

MINUTES COUNCIL

Wednesday 12 July 2023

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

Absent: Councillor Stuart Bestwick, Councillor Boyd Elliott, Councillor Paul Feeney, Councillor Ron McCrossen, Councillor Viv McCrossen, Councillor Sue Pickering and Councillor Jane Walker

In attendance: M Hill, F Whyley, E McGinlay and B Hopewell

16 THOUGHT FOR THE DAY

Council observed a minute's silence in remembrance of the victims from the recent attack in Nottingham City Centre and the 28th anniversary of the Srebrenica massacre.

The Mayor's chaplain was unable to attend, so she invited Councillor Sandra Barnes to deliver the thought for the day.

17 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors V McCrossen, R McCrossen, Feeney, Bestwick, Elliott, Pickering and Walker.

18 MAYOR'S ANNOUNCEMENTS

The Mayor confirmed her Civic Service would be held on Sunday, 23 July 2023 at 2.00pm at the Church of the Good Shepherd and encouraged her fellow members to attend. The Mayor also thanked Democratic Services officers for their hard work in organising the event.

19 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETINGS HELD ON 25 JANUARY, 2 MARCH AND 24 MAY 2023

RESOLVED:

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

20 DECLARATION OF INTERESTS

None.

21 TO DEAL WITH ANY PETITIONS RECEIVED UNDER PROCEDURAL RULE 7.8

None received.

22 TO ANSWER QUESTIONS ASKED BY THE PUBLIC UNDER PROCEDURAL RULE 7.7

A question was received as follows:

“What plans do the council have to safeguard its financial funds against the risk of fraud?”

Response by Councillor Clarke:

Fraud is the most commonly experienced crime in the UK, and costs many billions of pounds every year. The impact of fraud and related offences can be devastating, and victims of fraud ranges from vulnerable individuals to smaller businesses, and to major corporations, as well as the public sector including central government.

Here at Gedling, like many councils across the country, fraud comes under the remit of the Audit Committee.

The Audit Committee is a key component of Gedling Borough Council’s corporate governance. It provides an independent and high-level focus on the audit, assurance and reporting arrangements that underpin good governance and financial standards.

The purpose of the Audit Committee is to provide independent assurance to the Council of the adequacy of the risk management framework and the internal control environment. It provides independent review of Gedling Borough Council’s governance, risk management and

control frameworks, and oversees the financial reporting and annual governance processes. It oversees internal audit and external audit, helping to ensure efficient and effective assurance arrangements are in place.

The Audit Committee has many responsibilities, but three key functions are as follows:

- To consider reports on the effectiveness of internal controls and monitor the implementation of agreed actions.
- To review the assessment of fraud risks and potential harm to the Council from fraud and corruption.
- To consider and monitor the counter-fraud strategy, actions and resources.

As Councillors and officers of Gedling Borough Council, we each have a responsibility to be continually aware of the potential for fraud, to ensure that effective controls are in place to prevent and detect fraud, and to report any suspicions that we may have. This equally applies to all contractors, suppliers and other internal and external stakeholders who have a business relationship with the Council.

The Council is committed to reducing fraud, bribery and corruption, and to the promotion of high standards of conduct, to ensure that funds are used as they are intended. The Council has a zero tolerance stance and will seek the appropriate disciplinary, regulatory, civil and criminal sanctions against fraudsters and where possible, will attempt to recover losses.

Referring back to the question, 'how does the council safeguard its financial funds?' the Council currently has several measures already in place:

- We have an approved 'Counter Fraud and Corruption Strategy', which sets out the Council's approach to combat fraud, bribery and corruption around seven key themes: culture, deterrence, prevention, detection, investigation, sanction and redress.
- We have a 'Whistleblowing Policy and Procedure' under which any disclosures or allegations of serious wrongdoing can be reported.
- All staff at the Council are expected to complete an online fraud awareness training course.
- We employ BDO as our Internal Auditors who report to every Audit Committee on their progress with the current Audit Plan, and their findings and recommendations resulting from their review of services, and the effectiveness of internal controls.
- We also have Mazars as our External Auditors, who audit the accounts and provide opinions on our value for money arrangements.

- All of these come under the remit of the Audit Committee which has cross party representation.
- Our Constitution sets out the Council's position in terms of Members' Code of Conduct, Declarations of Interest, Financial Regulations and Contracts and Procurement Rules.

And finally, the Council has a dedicated fraud awareness page for staff on its intranet, and also provides a page to report any possible fraud on its internet.

23

TO ANSWER QUESTIONS ASKED BY MEMBERS OF THE COUNCIL UNDER PROCEDURAL RULE 7.9

A question was asked of the Portfolio Holder for Sustainable Growth and Economy from Councillor Brown:

“Funding was allocated and a location identified for new business units in Calverton but nothing further has happened. Could the Portfolio Holder provide an update on when these new business units will be built and opened in Calverton?”

Response from Councillor Hollingsworth:

“In 2019 the Council identified the opportunity to extend the number of business units at the Hill Crest site. A planning approval was secured in 2020 to build 4 additional units and funding applications were submitted both to the ERDF and D2N2 programmes in 2019/20 and 2021 respectively. However, both programmes were oversubscribed and the Council was unsuccessful. The business case viability has always and continues to be dependent upon grant funding with funders requiring a match contribution from the Council.

In June 2023 D2N2 released the Economic Growth Fund Capital Programme and the Council submitted an application to this fund on the 30th June 2023. The project costs are anticipated to be £1.388m and an application of £0.694m has been submitted to D2N2. The Council's contribution is anticipated to be funded from a combination of both borrowing (£0.534m) and reserves (£0.16m), subject to Council approvals. It is to be proposed that the capital programme as part of the Q1 monitoring be adjusted and Hillcrest is to be reinstated as a project. If the grant application is successful a report will be submitted to Cabinet in August and to Council in September seeking approval to proceed with the scheme. A requirement of the grant is that works need to commence prior to the 31 March 2024. Preparations are also in place to resubmit a planning application in view of the expiry of the permission.

We are aware that there is a high demand for industrial units for start-ups and SMEs which is reflected in the low voids for these units across the Council's business/industrial parks. If the Council is successful then

subject to approvals building works will commence in early 2024 with completion late summer and occupation in the Autumn 2024.”

A question was asked of the Portfolio Holder for Environmental Services (Operations) from Councillor Adams

“What is the annual cost to the Borough and per resident for clearing up fly-tipping?”

Response from Councillor Paling:

“The total clean-up costs for Gedling Borough Council was £189,200 during 2022/23 which makes the cost to each resident roughly £1.61 annually.

The costs also depends on the job as each brings specific issues with them. Jobs containing asbestos for example can cost anywhere between £300 and £500 per occasion as they require a specialist contractor to attend to remove it.

The larger fly tips can come out at approx. £256.00 per occasion if we have to carry out resulting investigations into evidence of ownership and clean them up. The smaller ones, which usually are around 2/3 black bags being left can cost as little as £58.00. Some clean-ups can be done in half an hour, others take 3-4hrs.

Labour costs are billed to the general overall’ staff labour’ budget codes in ‘agresso’, so it would be difficult for finance to arrive at a figure without someone to go through all the Wardens and fly tip removal teams timesheets to collate the data.

In terms of fly tipping customer complaints during the financial year, the figures are below: please note these may include duplicate reports of the same fly tip:

18-19 – 1745
19-20 – 1812
20-21 – 2319
21-22 - 1379
22-23 - 1220

To confirm, we don’t collect all of those fly tips as some fly tips reported to the Council are on private land and therefore it is the landowner’s responsibility to remove them. The number of fly tips that the Council has removed is below:

18-19 – 1191
19-20 – 1369
20-21 – 1894
21-22 - 1379

22-23 – 1220”

A question was asked of the Portfolio Holder for Climate Change and Natural Habitat from Councillor Brown:

“The Football Foundation has identified Calverton Top Club as an ideal location for a 3G pitch which will cater for several football teams in and around the village. Calverton Parish Council has allocated £50,000 towards the cost. Will GBC allocate officer time to work alongside the Parish Council, Cllr Walker, Cllr Elliott and me to secure additional funding to help deliver this much needed facility?”

Response from Councillor Wheeler:

“The Health Development Officer in the Communities Team will be available to offer advice to the Clubs involved and signpost to any relevant funding options. That officer has already been in open dialogue with Calverton Miners Welfare FC about additional funding options. Finding additional funding for football facilities, beyond Football Foundation, unless they are part of a wider multi-sport approach remains incredibly challenging.

As part of its Strategic Review of Communities Facilities, the Council is currently reviewing the Playing Pitch Strategy and this will determine future priorities for investment in all outdoor sport provision based on a comprehensive assessment of the quality, quantity and demand for sport locally. Future investment will rely heavily on securing external funding. The local clubs based at Calverton Miners Welfare have been consulted as part of that process and we are now working with our partners Sport England, Nottinghamshire FA and the Football Foundation to finalise the priorities within the Strategy.”

A question was asked of the Portfolio Holder for Sustainable Growth and Economy from Councillor Greensmith:

“Each year, this Council spends over £200,000 of taxpayers’ money on B&B temporary accommodation with the average stay over four months. 85 affordable rent properties are expected at the Rolleston Drive development in Arnold. What impact, if any, will that site being ‘on hold’, while the manufacturer of the factory-built homes is sold, have on this Council’s housing waiting list and what financial implications will that pose?”

Response from Councillor Hollingsworth:

“The news that Ilke Homes went into administration was a shock to the council. The collapse was not foreseen by the council and came less than 2 weeks before the first properties were due to be occupied. It will

obviously have a negative effect on an already stretched housing waiting list as those people who has been allocated properties will now have to be housed elsewhere.

The Rolleston Drive development was due to provide 85 affordable homes - these properties would have been allocated to 85 households from Council Homesearch Housing Register.

There are currently 604 live applications on the Homesearch system. 80 off these are in the highest priority Band 1, with 266 in Band 2 and 258 in Band 3.

The allocation of 85 properties would have seen the current number of households on the Homesearch waiting list reduce by 14%. Clearly this is not a true reflection as new applications are received daily and the full allocation of properties was not do to be concluded until January 2024.

Homeless applications rose from 567 in 2018/19 to 874 in 2022/23 with figures set to rise. As at the 10th July 2023, the Housing Option section has already received 227 new applications for financial year 2023/24.

The council would like to recognise and acknowledge staff who work tirelessly with social landlords and mortgage providers to present people becoming homeless wherever they can.”

24 BUDGET OUTTURN AND BUDGET CARRY FORWARDS 2022/23

Consideration was given to a report of the Senior Leadership Team, which was referred by Cabinet to present the budget outturn and budget carry forward for 2022-23 to members.

RESOLVED to:

- 1) Approve the overall method of financing of the 2022/23 capital expenditure as set out in paragraph 3.4; and
- 2) Approve the determination of the minimum revenue provision for the repayment of debt as set out in paragraph 3.5.

25 ANNUAL TREASURY ACTIVITY REPORT 2022/23

Consideration was given to a report of the Senior Leadership Team, which was referred by Cabinet to inform members of the outturn in respect of the 2022/23 prudential code indicators and to advise members of the outturn on treasury activity.

RESOLVED:

To approve the Annual Treasury Activity report for 2022/23, as required by the regulations.

26 AMENDMENT TO COMMITTEE SCHEDULE FOR 2023-24

Consideration was given to a report of the Democratic Services Manager, informing members of a proposed change to the schedule of meetings for the current year.

RESOLVED:

To approve the changes to the schedule of meetings, as at appendix 1.

27 AMENDMENT TO COMMITTEE MEMBERSHIPS FOR 2023/24

Consideration was given to a report of the Democratic Services Manager, informing members of the change to the allocation of seats held by committee members.

RESOLVED:

To approve the following changes to representation on committees:

- 1) Remove Councillor Welsh from Planning Committee; and
- 2) Add Councillor Barnes as a member of the Planning Committee; and
- 3) Remove Councillor Rachael Ellis from Appeals and Retirement Committee; and
- 4) Add Councillor David Ellis as a member of the Appeals and Retirement Committee; and
- 5) Remove Councillor Barnes as a member of the Overview and Scrutiny Committee; and
- 6) Add Councillor Roxanne Ellis as a member of the Overview and Scrutiny Committee.

28 MEMBER ALLOWANCE SCHEME AND RECRUITMENT TO INDEPENDENT REMUNERATION PANEL

Consideration was given to a report of the Head of Governance and Customer Services which sought to consider amendments to the member Allowance Scheme for 2023/24 and to seek approval to recruit 2 new members to the Independent Remuneration Panel to enable a review of the Member Allowance Scheme for 2024/25.

RESOLVED to:

- 1) Thank the Independent Remuneration Panel for its work; and
- 2) Accept the recommendations of the Independent Remuneration Panel contained in the report; and
- 3) Agree the schedule of members' allowances for 2023/24 as attached at appendix 1 to this report; and

- 4) Authorise the Monitoring Officer to make appropriate amendments to section 29 of the constitution to reflect any changes to the members' allowances scheme agreed and publicise any amendment; and
- 5) Agree to launch a recruitment exercise to fill the current vacancy on the Independent Remuneration Panel, and recruit one additional panel member; and
- 6) Agree to establish a cross party interview panel of 3 Members to interview suitable candidates for the Independent Remuneration Panel as detailed in the report, and make recommendation to Council as to appointment.

29 REVIEW OF PROCEDURAL STANDING ORDERS

Consideration was given to a report of the Head of Governance and Customer Services, which sought approval to establish a working group to support the review of the Council's procedure rules.

RESOLVED to:

- 1) Approve the establishment of a cross party working group of 6 Members to facilitate a review of the Council's Procedure Rules for Council within the Council's Constitution; end
- 2) Agree that Business Managers or Group Leaders will send details of the two working group volunteers from their groups to the Monitoring Officer.

30 TAXI LICENSING FEES REVIEW

Consideration was given to a report of the Head of Governance and Customer Services which sought to update members on the position in respect of the review of fee setting for vehicle, driver and operator's licences as part of the Council's licensing function and to update Council on the action taken to remedy historic charging errors.

RESOLVED to:

Note the report and endorse the steps already taken by officers in relation to the review of licensing fees and reimbursement of certain licensing fees.

31 TO RECEIVE QUESTIONS AND COMMENTS FROM MEMBERS CONCERNING ANY MATTER DEALT WITH BY THE EXECUTIVE OR A COMMITTEE (PROCEDURAL RULE 7.10)

None received.

32 TO CONSIDER COMMENTS, OF WHICH DUE NOTICE HAS BEEN GIVEN, UNDER PROCEDURAL RULE 7.11

None received.

33 TO CONSIDER MOTIONS UNDER PROCEDURAL RULE 7.12

Councillor Ellwood, seconded by Councillor Hughes, proposed a motion in the following terms:

This Council notes:

1) The Overview & Scrutiny Committee has a vital role in scrutinising the work of the Cabinet

2) That to strengthen this role, it is appropriate for the Chair and Vice-Chair of the Overview & Scrutiny Committee not to be members of the Council's Ruling Group.

This Council therefore resolves:

1) To add the following words to the existing section of the Constitution at "Section 4- The Full Council: 7.22 Election of a Chair of a Committee ":

"The Chair of the Overview and Scrutiny Committee shall be a member of the largest political group that is different to that of the Leader of the Council. The Vice-Chair of the Overview and Scrutiny Committee shall not be a member of the same political group as that of the Leader of the Council"

2) That the change to the Constitution to come into force at the 2024 Annual Meeting of the Council for the 2024/25 Council Year.

This Council further notes:

That in line with paragraph 7.31 of the Procedure Rules for Full Council that as this motion proposes an addition to the said procedure rules, that once proposed and seconded the motion shall stand adjourned without discussion to the next ordinary meeting of the council.

Proposer: Cllr Ellwood
Secunder: Cllr Hughes

As the motion relates to a change in the procedure rules, the motion stood adjourned without discussion until the next ordinary meeting of the council.

The meeting finished at 7.00 pm

Signed by Chair:

Date: