposedly being 'a once in 50 x year event', has raised huge concerns locally around the ability of the council to properly protect the welfare and wellbeing of its residents. I wonder how many times do residents on Bentwell Avenue in particular, the elderly, families with young children and other vulnerable residents, have to resort to their house insurers (where possible) to try and restore normality to their home, before the council properly exercises its responsibilities, acts positively and stops blaming the weather and indeed everyone else. When I personally attended on site at the lagoon, even my untrained eye could see that it was thick with silt and massively overgrown with trees and large shrubs. It certainly did not give the impression of a well maintained site. Can the Leader of the Council therefore explain details of the schedule of maintenance for the lagoon and brook that leads to the bottom of the gardens on Bentwell Avenue and confirm how that is complied with and checked by officers, and verified as sufficiently operable by those with appropriate expertise, including Nottinghamshire County Council as the Lead Flood Authority and/or the Environment Agency?

Answer from Councillor Clarke

Madame Mayor, it appears that Councillor Adams is not entirely clear on the roles that the borough and county councils have in relation to flood management, so perhaps I can take this opportunity to clarify this for him.

Nottinghamshire County Council are the Lead Local Flood Authority, and play a leading role in emergency planning and recovery after a flood event. They also investigate significant local flooding incidents, and publish the results of these investigations in what is known as a section 19 report under the requirements of the Flood and Water Management Act 2010.

Gedling Borough Council is a category one responder under the Civil Contingencies Act. This means we must have plans in place to respond to emergencies and control or reduce the impact of an emergency.

A section 19 report was issued by Nottinghamshire County Council in August. It reported that:

“Between the 10th and 12th of June a significant amount of rain was recorded as falling on the Arnold area, with 92mm recorded over the three days, and with 59mm of that falling on the 11th alone. The average rainfall for the month of June in Nottingham is 64mm. This excessive rainfall resulted in 24 residential properties and 20 businesses experiencing significant internal flooding.”

“The attenuation area is maintained by Gedling Borough Council with a Severn Trent Water surface water sewer permitted to flow into and out of it. When functioning correctly the attenuation area collects water from the Severn Trent surface water network upstream and discharges that water back into the surface water network.” “Following investigation, Severn Trent Water confirmed that the flow control device on the attenuation pond was working effectively.”

Turning specifically to your issues regarding the attenuation pond:

- Gedling Borough Council and Severn Trent Water are both responsible for the balancing pond.
- It incorporates a flow control mechanism that is designed to be self-maintaining with reed beds that keep the bank stable.
- This prevents erosion and allows the water to flow under normal circumstances slowly downstream.
- Before and after the floods, our officers inspected the site and there was no indication of any blockage or obstruction that would have interrupted the flow of water.
- Our officers cut the flat areas twice a year and regularly inspect the banks for loose materials.
- In October, as soon as the ecology calendar allows, GBC will clear the area to allow Severn Trent to enter and cleanse the central channel (which is their responsibility) returning the capacity to the maximum available.
- For clarity, Severn Trent have confirmed that by removing the trees and shrubs on the banks would add ‘very little’ extra capacity to that already available in the channel and the lagoon.

Madame Mayor, can I make it absolutely clear that this flooding event was created through the volume of rain that fell on Arnold over the three days in June, and was not due to the failure of the attenuation pond or lack of maintenance of the site.

Perhaps Councillor Adams would like to consider the impact that the lack of development of County Council-owned Rolleston Drive, with its large concrete surface area, contributed to surface water run-off issues in the Bentwell Avenue area.

Supplementary question from Councillor Adams

In response to a request to be sent the County Council report, Councillor Clarke said that this would be forwarded to Councillor Adams after the meeting.

Question 2

Neighbourhood Police Team

During the 2019 local election campaign, Labour election literature committed to specifically providing the Gedling area with 5 additional police officers. The leaflet, promoted by the Deputy Leader Michael Payne, specifically stated "We will create a new local neighbourhood policing team – putting 5 additional police officers back on our streets". Can the Leader confirm as to how this Labour Administration intends to carry out that pledge and outline exactly which authority or legislation gives a District Council the power or indeed ability, to usurp the role of the Chief Constable in allocating additional Police Officers to the Gedling area and to determine their duties and responsibilities.

Summary of response given by Councillor Payne

Madam Mayor, we fully intend to deliver on our manifesto pledge to 'create a new local neighbourhood policing team - putting five additional police officers back on our streets.'

Councillor Adams asks about which legislation gives Gedling Borough Council the power or indeed ability to do this. I refer him to the specific provision under Section 92 of the Police Act 1996, which states the following:

'The council of a county, district, county borough may make grants to any Police & Crime Commissioner whose police area falls wholly or partly within the council's area.'

'Grants under this section may be made unconditionally or, with the agreements of the chief officer of police for the police are concerned, subject to conditions.'

We have a proud track record of working in partnership with Nottinghamshire Police including through the existing agreement with them under the accreditation scheme, which has seen an increase in our Neighbourhood Wardens' powers to deal with issues such as anti-social behaviour. Delivering on this pledge will be a joint effort between Gedling Borough Council and Nottinghamshire Police - just as we worked closely to deliver additional Special Constables on the streets of Gedling borough in the past, we will work closely to secure additional police officer resources through this project.

We will be working in partnership with Nottinghamshire Police to deliver on this important pledge of securing additional police resources for our local community - so let me be clear Madam Mayor, we have no

intention of 'usurping' the role of the Chief Constable, in fact this is yet another example of us strengthening our relationship with the Chief Constable and Nottinghamshire Police by working together to protect the residents and communities of Gedling.

39 CHANGES TO REPRESENTATION ON COMMITTEES.

Consideration was given to a report of the Service Manager Democratic Services seeking approval to change to the memberships of the Environment and Licensing and the Licensing Act Committees.

RESOLVED:

To approve the following change to representation on the Environment and Licensing and the Licensing Act Committees:

Councillor Rachael Ellis to replace Councillor Gary Gregory as substitute member.

Vote: 35 For; 0 Against; 0 Abstentions

40 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).

In accordance with Standing Order 11.1, a number of comments were made and responded to by the appropriate Cabinet Member or Committee Chair.

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

None received.

42 TO CONSIDER MOTIONS UNDER STANDING ORDER 12.

Motion One

Upon a notice of motion received in the name of Councillor Adams, a proposition was moved by Councillor Adams, seconded by Councillor Sam Smith, in the following terms:

This Council:

- 1) Notes that the safeguarding of children and other vulnerable individuals within the community is of paramount importance to all who hold public office.

- 2) Is aware of recent criticisms of other surrounding authorities for a failure to exercise due diligence in carrying out their safeguarding functions in respect of children within their care.
- 3) Notes that, whilst Officers may primarily exercise the day to day functions of safeguarding on behalf of local authorities, that Elected Members equally have a responsibility to ensure that:
 - a) Those functions are indeed carried out diligently and effectively;
 - b) That vulnerable children and others potentially at risk in the community are protected by appropriate policies and procedures;
 - c) That Elected Members themselves set an appropriate leadership example in exercising their duties and responsibilities.
- 4) Recognises the importance of ensuring that everyone representing Gedling Borough Council, who may come into contact with such vulnerable children and other individuals in the course of their duties, are themselves above reproach.
- 5) Should seek to provide reassurance to our Gedling community by ensuring that all Elected Members are themselves made subject to a DBS check upon taking office.
- 6) Instructs the Monitoring Officer to consider and put in place a mechanism to ensure that appropriate DBS checks are carried out and recorded in a register against the name of all Elected Members.

An amendment was moved by Councillor Payne, seconded by Councillor Barnfather, in the following terms:

That in accordance with section 14.08 a) of the Gedling Borough Council Constitution, to refer the subject of debate to the Cabinet.

The amendment was carried and it was

RESOLVED:

That in accordance with section 14.08 a) of the Gedling Borough Council Constitution, to refer the subject of debate to Cabinet:

Vote: 35 For, 0 Against, 0 Abstentions

Motion 2

Upon a notice of motion received in the name of Councillor Payne, a proposition was moved by Councillor Payne, seconded by Councillor Clarke, in the following terms:

This Council notes:

- i) the Ministry of Housing, Communities & Local Government's August announcement to allocate a £1 billion Future High Streets fund to 100 high streets across England
- ii) the Ministry of Housing, Communities & Local Government's decision on 6 September 2019 to invite 100 towns across England to benefit from the £3.6 billion new 'Towns Fund' and the announcement by Secretary of State for Housing, Communities and Local Government that each of those towns will receive up to £25 million
- iii) the lack of transparent application process for the Government's new 'Towns Fund', the absence of any published criteria for the Government's decision to choose the 100 towns over others and the Conservative Government's inclusion of eleven places in the new 'Towns Fund' that are in the top seventeen Conservative Party general election target constituencies in England
- iv) the inclusion of the Secretary of State for Housing, Communities and Local Government's own town of Newark-on-Trent in the Government's new 'Towns Fund' announced on 6 September 2019

This Council regrets:

- i) the Government's disappointing decision to reject Gedling Borough Council's bid for a share of the £1 billion Future High Street Fund for Arnold town centre and choosing 100 other places instead
- ii) the decision of the Conservative Government to turn its back on Gedling Borough by not including any of Gedling Borough's towns as beneficiaries of the multi-million pound new 'Towns Fund' announced on 6 September 2019

This Council agrees:

that all members of the Council will be invited to sign the letter being sent by the Leader of the Council to the Prime Minister and Secretary of State for Housing, Communities and Local Government demanding they:

- a) reconsider their decision to exclude Gedling Borough's towns from the 100 announced beneficiaries of the new 'Towns Fund' and calling on them to ensure towns in our borough receive a fair share of the funding available

- b) immediately publish the criteria used for determining the 100 towns to benefit from the new 'Towns Fund' and which Government Minister made the decision to approve the list of the 100 towns announced on 6 September 2019

An amendment was moved by Councillor Sam Smith, seconded by Councillor Barnfather, so that the motion would read as follows:

This Council notes:

- i) the Government's August announcement of an extra £325 million to allocate a total of £1 billion to the existing Future High Streets Fund which will now benefit up to 100 high streets across England;
- ii) this forms part of the Government's £3.6 billion 'Towns Fund', with the announcement by the Secretary of State for Housing, Communities and Local Government that each of those towns will receive up to £25 million.

