

**MINUTES
COUNCIL**

Wednesday 21 January 2015

Councillor Jenny Hollingsworth (Mayor)

Present: Councillor Meredith Lawrence Councillor Gary Gregory
Councillor Steve Ainley Councillor Cheryl Hewlett
Councillor Pauline Allan Councillor Sarah Hewson
Councillor Roy Allan Councillor Mike Hope
Councillor Bruce Andrews Councillor Paul Hughes
Councillor Patricia Andrews Councillor Phil McCauley
Councillor Emily Bailey Councillor Barbara Miller
Councillor Peter Barnes Councillor Marje Paling
Councillor Sandra Barnes Councillor John Parr
Councillor Chris Barnfather Councillor Michael Payne
Councillor Denis Beeston MBE Councillor Lynda Pearson
Councillor Alan Bexon Councillor Stephen Poole
Councillor Nicki Brooks Councillor Colin Powell
Councillor Bob Collis Councillor Suzanne Prew-Smith
Councillor Ged Clarke Councillor Darrell Pulk
Councillor John Clarke Councillor Nick Quilty
Councillor Jim Creamer Councillor Roland Spencer
Councillor David Ellis Councillor Sarah Tomlinson
Councillor Roxanne Ellis Councillor John Truscott
Councillor Andrew Ellwood Councillor Muriel Weisz
Councillor Paul Feeney Councillor Henry Wheeler
Councillor Tony Gillam

Absent: Councillor Krista Blair, Councillor John Boot,
Councillor Kathryn Fox, Councillor Mark Glover,
Councillor Richard Nicholson and Councillor Carol
Pepper

58 APOLOGIES FOR ABSENCE.

Apologies for absence were received from Councillors Boot, Fox, Glover, Nicholson, and Pepper.

59 MAYOR'S ANNOUNCEMENTS.

The Mayor spoke about recent engagements she had attended including a number of light switch on events in the busy Christmas period and wished all present a happy new year. She thanked all present for supporting her in raising money for her charities.

The Mayor said that all at the Council were saddened by the news Councillor Fox's husband Adrian's had recently passed away. She wished Katherine and her children well and hoped she would feel able to come back to Council soon.

Recently a great supporter of the British Legion, know to all as Gee, passed away. Gee will be sadly missed and condolences go to his family.

Forthcoming events include a reception to thank all involved in events to commemorate Word War One and a special showing of Iris at the Bonington Theatre.

Finally the Mayor spoke about the forthcoming anniversaries of the liberation of Auswich and the Srebenica genocide. She hoped that all would take time to reflect on these atrocities.

The Mayor received a petition from Councillor Creamer about scrap metal.

Urgent Item

The Mayor allowed Councillor John Clarke, seconded by Councillor David Ellis, to propose an urgent item of business. Councillor Clarke proposed that the meeting of Council scheduled for Monday 2 March be postponed until Tuesday 3 March. This was to allow Councillor Payne to chair a meeting of the Local Government Information Unit in London.

The mayor put the proposition to the meeting and it was carried.

RESOLVED:

That the Budget Council meeting shall take place on Tuesday 3 March 2015 at 6 pm.

60 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 12 NOVEMBER 2014.

RESOLVED:

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

61 DECLARATION OF INTERESTS.

None.

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

None.

63 TO ANSWER QUESTIONS ASKED BY MEMBERS OF THE COUNCIL UNDER STANDING ORDER 9.

Question from Councillor Roland Spencer

Holy Trinity Church at Lambley has had a Closed Church Yard since 1890. This means that this Council has a statutory duty to maintain the grounds. Could the Leader of the Council tell me who made the decision to stop this maintenance?

Answer from Councillor John Clarke, Leader of the Council

A closed churchyard is a churchyard belonging to a church of the Church of England which has been formally closed by an Order in Council made under the Burial Act.

Officers have contacted the Ministry of Justice, which has provided documentation to confirm that the closure of Holy Trinity Church at Lambley was postponed until 31 March 1897. So the Order did not take effect and the churchyard did not formally close until then.

When a churchyard is closed, responsibility for its maintenance falls on the Parochial Church Council. The Parochial Church Council is therefore required to keep the churchyard in decent order and its walls and fences in good repair. The responsibility for closed churchyards does not automatically pass to the district council – this only happens if a statutory process is followed.

That process starts with the Parochial Church Council serving 3 months' notice on the Parish Council requiring it to take over maintenance of the closed churchyard. If the Parish Council does not wish to take on the responsibility for maintenance, it can pass it on by giving notice to the district council. But this notice must be served on the district council within the 3 month notice period given by the Parochial Church Council. If notice is not served on the district council during this 3 month period, responsibility for maintenance stops with the Parish Council.

Parks and Streetcare and Legal Services have been unable to find any evidence that the formal statutory process to transfer responsibility of this closed Churchyard to the Borough Council has, at any time, ever taken place. In addition, the Parish Council has not provided any records or evidence

So, despite the fact that it would appear that responsibility for maintaining the churchyard has never passed to Gedling Borough

Council, the Parks and Street Care Team currently mow the grass and carry out some weed killing when required and have done so for a number of years.

No decision has been made to stop doing what we've always done but the issue of maintenance arose when the Council was asked to undertake some significant tree works. Given the massive cuts in our funding, it's hard enough to look after our own land so we can't be in the business of looking after other peoples' land for free.

In terms of a way forward, I want to emphasise that we haven't stopped or haven't reduced what we've always done. However, we do need to agree a satisfactory long-term arrangement with the Parish Council which would include either a contribution to Gedling's maintenance costs or the Parish finding an alternative provider. I appreciate that's not good news for the Parish but we are not in a position to maintain land that we have no responsibility for.

In response to a supplementary question Councillor John Clarke assured Councillor Spencer that a meeting could be arranged to discuss the matter.

64 CREATION OF A COMBINED AUTHORITY FOR NOTTINGHAM AND NOTTINGHAMSHIRE.

Consideration was given to a report of the Chief Executive seeking authority for Gedling Borough Council to join a combined authority for Nottingham and Nottinghamshire.

RESOLVED to:

- 1) Agree that a submission be made to the Secretary of State for Communities and Local Government for the establishment of a Combined Authority for Nottingham and Nottinghamshire;
- 2) Approve Gedling Borough Council formally joining the Nottingham and Nottinghamshire Combined Authority once it is established;
- 3) Delegate authority for the signing off of the final Governance Review and Scheme to the Chief Executive in consultation with the Leader, and Opposition Group Leaders.

65 LOCALISM ACT PAY POLICY STATEMENT 2015/16

Consideration was given to a report of the Appointments and Conditions of Service Committee, which had been circulated prior to the meeting, asking the Council to approve the Pay Policy Statement for 2015/16.

RESOLVED:

To approve the Pay Policy Statement, attached at Appendix A to the report for publication on the website.

66 PROPOSED AMENDMENT TO THE CONSTITUTION: STANDING ORDER TO PROHIBIT RECORDING OF PRIVATE MEETINGS

Consideration was given to a report of the Council Solicitor and Monitoring Officer that proposed the adoption of a standing order to prohibit the recording of meetings held in private.

RESOLVED to:

- 1) Approve the adoption of a Standing Order to prohibit recording of a meeting where the public are excluded as set out in the report; and
- 2) Authorise the Council Solicitor and Monitoring Officer to make the appropriate amendments to the Constitution to incorporate the Standing Order.

67 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.

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

None.

69 TO CONSIDER MOTIONS UNDER STANDING ORDER 12.

Motion One

Upon a notice of motion received in the name of Councillor Roxanne Ellis a proposition was moved by Councillor Roxanne Ellis and seconded by Councillor Wheeler in the following terms:-

This Council believes that women who choose to breastfeed should be supported and respected. Breastfeeding has many benefits for children and mothers including

- *Reducing the likelihood of a mother contracting breast cancer by up to 20% and also reduces risk of ovarian cancer and developing cardiovascular disease.*

- *Reducing stress levels and the risk of postpartum depression.*
- *Protects the baby from a long list of illnesses including respiratory infections, diabetes and gastroenteritis.*
- *Reduces likelihood of a child developing allergies.*
- *May boost the child's intelligence and reduce their likelihood of being obese in later life.*

However recent events have shown that many women who want to breastfeed feel unable to do so when out of the home and Britain continues to have low rates of breastfeeding take up especially after 3 months (17%), four months (12%) and six months (1%).

This Council commits to promote breastfeeding and to work towards providing suitable facilities for breastfeeding within its own buildings and to encourage partners to do likewise.

The Mayor put the proposition to the meeting and declared the same carried unanimously and it was

RESOLVED:

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- Reducing stress levels and the risk of postpartum depression.
- Protects the baby from a long list of illnesses including respiratory infections, diabetes and gastroenteritis.
- Reduces likelihood of a child developing allergies.
- May boost the child's intelligence and reduce their likelihood of being obese in later life.

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This Council commits to promote breastfeeding and to work towards providing suitable facilities for breastfeeding within its own buildings and to encourage partners to do likewise.

Motion two

Upon a notice of motion received in the name of Councillor John Clarke a proposition was moved by Councillor John Clarke and seconded by Councillor Gregory in the following terms:-

This Council notes Her Majesty's Inspectorate of Constabulary's warning that they have a 'growing concern that neighbourhood policing is being eroded. The already thin blue line in our communities is narrowing still further.'

This Council decries the Government's 20% real terms cut to central government police funding since 2010, resulting in the loss of 16,000 officers from our streets.

This Council recognises the difficulty faced by the Nottinghamshire Police and Crime Commissioner in dealing with the £47m central government cut to Nottinghamshire's police budget since the 2010 Spending Review.

This Council welcomes the efforts he has made to recruit more front line officers, in spite of the budget pressures from central government.

Nevertheless, this Council calls on the Nottinghamshire Police and Crime Commissioner to commit to saving Carlton Police Station from closure

Councillor Barnfather, seconded by Councillor Bexon, proposed an amendment to the motion. This was put to a vote and the amendment was lost. Council continued to debate the motion as it stood.

The Mayor put the proposition to the meeting and declared the same carried and it was

RESOLVED that:

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Nevertheless, this Council calls on the Nottinghamshire Police and Crime Commissioner to commit to saving Carlton Police Station from closure.

The meeting finished at 8.20 pm

Signed by Chair:
Date: