

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of **Full Council** held in the Civic Suite, Castle House, Great North Road, Newark, Nottinghamshire, NG24 1BY on Tuesday, 11 December 2018 at 6.00 pm.

PRESENT: Councillor K Walker (Chairman)  
Councillor B Crowe (Vice-Chairman)

Councillor Mrs K Arnold, Councillor Mrs B Brooks, Councillor Mrs C Brooks, Councillor Mrs I Brown, Councillor M Cope, Councillor Mrs R Crowe, Councillor Mrs G Dawn, Councillor Mrs M Dobson, Councillor P Duncan, Councillor K Girling, Councillor P Handley, Councillor Mrs L Hurst, Councillor R Jackson, Councillor B Laughton, Councillor J Lee, Councillor D Lloyd, Councillor Mrs S Michael, Councillor N Mison, Councillor N Mitchell, Councillor D Payne, Councillor P Peacock, Councillor Mrs P Rainbow, Councillor T Roberts, Councillor Mrs S Soar, Councillor D Staples, Councillor F Taylor, Councillor Mrs L Tift, Councillor Mrs A Truswell, Councillor I Walker, Councillor B Wells, Councillor T Wendels and Councillor Mrs Y Woodhead

APOLOGIES FOR ABSENCE: Councillor R Blaney, Councillor M Buttery, Councillor D Clarke, Councillor Mrs S Saddington and Councillor D Thompson

37 MINUTES FROM THE MEETING HELD ON 9 OCTOBER 2018

AGREED that that minutes of the meeting held on Tuesday 9 October 2018 be approved as a correct record and signed by the Chairman.

38 DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS AND AS TO THE PARTY WHIP

NOTED the interests declared as shown in the schedule circulated at the meeting.

39 DECLARATIONS OF ANY INTENTIONS TO RECORD THE MEETING

Other than the Council recording in accordance with usual practice, there were no declarations of intention to record the meeting.

40 COMMUNICATIONS WHICH THE CHAIRMAN OR THE CHIEF EXECUTIVE MAY WISH TO LAY BEFORE THE COUNCIL

The Chairman of the Council expressed his thanks to all those who had marked Remembrance Sunday in the District and particularly the work of schools in marking 100 years since the end of World War One.

41 COMMUNICATIONS WHICH THE LEADER OF THE COUNCIL AND COMMITTEE CHAIRMEN MAY WISH TO LAY BEFORE THE COUNCIL

The Chairman advised that in accordance with Section 100(B)(4)(b) of the Local Government Act 1972 that he had agreed to the request from the Leader of the

Council to lay a late motion to the Council in order to formalise the Council's position in respect of the County Council proposals for local government reorganisation in Nottinghamshire.

Accordingly Councillor D. Lloyd moved and Councillor P. Peacock seconded a motion to the following effect:

"On Wednesday 5th December, at a meeting attended by the Chief Executive and Leader of the Council, Nottinghamshire County Council shared their draft Business Plan for 'The Future of Local Government in Nottinghamshire' – The Outline Case for Change'.

The Leader of the Council undertook to share this with all Councillors as soon as the embargo was lifted.

In that meeting, on behalf of Newark & Sherwood District Council, the Leader and Chief Executive expressed concerns that the Business Case did not appear to have passed the necessary tests as elucidated by the Secretary of State for Housing and Local Government following his decision on the re-organisation for Buckinghamshire. Further, they represented the view of Council that we will cooperate to review options for change without re-organisation where a spirit of willingness is apparent and information exchanges are reciprocal.

Today, we learned that the Leader of the County Council intends to withdraw the item to Full Council on the Business Case and next stages. We do not know at this time whether there will be any recommendations to expunge existing policy decisions – namely to investigate re-organisation – or to codify alternative ways forward. To that extent, it is deemed necessary to ask Council to adopt a policy stance at this juncture in order to formalise its conclusions on the draft Business Case.

Council is asked to resolve that:

Newark and Sherwood District Council welcomes the decision by Nottinghamshire County Council not to proceed with a formal review of Local Government Re-organisation at this time.

In so doing, the Council continues to recognise that there are financial and service imperatives for the County Council that affect our residents.

The Council therefore iterates its willingness to cooperate in exploring what measures can be taken to devolve, share, combine and review services in our District and Countywide where appropriate.

Necessarily, the Council affirms its opposition to a single Unitary Council for Nottinghamshire ("the preferred option") and its belief that the tests for progressing Local Government Re-organisation had not been met in the draft Business Case put before us. Also, that the Business Case would not, and could not, have been meaningfully consulted on without correction, amendment and reflection by the District Council."

The motion, on being put to the vote, was declared carried unanimously.

42 APPOINTMENT OF MONITORING OFFICER

The Council considered the report of the Chief Executive proposing the appointment of Karen White as the Council's Monitoring Officer. Under Section 5 of the Local Government and Housing Act 1989, the Council had a duty to appoint a Monitoring Officer. The Monitoring Officer must ensure that the Council receives correct and appropriate advice on the lawfulness of its decision making.

Karen White undertook the role on an interim basis while Kirsty Cole was Acting Chief Executive and she had acted as Deputy Monitoring Officer for a number of years. It was considered that she had the appropriate skills, experience and ability to undertake the role of Monitoring Officer.

The Council took the opportunity to thank Mrs K. Cole, Deputy Chief Executive and Monitoring Officer, who would be leaving the Authority at the end of the year, for her 37 years of service at the Council. Members expressed their gratitude for her work and loyal service during this time.

AGREED (unanimously) that Karen White be appointed as the Council's Monitoring Officer with effect from 1 January 2019.

43 SCHEDULE OF MEETINGS FOR 2019/20

The Council considered the report of the Chief Executive which set out a proposed schedule of meetings for the period May 2019 to May 2020. It was noted that the Annual Council Meeting, following the District Council elections to be held on 2 May 2019, was scheduled for Tuesday 21 May 2019 in order to allow sufficient time for political group meetings and the Member Induction Programme.

AGREED (unanimously) that the Schedule of Meetings for 2019/20 (as attached as Appendix A to these minutes) be approved.

44 LOCALISED COUNCIL TAX SUPPORT SCHEME FOR 2019/20

The Council considered the report of the Director – Resources which sought to confirm the continuation of the Council's Localised Council Tax Support Scheme, which had been implemented on 1 April 2013, for the 2019/20 financial year with minor changes. The changes sought were to uprate the income and disregard criteria in accordance with the annual uprating amounts applied by the Department for Works and Pensions.

The Local Government Finance Act 1992 required the Council to consider whether, each financial year, the scheme was to be revised or replaced, no later than 31 January. By making the proposed changes to uprate income and disregard criteria, it would demonstrate that the Council had continued to consider its obligations to vulnerable groups by maintaining the income disregards and premiums to protect families with children and claimants with disabilities.

AGREED (unanimously) that the Council continues to adopt the existing Localised Council Tax Support Scheme for all potential claimants for the financial year 2019/20 and updates the income disregards and premiums in accordance with the Departments for Works & Pensions annual uprating criteria for 2019/20.

#### 45 KINGS CLIPSTONE NEIGHBOURHOOD PLAN

The Council considered the report of the Deputy Chief Executive which sought to approve arrangements for a Neighbourhood Plan Referendum in Kings Clipstone. The Kings Clipstone Neighbourhood Plan was presented to the District Council in August 2018. Following the required process of public consultation, the Plan was submitted to an independent Inspector for examination in October 2018 who had subsequently recommended proceeding to a referendum. A date of 31 January 2019 has been identified for the referendum.

It was the District Council's responsibility to prepare a version of the Neighbourhood Plan incorporating the Inspector's modifications which would be subject to the referendum. Kings Clipstone Parish Council had accepted the suggested modifications. This document and the Inspector's report would be published on the District Council's website in advance of the Notice of Referendum.

AGREED (unanimously) that:

- a) the report be noted; and
- b) the Chief Executive, acting as Returning Officer, be authorised to arrange a referendum for the Kings Clipstone Neighbourhood Plan to be held on 31 January 2019.

#### 46 REVIEW OF STATEMENT OF GAMBLING POLICY

The Council considered the report of the Director – Safety which sought approval of the Statement of Gambling Policy 2019 – 2021 which the Council was required to adopt under the Gambling Act 2005, and to consider the making of a 'no casino' resolution under Section 166 of the Gambling Act 2005.

The Council, as Licensing Authority under the Gambling Act 2005, was responsible for issuing premises licences for gambling premises, issuing permits in respect of gaming on licensed premises and for registering small society lotteries. In respect of carrying these duties the Council was required to adopt and have in place a Statement of Gambling Policy relating to those duties. The Policy set out the principles which the Council would apply in considering and granting those licences and permits. The Act required that the Policy be reviewed at least every three years. The draft Policy had been subject to consultation and a small number of comments had been received. These were considered by the Licensing Committee, and where appropriate, changes to the Policy had been made.

In adopting its original Statement of Gambling Policy the Council considered a resolution under Section 166 of the Gambling Act that it would not issue any premises

licences for casinos in the district. The 'no casino' resolution was agreed and confirmed for a further three years following the review of the Statement of Gambling Policy in 2009, 2012 and 2015. Under the legislation the resolution only lasts for three years and therefore needed consideration again this year. It was noted that a single response had been received, from Newark Town Council, in support of the 'no casino' resolution.

The Licencing Committee had considered the draft Policy and the issue of the 'no casino' resolution and recommended that the Council to adopt the draft Policy and renew the resolution not to issue licenses for casinos in the District.

AGREED (unanimously) that:

- a) the draft Statement of Gambling Policy 2019 - 2021 be approved; and
- b) the Council pass a resolution under Section 166 of the Gambling Act 2005 not to issue any premises licence for casinos in the District.

#### 47 REVIEW OF STATEMENT OF LICENSING POLICY

The Council considered the report of the Director - Safety which sought approval to adopt the 2019 - 23 Statement of Licensing Policy. The Licensing Act 2003 required the Council to have in place a Statement of Licensing Policy relating to the carrying out of its functions under that Act. The Policy set out the principles which the Council would apply in considering and granting licences under the Act.

The Council was required to formulate the Policy with reference to the Statutory Guidance issued by the Home Office. The Guidance had been updated to take into account of various legislative changes and the Statement of Licensing Policy incorporated these changes. The Policy had also been updated to provide more detail with regard to safeguarding issues in licenced premises.

A number of representations had been received following the publication of the draft Policy for consultation. The Statement of Policy had been slightly revised by the Licensing Committee to take account of the comments received.

AGREED (unanimously) that the Statement of Licensing Policy for 2019 - 23 be approved.

#### 48 NOTICES OF MOTION

##### (i) Policing

In accordance with Council Procedure Rule No 13.1 Councillor P. Peacock moved and Councillor N. Mitchell seconded a motion to the following effect:

"This Council

1. Notes the conclusion of the Home Affairs Select Committee report (Policing for

the future, published on the 25th of October 2018) that “Policing is struggling to cope in the face of changing and rising crimes” and its recommendation that policing funding should be prioritised in the Budget and forthcoming spending review.

2. Notes that since 2010, police numbers have fallen significantly both nationally and locally as a result of Government cuts.
3. Notes that cuts to other services through austerity increases the demand on the police which often acts as the “public service of last resort”.
4. Recognises that many residents in Newark and Sherwood are concerned that the cuts mean that Nottinghamshire Police is no longer visible in our communities, no longer has the capacity to respond on community safety, and that consequently the fear of crime is rising.
5. Endorses the Council’s policy of working in partnership with the police to respond to community safety concerns.
6. Condemns the Government’s continuing policy of reducing the resources available to the police and transferring the cost to the Council taxpayers through the Police Authority precept.
7. Will write a letter to the Home Secretary calling on the Government to use the police grant announcement for 2019/20 to begin to reverse the damaging cuts to Policing in Nottinghamshire and make an immediate investment in making our communities safer.”

In accordance with Council Procedure Rule No 26.4, Councillor D. Lloyd moved and Councillor B. Laughton seconded an amendment to the motion to change the wording as follows:

“Newark and Sherwood District Council properly recognises its role in both crime and disorder reduction and in promoting community safety. This is reflected in its priorities to be ‘Cleaner, Safer and Greener’ and is made apparent through recent service changes and increasingly effective partnership working. Recent announcements by the Chief Constable, Chief Inspector and Area Commander for the District give the Council cause to believe that there is the potential for a step-change in joint-working and policing in our District.

This Council does however note the conclusions of the Home Affairs Select Committee Report (Policing for the future, published on the 25th October 2018).

It is noted that there is a rising demand to investigate and prosecute online fraud, child sexual abuse and safeguarding vulnerable people which may require some change in structures and focus across all Constabularies. It is also noted that, “after a long period of decline”, ‘traditional’ volume crimes are increasing in 2018.

The Council recognises that issues of criminality and community safety are a priority concern for residents with variations in the type, extent and geography of those concerns. It is noted that the report properly refers to “policing” within multi-agency

partnerships specifically around areas of neighbourhood policing and crime reduction. To this extent, the Council iterates its intent to work closely with all agencies, most especially the Police Constabulary, to reduce, detect and prosecute crime in our District.

The findings of the Select Committee report demonstrate an increasing variance in priorities and deployment in different geographies, most probably reflecting local priorities and/or policy decisions by Police & Crime Commissioners. They recommend a review of the funding formula and the potential to pool resources with other public agencies. This Council endorses both conclusions and welcome the additional funding that has been available in the meantime.

The Council formally welcomes and endorses recent discussions and partnership activities with the Police that cover our District. It calls upon the Police and Crime Commissioner to sustain the focus that is now apparent and to secure the necessary local resources for personnel, equipment and initiatives.”

In accordance with Council Procedure Rule No. 24.1 Councillor P. Peacock requested a short adjournment. This was agreed.

(Meeting adjourned at 6.57pm. Meeting reconvened at 7:13pm.)

The amendment to the motion on being put to the vote was declared carried with 21 votes for and 13 against. The amended motion then became the substantive motion which, on being put to the vote, was declared carried with 21 votes for, 10 against and 3 abstentions.

(ii) Poverty

In accordance with Council Procedure Rule No 13.1 Councillor D. Staples moved and Councillor Mrs L. Tift seconded a motion to the following effect:

“This Council notes the recent report of the UN Rapporteur on Extreme Poverty and Human Rights, Philip Alston, on the UK, which said that levels of child poverty are “not just a disgrace but a social calamity and an economic disaster.” We are aware that already high levels of child poverty in our District, which in some wards is well over 30%, are very likely to increase significantly as Universal Credit is rolled out here. As Councillors with a responsibility for the health and welfare of our citizens we urge the Government to:

1. stop the roll out of the discredited Universal Credit system;
2. increase support for families dependent on benefits; and
3. abandon further cuts to local government funding.

The Council instructs its Chief Executive to write to the newly appointed Work and Pensions Secretary, Amber Rudd, to inform her of these concerns in the hope that she will not follow her predecessor in denying the realities that the Rapporteur made clear.”

The motion on being put to the vote was declared lost with 13 votes for and 21 against.

49 QUESTIONS FROM MEMBERS OF THE COUNCIL

Details of the question put forward from Councillor Mrs C Brooks and the reply given by Councillor R. Jackson are attached as Appendix B to these minutes.

50 MINUTES FOR NOTING

50a POLICY & FINANCE COMMITTEE - 29 NOVEMBER 2018

50b ECONOMIC DEVELOPMENT COMMITTEE - 21 NOVEMBER 2018

50c HOMES & COMMUNITIES COMMITTEE - 5 NOVEMBER 2018

50d LEISURE & ENVIRONMENT COMMITTEE - 13 NOVEMBER 2018

50e GENERAL PURPOSES COMMITTEE - 15 NOVEMBER 2018

50f LICENSING COMMITTEE - 15 NOVEMBER 2018

50g AUDIT & ACCOUNTS COMMITTEE - 28 NOVEMBER 2018

50h SHAREHOLDER COMMITTEE - 23 OCTOBER 2018

50i PLANNING COMMITTEE - 6 NOVEMBER 2018

50j PLANNING COMMITTEE - 20 NOVEMBER 2018

50k PLANNING COMMITTEE - 4 DECEMBER 2018

Meeting closed at 8.19 pm.

Chairman