

MINUTES COUNCIL

Wednesday 15 November 2023

Councillor Julie Najuk (Mayor)

Present: Councillor Ron McCrossen Councillor Paul Hughes
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 Lorraine Brown Councillor Lynda Pearson
Councillor John Clarke Councillor Sue Pickering
Councillor Jim Creamer Councillor Catherine Pope
Councillor Boyd Elliott Councillor Grahame Pope
Councillor David Ellis Councillor Kyle Robinson-Payne
Councillor Rachael Ellis Councillor Alex Scroggie
Councillor Roxanne Ellis Councillor Martin Smith
Councillor Andrew Ellwood Councillor Sam Smith
Councillor Paul Feeney Councillor Ruth Strong
Councillor Kathryn Fox Councillor Jane Walker
Councillor Des Gibbons Councillor Henry Wheeler
Councillor Helen Greensmith Councillor Russell Whiting
Councillor Jenny Hollingsworth Councillor Paul Wilkinson

Absent: Councillor David Brocklebank, Councillor Andrew Dunkin, Councillor Clive Towsey-Hinton and Councillor Michelle Welsh

48 THOUGHT FOR THE DAY

A minute's silence was held in remembrance of the innocent lives lost at home and around the world. The Mayor's Chaplain, Father Philipp Ziomek, addressed council and gave a reading.

49 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Brocklebank, Dunkin, Towsey-Hinton and Welsh.

50 MAYOR'S ANNOUNCEMENTS

The Mayor confirmed she had recently attended several remembrance events, held across the borough and noted she found it encouraging to see the great turnout amongst the community. She also highlighted that she was looking forward to turning various Christmas lights on across the borough and thanked the organisers for their hard work.

51 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 20 SEPTEMBER 2023

RESOLVED:

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

52 DECLARATION OF INTERESTS

None.

53 TO DEAL WITH ANY PETITIONS RECEIVED UNDER PROCEDURAL RULE 7.8

None.

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

Six questions had been received, however question six had been withdrawn as the questioner had expressed the view that they felt the question would not be answered in full and had asked that the reason be minuted.

The remaining 5 questioners were unable to attend so their questions were read out by the Chief Executive and answered by the Leader of the Council, as follows:

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?

Answer 1

It is recognised that some of the language within the Council's Procedure Rules at Section 4 of the Constitution is dated and gender specific. At the Council meeting on 12 July 2023, it was agreed to establish a working group to review the Procedure Rules and the working group met in October to discuss and propose amendments. One of those proposals was to review and amend the language within the Rules to make it easier to understand and remove the gender specific references.

At the moment a new draft of the procedure rules is underway to be brought back to the Working group later this year with a view to the Council considering a new set of Rules in the New Year.

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?

Answer 2

It is accepted there may be a number of valid reasons why a member of the public, who wishes to put a question to this council, may be unable to attend the meeting in person. For this reason, the Constitution does give the Mayor discretion to consider whether a question can be put in the absence of the questioner. It is for the Mayor to consider what might amount to exceptional circumstances.

As Councillors we welcome the participation of the public through questions to the Council and as indicated in my previous answer, the Council are currently reviewing Procedure Rules to consider how they can be improved. The Rules in relation to questions from the public will form part of the review and as such the points raised in your question will be taken into account.

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?

Answer 3

This Council adheres to legislation and guidance in relation to elections set out by the government and the regulatory bodies, such as the

Electoral Commission. In terms of council property being used to display campaign material, this is something that is governed by the Local Government Act which notes restrictions regarding the “pre-election period”. The “pre-election period” is a period of around 6 weeks before an election when there are extremely specific rules about what a council can or cannot do in terms of publicity and the use of council facilities and resources.

The restrictions state that material relating to wider political issues should not be posted on official notice boards which may be seen by members of the public. It also says that the council facilities and resources should not be used for political gain. These restrictions are consistently applied across the whole council and all staff are briefed on the pre-election period to ensure they are clear of our responsibilities.

If any member of staff or the public notice any campaign material on council property, or anything they are not sure of, then this should be reported to the elections team who will investigate it further.

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 ‘an 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?

Answer 4

The main principle behind freedom of information legislation is that people have a right to know about the activities of public authorities, unless there is a good reason for them not to.

At Gedling Borough Council, we strive to get the information as soon as possible and always in working days, 20 working days. The time limit can be extended by a reasonable period if a qualified exemption applies, and we need additional time to consider the public interest test.

In the year 1 April 2022 to 31 March 23, the Council handled a total of 667 requests made under the Freedom of Information Act or the Environmental Information Regulations. From 1 April 23 to date the Council has received a total of 485 requests.

Gedling Borough Council is aware that the way some data is organised on the systems sometimes means it has been difficult to locate the information requested. The Council is currently undertaking a review into the ICT systems and data strategy. It is hoped that this strategy will provide some recommendations on data storage and handling that will improve the delivery of FOI responses.

Gedling Borough Council, like other Councils across the country, are being placed under pressure to provide services and meet statutory time frames with less staff. The staff are working extremely hard to provide services to the public and sometimes it is regretful that there are instances when timeframes are missed due to competing pressures and staff shortages. These instances are thankfully very few, but the Council is aware this is an area that needs some consideration to prevent missed response times.

The Council is currently undertaking an internal review of the FOI system working processes. This review aims to review the current working practices and their effectiveness with a view to streamlining the process where possible, to create a more effective working system. It is hoped that the findings of this review along with any recommendations will be implemented in early 2024.

It's not been added to this, I did ask for it, but the cost of this up to now is running into thousands of pounds and not wanting people to be deterred by not asking questions or FOI and things but please consider it is probably costing one full employee.

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?

Answer 5

Thank you, Madam Mayor, and can I start by saying thank you to the questioner for asking the question and to also place on record my thanks to all the people for asking the questions. The fact that we have questions here tonight shows that local democracy is working, and this administration welcomes the accountability around these issues. It gives us a good opportunity to talk about the excellent work that this council does.

In March 2023 Gedling Borough Council held its first meeting of our Gedling Social Mobility Commission and allow me Madam Mayor and this junction to say thank you to Cllr Fox and the officers who are leading this excellent work. We are proud, Madam Mayor, to be one of only a few, I think less than a handful, councils across the country, who have committed to bringing together statutory partner organisations and community organisations as a social mobility commission to help improve life chances and opportunities for young people across the borough.

The commission includes representatives from Gedling Borough Council, there will also be representatives from Nottinghamshire County Council, Nottinghamshire Police, Nottingham Trent University, Gedling Youth Council, Nottingham Nottinghamshire Integrated Care Board as well as the voluntary and community sector and the business sector.

The Gedling Social Mobility Commission held its first meeting in March 2023 and the next meeting is scheduled and planned for the 5th of December 2023. Following the first meeting of the commission, there has been a need for a much deeper dive into the extensive data and insights available to help progress the important work of the Social Mobility Commission. The most recent census data for the 2021 census was not made publicly available until the start date of 28th of June 2022 and this is just one key source of data available for the commission's work. The latest social mobility index which was published by the Government in 2017, ranked Gedling 272nd out of 324 local authorities,

one of the worst areas in the country in terms of social mobility, which entirely vindicates this Council's commitment and this administration's commitment to tackling the challenges of social mobility in our borough, many of which, may I hasten to point out, Madam Mayor, arise as a result of policy decisions made in Westminster and in Whitehall. This Council is wholeheartedly committed to seeing through the vital work of the social mobility commission, however long it takes. And I will also say that this Council I think has adequately, to seize the phrase from the questioner, the opportunity to bring forward the expertise needed.

I will conclude by just touching on some of the points that were raised by the expert group in the social mobility commission in its first meeting. Careers, advice and information and support for young people, the lack of skills and expertise around bringing together a CV and getting into work, an area this council has been doing amazing work on for many years. Youth engagement and the impact of anti-social behaviour and youth violence in our local area, again an area this council has been leading on for many years whilst we have seen a lack of neighbourhood policing across our Borough.

Early years was touched on, the crying shame in one of the richest countries in the world, of food poverty and fuel poverty, the mental health of our young people and crucially a long discussion on the gaps in data and insight. Shocking lack of data from some of our partners around disabilities particularly, which have now come into sharp focus, as a result of the release of that census data.

Let me just conclude by saying this, Madam Mayor. There are two very good reasons this Labour administration committed to and is deeply committed to finishing the work of this social mobility commission, and it comes back to what I said earlier, because this government has let this borough down. First, we have some of the worst levels of tooth decay amongst young people across our county in Nottinghamshire and we all know why. Because you cannot get access to an NHS dentist as a result of a decision taken in Westminster and Whitehall. And secondly, through poverty, which was discussed in its first meeting, rising levels of food poverty amongst young children, and we all know why, Madam Mayor. Because this government is not committed to providing free school meals and will not stand behind the children who have empty stomachs when they go to primary school.

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

None.

56 GEDLING STATEMENT OF LICENSING POLICY

Consideration was given to a report of the Head of Environment, which sought to inform Members of the requirements of Section 5(3) of the Licensing Act 2003 in relation to the review of the Gedling Statement of Licensing Policy and to seek approval to adopt the revised Policy to come into effect on 7 January 2024.

RESOLVED to:

Approve the revised Gedling Statement of Licensing Policy to come into effect from 7 January 2024.

57 CO-OPTION OF PARISH REPRESENTATIVE TO STANDARDS COMMITTEE

Consideration was given to a report of the Monitoring Officer, which sought to recommend that Louise Kopyrko, Councillor for Calverton Parish Council, be co-opted on to the Standards Committee to fill the vacant post of co-opted parish representative.

RESOLVED:

That Louise Kopyrko, Councillor for Calverton Parish Council, be co-opted on to the Standards Committee to fill the vacant post of co-opted parish representative until the next annual meeting.

58 CHANGES TO COMMITTEE MEMBERSHIP

Consideration was given to a report of the Democratic Services Manager, which sought to approve changes on representation on committees, following formal notification of two resignations of membership from the Labour Party.

An amendment to recommendation points 10 was made in the following terms:

This Council resolves to amend recommendation 10 of the report to read as follows: "Councillor Dunkin to be elected of Vice-Chair or Overview & Scrutiny committee"

Proposed by Cllr Ellwood
Seconded by Cllr Hughes

A request for a recorded vote on the amendment was proposed and seconded. On being put the vote, the amendment was lost.

The original motion was debated and on being put to vote, it was carried.

RESOLVED to:

- 1) Remove Councillor Whiting from Joint Consultative and Safety Committee; and
- 2) Add Councillor Ron McCrossen as a member of the Joint Consultative and Safety Committee; and
- 3) Remove Councillor Ron McCrossen as a member of the Overview & Scrutiny Committee; and
- 4) Add Councillor Robinson-Payne as a member of the Overview & Scrutiny Committee; and
- 5) Add Councillors Gibbons and Whiting to Standards Committee; and
- 6) Remove Councillor Gibbons from Planning Committee; and
- 7) Add Councillor Whiting as a member of the Planning Committee; and
- 8) Councillor Gibbons to remain on the Environment and Licensing Committee and Licensing Act Panel as an Independent; and
- 9) Councillor Whiting to remain on the Overview & Scrutiny Committee as an Independent; and
- 10) Add Councillor Brocklebank as Vice-Chair of the Overview & Scrutiny Committee.

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

No comments were made.

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

None.

61 TO CONSIDER MOTIONS UNDER PROCEDURAL RULE 7.12

Motion 1

Councillor Payne, seconded by Councillor Clarke proposed a motion in the following terms:

“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"

On being put to vote, the motion was carried unanimously.

RESOLVED that:

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.

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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

Councillor Clarke, seconded by Councillor Payne, proposed a motion in the following terms:

"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”

An amendment was proposed and seconded by Councillors Adams and Sam Smith in the following terms:

“This Council expresses disappointment that Gedling Borough Council’s bids for funding from the government’s 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), have been unsuccessful.

This Council also notes that we were not allocated funding from the Towns Fund (July 2021) and the Long Term Plan for Towns Fund (October 2023) or eligible for the Levelling Up Parks Fund (September 2022) as this funding was only available to Local Authority areas which rate highly on the index of Multiple Deprivation and have limited access to green space.

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 deserve investment. This Council also notes residents’ feedback that they feel Arnold receives a disproportionality large allocation of Council funding.

This Council notes that the Conservative government has allocated Gedling Borough with £2,866,555 from the Shared Prosperity Fund, which is being invested into projects including new sports facilities on Lambley lane and accessible facilities on King George V playing fields in Arnold.

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 but notes that the next round of LUF may be allocative and Gedling Round 2 bid failed to be shortlisted.

This Council also implores the Conservative Government to take action in the local government finance settlement to significantly uplift Gedling Borough’s revenue funding.

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

Proposer: Cllr Mike Adams
Seconder: Cllr Sam Smith”

A request for a recorded vote on the amendment was proposed and seconded. On being put the vote, the amendment was lost.

The original motion was debated and on being put to vote, it was carried.

RESOLVED that:

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:

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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

The meeting finished at 8.39 pm

Signed by Chair:
Date: