

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, 14 December 2021 at 6.00 pm.

PRESENT: Councillor Mrs P Rainbow (Chairman)
 Councillor Mrs S Saddington (Vice-Chairman)

Councillor R Blaney, Councillor L Brailsford, Councillor L Brazier,
Councillor M Brock, Councillor Mrs B Brooks, Councillor S Carlton,
Councillor M Cope, Councillor Mrs R Crowe, Councillor R Crowe,
Councillor D Cumberlidge, Councillor K Girling, Councillor L Goff,
Councillor P Harris, Councillor S Haynes, Councillor Mrs R Holloway,
Councillor J Kellas, Councillor B Loughton, Councillor J Lee, Councillor
D Lloyd, Councillor Mrs S Michael, Councillor N Mison, Councillor
P Peacock, Councillor M Skinner, Councillor T Smith, Councillor
T Thompson, Councillor I Walker, Councillor K Walker, Councillor
T Wendels, Councillor R White, Councillor T Wildgust and Councillor
Mrs Y Woodhead

APOLOGIES FOR Councillor M Brown, Councillor Mrs L Dales, Councillor Mrs L Hurst,
ABSENCE: Councillor R Jackson and Councillor N Mitchell

Prior to the transaction of business, the Council stood in silence in memory of District Councillor Maureen Dobson.

46 MINUTES FROM THE EXTRAORDINARY MEETING HELD ON 24 NOVEMBER 2021

AGREED that that minutes of the Extraordinary Meeting held on 24 November 2021 be approved as a correct record and signed by the Chairman.

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

There were no declarations of interest from Members or Officers and the Council noted the interests previously declared by Members in Agenda Item No. 16 – Minutes for Noting.

48 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 live streamed.

49 QUESTIONS FROM MEMBERS OF THE COUNCIL AND PUBLIC

In accordance with Rule No. 15.1, members of the public submitted questions to the Council. Details of the questions put forward and the responses given from Councillor D.J. Lloyd are attached as Appendix A to these minutes.

50 ATTENDANCE AT MEETINGS

The Council considered the report of the Assistant Director – Legal & Democratic Services and Monitoring Officer which sought approval for a dispensation for Councillor Neal Mitchell, for non-attendance at Council and Committee Meetings for a period of 6 months. It was noted that Councillor Mitchell had been unable to attend meetings at Castle House due to personal health-related reasons. Given the circumstances it was recommended to grant a dispensation under Section 85(1) of the Local Government Act 1972, for a period of six months from 14 December 2021.

AGREED (unanimously) to approve a dispensation for Councillor Neal Mitchell for a period of 6 months from the date of this meeting.

51 POLITICAL COMPOSITION OF THE COUNCIL AND ALLOCATION OF SEATS ON COMMITTEES

The Council considered the report of the Chief Executive concerning the allocation of seats on Committees to Political Groups, as required by Council Procedure Rule No. 17.6, following the recent by-election for the Rainworth South and Blidworth Ward held on 21 October 2021.

Section 15 of the Local Government & Housing Act 1989 required the Council to consider the political composition of the Council. This Act, together with the Local Government (Committees & Political Groups) Regulations 1990, required the Council to allocate seats on committees on a proportional basis in accordance with the number of seats held on the Council by each political group. The proposed allocation of seats was set out in Appendix B to the report.

AGREED (unanimously) that:

- (a) the Council agree the allocation of seats to Political Groups in accordance with Appendix B to these minutes; and
- (b) changes be made in Committee memberships in accordance with Appendix C to these minutes.

52 PROPOSALS FOR NEW GOVERNANCE ARRANGEMENTS

The Council considered the report of the Chief Executive which updated Members on the progress made by the Governance Review Working Party on the design of the new governance arrangements for implementation from May 2022, and sought approval of the arrangements as set out in the report.

The report set out the principles and the proposed structure of the new governance arrangements, including the size of Committees, membership requirements, if any, and frequency and timing of meetings. Further details were provided in relation to the proposals for the Cabinet; Executive Decision Making/Key Decisions; the Policy & Performance Improvement Committee; the Call-In Procedure; and how the Council could better support all Members in their roles as community leaders. The report also set out the proposed delivery of training for all Members and appropriate staff and

the next steps leading to the formalisation of a new Constitution at the Annual General Meeting scheduled for 17 May 2022.

In considering the report Members referred to the criteria for the Call-In Procedure and the proposals for the Shareholder Committee, both of which required further consideration. The Council also emphasised the critical role the Policy & Performance Improvement Committee would play in scrutinising the decisions of the Cabinet and Portfolio Holders. It was noted that the work of the Councillors Commission and the Governance Review Working Party would continue in order to allow the proposals to be amended, as appropriate, prior to their adoption at the Annual General Meeting to be held on 17 May 2022.

AGREED (unanimously) that:

- (a) the proposals in respect of the new governance arrangements as detailed in Section 3 of the report be approved in principle, with it being noted that the size of Cabinet, the membership of Cabinet and Cabinet portfolios were matters for the approval of the Leader (as prescribed by legislation);
- (b) a £5,000 budget be established (financed from the Corporate Change Management budget) to enable the required training for the new governance arrangements to be delivered; and
- (c) the Governance Review Working Party continue to meet as required and report back to Full Council with recommended changes to the Constitution and any further refinement to the proposed governance arrangements set out in this report.

53 PROPOSED SCHEDULE OF MEETINGS 2022/23

The Council considered the report of the Chief Executive which set out a proposed Schedule of Meetings for the period May 2022 to May 2023, which was based on the proposed new governance arrangements. It was noted that given the previous 'in principle' decision to approve the new governance arrangements at the previous item, it may be that the proposed start time of 6pm for the Planning Committee, would be reviewed.

AGREED (by 32 votes for and 1 abstention) that the Schedule of Meetings for 2022/2023 in accordance with Appendix D to these minutes be approved.

54 TREASURY MANAGEMENT 2021-22 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 2021/2022. The report, which had been considered by the Audit & Accounts Committee at their meeting held on 1 December 2021, included a summary of treasury balances, details of the capital expenditure and borrowing activity and investment activity.

AGREED (unanimously that the Treasury Management Activity and Prudential Indicators be noted.

55 APPOINTMENT OF EXTERNAL AUDITORS

The Council considered the report of the Deputy Chief Executive/Director – Resources and Section 151 Officer which sought approval for a procurement route for the appointment of the Council’s External Audit arrangements post for the 2023/24 financial year onwards.

The report set out the three broad options open to the Council, advising of the advantages/benefit and the disadvantages/risks for each one. Information as to the legal and financial implications of appointing a local auditor were also detailed within the report.

AGREED (unanimously) that:

- (a) the Council opts into the National Appointment Arrangements with Public Sector Audit Appointments Limited (PSAA); and
- (b) delegated authority be given to the Section 151 Officer (or deputy in their absence) to accept the PSAA invitation to become an opted-in authority.

56 LOCALISED COUNCIL TAX SUPPORT SCHEME

The Council considered the report of the Deputy Chief Executive / Director – Resources/ Section 151 Officer 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 2022/23 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 & 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 2022/23 and uprates the income disregards and premiums in accordance with the Departments for Works & Pensions annual uprating criteria for 2022/23.

57 REVIEW OF STATEMENT OF GAMBLING POLICY

The Council considered the report of the Director – Communities & Environment which sought approval of the Statement of Gambling Policy 2022 – 2024 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, attached as Appendix A to the report, had been subject to consultation and a small number of comments had been received. These were considered by the General Purposes 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, 2015 and 2018. Under the legislation the resolution only lasts for three years and therefore needed consideration again this year.

The General Purposes Committee had considered the draft Policy and the issue of the 'no casino' resolution at their meeting held on 11 November 2021, and recommended that the Council 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 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.

58 MINUTES FOR NOTING

58a POLICY & FINANCE COMMITTEE - 25 NOVEMBER 2021

58b ECONOMIC DEVELOPMENT COMMITTEE - 17 NOVEMBER 2021

58c HOMES & COMMUNITIES COMMITTEE - 22 NOVEMBER 2021

Minute No. 50 – Winter Provision Update

Councillor L. Goff asked when a proper shelter for the homeless would be provided in the District.

Councillor T Wendels advised that such provision was still being considered, however, he updated that the Council were utilising their own self-contained accommodation this winter. All known rough sleepers had been contacted to advise them of the facilities which were available.

Councillor K Girling added that the Council had been praised at the CVS meeting he had attended for the work they were undertaking with rough sleepers.

- 58d LEISURE & ENVIRONMENT COMMITTEE - 16 NOVEMBER 2021
- 58e GENERAL PURPOSES COMMITTEE - 11 NOVEMBER 2021
- 58f LICENSING COMMITTEE - 11 NOVEMBER 2021
- 58g TRUSTEE BOARD OF THE GILSTRAP AND WILLIAM EDWARD KNIGHT CHARITY - 19 OCTOBER 2021
- 58h AUDIT & ACCOUNTS COMMITTEE - 1 DECEMBER 2021
- 58i PLANNING COMMITTEE - 5 OCTOBER 2021
- 58j PLANNING COMMITTEE - 2 NOVEMBER 2021
- 58k COUNCILLORS COMMISSION - 2 DECEMBER 2021

Meeting closed at 7.20 pm.

Chairman