This Council regrets that its expression of interest in a share of the £1 billion Future High Street Fund for Arnold Town Centre did not score highly enough in the assessment process, which led to the Government choosing 100 other places instead:

This Council agrees:

- a) that all members of the Council will be invited to sign the letter being sent by the Leader of the Council to the Prime Minister and Secretary of State for Housing, Communities and Local Government asking them, to reconsider Gedling Borough's bid compared with the 100 announced beneficiaries of the new 'Towns Fund' and calling on them to ensure towns in our borough receive a fair share of the funding available.
- b) Review the guidance and criteria used for determining the 100 towns to benefit from the 'Towns Fund', upon which the Government Minister made the decision announced on 6 September 2019, in order to learn how it can prepare more successful bids for such funding in future.

Cllr Collis, seconded by Councillor Ron McCrossen, proposed a 10 minute adjournment, therefore it was

RESOLVED:

To adjourn the meeting for a period of ten minutes.

Meeting adjourned 7:05 pm – 7:15 pm

Councillor Bosworth left the meeting.

There then followed a debate on the amendment and in accordance with Standing Order 17.03, the amended proposition was put to a named vote as follows:

For the amendment to the Motion:

Councillor Adams	Councillor Barnfather
Councillor Elliott	Councillor Murray
Councillor Parr	Councillor Martin Smith
Councillor Sam Smith	

Against the amendment to the Motion:

Councillor Peter Barnes	Councillor Sandra Barnes
Councillor Brooks	Councillor Clarke
Councillor Clunie	Councillor Collis
Councillor David Ellis	Councillor Rachael Ellis
Councillor Ellwood	Councillor Feeney
Councillor Fox	Councillor Gibbons
Councillor Gregory	Councillor Hope
Councillor Keneally	Councillor Lawrence
Councillor Ron McCrossen	Councillor Viv McCrossen
Councillor Miller	Councillor Najuk
Councillor Paling	Councillor Payne
Councillor Thomas	Councillor Towsey-Hinton
Councillor Truscott	Councillor Wheeler
Councillor Wilkinson	

Abstentions:

None

Vote: 7 For, 27 Against, 0 Abstentions

The amendment was therefore lost.

In accordance with Standing Order 17.03, the original proposition was put to a named vote as follows:

For the Motion:

Councillor Peter Barnes	Councillor Sandra Barnes
Councillor Brooks	Councillor Clarke
Councillor Clunie	Councillor Collis
Councillor David Ellis	Councillor Rachael Ellis
Councillor Ellwood	Councillor Feeney
Councillor Fox	Councillor Gibbons
Councillor Gregory	Councillor Hope

Councillor Keneally
Councillor Ron McCrossen
Councillor Miller
Councillor Paling
Councillor Thomas
Councillor Truscott
Councillor Wilkinson

Councillor Lawrence
Councillor Viv McCrossen
Councillor Najuk
Councillor Payne
Councillor Towsey-Hinton
Councillor Wheeler

Against the Motion:

None

Abstentions:

Councillor Adams
Councillor Elliott
Councillor Parr
Councillor Sam Smith

Councillor Barnfather
Councillor Murray
Councillor Martin Smith

Vote: 27 For, 0 Against, 7 Abstentions

RESOLVED that:

This Council notes:

- i) the Ministry of Housing, Communities & Local Government's August announcement to allocate a £1 billion Future High Streets fund to 100 high streets across England
- ii) the Ministry of Housing, Communities & Local Government's decision on 6 September 2019 to invite 100 towns across England to benefit from the £3.6 billion new 'Towns Fund' and the announcement by Secretary of State for Housing, Communities and Local Government that each of those towns will receive up to £25 million
- iii) the lack of transparent application process for the Government's new 'Towns Fund', the absence of any published criteria for the Government's decision to choose the 100 towns over others and the Conservative Government's inclusion of eleven places in the new 'Towns Fund' that are in the top seventeen Conservative Party general election target constituencies in England
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This Council regrets:

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Street Fund for Arnold town centre and choosing 100 other places instead

- ii) the decision of the Conservative Government to turn its back on Gedling Borough by not including any of Gedling Borough's towns as beneficiaries of the multi-million pound new 'Towns Fund' announced on 6 September 2019

This Council agrees:

that all members of the Council will be invited to sign the letter being sent by the Leader of the Council to the Prime Minister and Secretary of State for Housing, Communities and Local Government demanding they:

- a) reconsider their decision to exclude Gedling Borough's towns from the 100 announced beneficiaries of the new 'Towns Fund' and calling on them to ensure towns in our borough receive a fair share of the funding available
- b) immediately publish the criteria used for determining the 100 towns to benefit from the new 'Towns Fund' and which Government Minister made the decision to approve the list of the 100 towns announced on 6 September 2019

The meeting finished at 7.45 pm

Signed by Chair:
Date: