

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, 17 December 2019 at 6.00 pm.

PRESENT: Councillor R Crowe (Chairman)
Councillor Mrs P Rainbow (Vice-Chairman)

Councillor K Walker, Councillor R Blaney, Councillor L Brailsford, Councillor L Brazier, Councillor M Brock, Councillor Mrs B Brooks, Councillor Mrs I Brown, Councillor M Brown, Councillor S Carlton, Councillor Mrs R Crowe, Councillor Mrs G Dawn, Councillor Mrs M Dobson, Councillor K Girling, Councillor L Goff, Councillor P Harris, Councillor R Holloway, 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 P Peacock, Councillor Mrs S Saddington, Councillor M Skinner, Councillor T Smith, Councillor I Walker, Councillor T Wendels, Councillor R White and Councillor Mrs Y Woodhead

APOLOGIES FOR ABSENCE: Councillor Mrs K Arnold (Committee Member), Councillor B Clarke-Smith (Committee Member), Councillor M Cope (Committee Member), Councillor D Cumberlidge (Committee Member) and Councillor L Dales (Committee Member)

Prior to the transaction of business the Council stood in silence in memory of Sam Keetley and James Watson.

41 MINUTES FROM THE MEETING HELD ON 15 OCTOBER 2019

Prior to the transaction of business the Council stood in silence in memory of Sam Keetley and James Watson.

AGREED that that minutes of the meeting held on 15 October 2019 be approved as a correct record and signed by the Chairman.

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

NOTED: - (a) the the interests declared as shown in the schedule circulated at the meeting;

(b) the additional interests which were declared at the meeting as follows:-

Councillor P. Harris - Agenda Item No. 17 - Review of Polling Districts and Polling Places – an interest as a member of the PCC at Holy Trinity, Southwell. Councillor P Harris also declared an Interest in relation to his employment with Health Education England and specifically Sherwood Forest Hospital Foundation Trust.

43 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. The Chairman advised that the meeting was being streamed live.

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

The Chairman expressed his thanks to all Council Officers who had been working tirelessly in recent weeks, responding to recent flood events in the District. The Chairman also thanked the Elections Team for their work in organising the General Election which took place last week.

The Chairman also advised the Council that Collingham Parish Council had received the National Local Council Award in recognition of their good governance, community engagement and improvement. The Clerk to Collingham Parish Council Caron Ballantyne, and Councillors M. Davies and C. Allen were re-presented their award by the Chairman to celebrate their success.

45 SCHEDULE OF MEETINGS 2020/21

The Council considered the report of the Chief Executive which set out a proposed schedule of meetings for the period May 2020 to May 2021.

AGREED (unanimously) that the proposed Schedule of Meetings for 2020/21 as attached at Appendix A to these minutes, be approved.

46 CHIEF OFFICERS APPOINTMENTS PANEL

The Council considered the report of the Chief Executive which sought to convene a Chief Officers Appointments Panel for the recruitment of the Director - Housing, Health & Wellbeing. This new post would oversee housing landlord services as well as a number of other related housing functions that currently sit within the Council.

It was proposed that the Appointments Panel comprise the following Members:

The Leader of the Council (to assume the role of Chairman and hold the casting vote) – Councillor D. Lloyd

The Deputy Leader of the Council – Councillor K. Girling

Opposition Group Leaders – Councillors P. Peacock; G. Dawn; and P. Harris

R. Holloway (Vice Chairman of Homes & Communities)

R. Crowe (Chairman of the Licensing Committee)

AGREED (unanimously) that the Chief Officers Appointment's Panel, to appoint the Director – Housing, Health & Wellbeing - be constituted in accordance with the membership as set out above.

47 HOUSING MANAGEMENT REVIEW - DELEGATION ARRANGEMENTS

The Council considered the report of the Director - Governance & Organisational Development which proposed changes to the committee remits and officer delegations within the Council's Constitution following the decision to bring the housing management services back in-house.

Part 2 of the Council's Constitution set out the responsibilities for all Council functions, detailing those to be discharged through committees and those delegated to officers. This had been amended to reflect the position to transfer the housing management services back to the Council. The remits of the Policy & Finance, and Homes & Communities Committees had been amended to ensure that the housing related decisions be taken by these two committees once the service had been brought back in-house. Minor amendments were also proposed to the Scheme of Officer Delegation within Part 2 to facilitate operational decision-making. The proposed amendments, as set out in Appendix A to the report, had been recommended by the Councillors' Commission following their meeting held on 9 December 2019. It was proposed that the changes be implemented with effect from the date of transfer, anticipated to be 1 February 2020.

AGREED (unanimously) that the Council approve the amendments to the Council's Constitution, 'Part 2 – Responsibility for Functions' to take effect from the date of the transfer-in of the housing management service.

48 ACTIVE4TODAY GOVERNANCE ARRANGEMENTS

This item was withdrawn from the agenda.

49 GILSTRAP CHARITY AND CHARITY OF WILLIAM EDWARD KNIGHT - TRUSTEESHIP

The Council considered the report of the Director - Governance & Organisational Development which set out proposed changes to the way in which the Council discharges its duties, functions and liabilities when acting as a charity/corporate trustee of the Gilstrap Charity and William Edward Knight Trust. The report also proposed changes to the membership of the Trustee Board.

Following Members concerns regarding the transparency of the decision making processes of the Council in discharging its functions as a charity trustee, the Councillors' Commission, at their meeting held on 9 December 2019, considered a report relating to their governance issues and also whether the District Council was the appropriate body to act as a Trustee. The Councillors' Commission recommended that, in line with other Council Committees and to reflect recent case law, the membership of the Trustee Board be reviewed to reflect the political balance of the Council in accordance with the principles contained in the Local Government and Housing Act 1989. The Commission also suggested that the members be drawn from Newark Wards (as far as possible within the political balance rules) to reflect the fact that the charities' purpose was to benefit residents of the town. The Commission also recommended that the membership of the Trustee Board remain at five, but that there should be four co-opted members (with non-voting rights) drawn from the remaining Newark Ward members.

The Commission also recommended that Mrs Miranda Van Lynden, a direct descendent of John MacRae Gilstrap continue to be invited to attend future meetings but the co-option of representatives from the Newark Civic Trust and Friends of Newark Castle should discontinue.

AGREED (with 31 votes for and 3 abstentions) that:

- a) the proposal for the Trustee Board to operate as a Committee in line with, and subject to the same procedures as the other Council Committees (whilst recognising that the Members on the board are also obliged to discharge their duties in accordance with charity law and act exclusively for charitable purposes) be approved;
- b) the proposed revised allocation of seats to political groups in accordance with the matrix as set out in Appendix D to the report be approved;
- c) the membership of the Trustee Board of the Gilstrap and W E Knight Charities to consist of the following Ward Members: Councillors M. Cope, Mrs R. Crowe, K. Girling, L. Goff and M. Skinner;
- d) the remaining four Newark Members, Councillors Mrs I. Brown, R. Crowe, Mrs G. Dawn and D. Lloyd be co-opted as non-voting members of the Trustee Board;
- e) the co-option of representatives from the Newark Civic Trust and Friends of Newark Castle on the Trustee Board be ceased; and
- f) the membership of the Economic Development Committee be revised with Councillor P. Harris replacing Councillor B. Clarke-Smith and Councillor M. Brock being appointed as the Liberal Democrat substitute member.

50 TREASURY MANAGEMENT 2019-20 MID YEAR REPORT

The Council considered the report of the Business Manager- Financial Services which provided an update on the Council's Treasury activity and prudential indicators for the first half of 2019/20. The report included a summary of treasury balances, details of the capital expenditure and borrowing activity and investment activity.

AGREED (unanimously) that:

- (a) the treasury management activity be noted; and
- (b) the Prudential Indicators detailed in Section 9 of the report be noted.

51 LOCALISED COUNCIL TAX SUPPORT SCHEME 2020/21

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 2020/21 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 2020/21 and uprates the income disregards and premiums in accordance with the Departments for Works and Pensions annual uprating criteria for 2020/21.

52 'MAKING' THE EPPERSTONE AND FISKERTON-CUM-MORTON NEIGHBOURHOOD PLANS

The Council considered the report of the Director – Growth & Regeneration which advised Members of the result of the Neighbourhood Plan Referendums for Epperstone and Fiskerton-cum-Morton and sought approval to formally adopt the Plans.

The Referendums were held on 12 December 2019 with the question ‘Do you want Newark and Sherwood District Council to use the neighbourhood plan for Epperstone/ Fiskerton-Cum-Morton to help it decide planning applications in the neighbourhood area?’

The result for Epperstone was 256 votes for and 57 votes against, and for Fiskerton-cum-Morton 451 votes for and 82 votes against. In order for the neighbourhood plans to be ‘made’ they required formal adoption by the Council.

AGREED (unanimously) that the Council ‘make’ the referendum version of the Epperstone and Fiskerton-cum-Morton Neighbourhood Plans confirming that they form part of the Development Plan for Newark & Sherwood District.

53 REVIEW OF POLLING DISTRICTS AND POLLING PLACES

The Council considered the report of the Director - Governance & Organisational Development concerning the statutory review of Polling Districts and Polling Places. Section 16 of the Electoral Administration Act 2006 introduced a number of changes to the Representation of the People Act 1983 in respect of the way in which reviews

of polling districts and polling places must be carried out. It was required that, by 31 January 2020, every authority must have undertaken and completed a review of all the polling districts and polling places in its area.

The General Purposes Committee, at its meeting held on 5 September 2019, agreed a timetable for the review. The consultation period closed on 25 October 2019, during which two comments were received, both regarding the Polling Place at Unit 8, Ollerton. The comments concerned the suitability of the polling station given the poor lighting and heating and facilities for staff. However, given the lack of alternative venues, the Electoral Registration Officer/Returning Officer considered the premises should be continued to be used until a replacement could be found as it was considered necessary to have a polling station available in the polling district.

In accordance with the timetable for the review, the General Purposes Committee were to consider the representations and propose a final scheme for approval by this Council. However, this meeting of the General Purposes Committee was cancelled due to flooding. Therefore, the Council were invited to consider the representations with a view to approving a final scheme at this meeting.

Councillor P. Harris expressed concern regarding the use of Easthorpe Hall as a polling place in Southwell, and requested the Electoral Registration Officer/Returning Officer to consider using Southwell ACF centre as an alternative. This was subject to the owners were able to remove the gravel from the entrance, which was acknowledged to be an issue with use of the building as a polling station previously.

AGREED (unanimously) that the proposed scheme, as set out in the Appendix to the report, be approved.

54 MINUTES FOR NOTING

54a POLICY & FINANCE COMMITTEE - 28 NOVEMBER 2019

54b ECONOMIC DEVELOPMENT COMMITTEE - 20 NOVEMBER 2019

Minute No. 38- Council Policy for the Management of Open Space

Councillor P. Harris raised concerns with management companies being appointed by developers to manage open spaces. He believed they were used to create additional profits and placed local residents at a disadvantage.

Councillor R. Blaney expressed sympathy with this viewpoint as currently it was solely the decision of the developer how to manage such open spaces.

54c HOMES & COMMUNITIES COMMITTEE - 25 NOVEMBER 2019

54d LEISURE & ENVIRONMENT COMMITTEE - 19 NOVEMBER 2019

Minute No. 42 - Proposed expansion of the fitness suite and consideration of alternative management arrangements at Southwell Leisure Centre

Councillor P. Harris asked what was the benefit of possible alternative management arrangements for Southwell Leisure Centre.

Councillor R. Jackson stated that alternative management arrangements would benefit local residents with improved services and enhanced facilities.

54e PLANNING COMMITTEE - 5 NOVEMBER 2019

54f PLANNING COMMITTEE - 3 DECEMBER 2019

Minute No. 135 - Land off Lower Kirklington Road, Southwell 19/01771/FULM

Councillor P. Harris asked what recourse the Council had when advice from the Highways Authority was incorrect as highlighted in this application.

Councillor R. Blaney referred to the inconsistency of the Highways advice received, but there would be opportunity, with this application, to make views known at the informal hearing ahead of an appeal.

54g AUDIT & ACCOUNTS COMMITTEE - 27 NOVEMBER 2019

54h BOARD OF W.E. KNIGHT AND GILSTRAP TRUSTEES - 3 OCTOBER 2019

54i COUNCILLORS COMMISSION - 9 DECEMBER 2019

Meeting closed at 7.02 pm.

Chairman