

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 Thursday, 9 March 2023 at 6.00 pm.

PRESENT: Councillor S Saddington (Chairman)
Councillor Mrs L Hurst (Vice-Chairman)

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 Mrs L Dales, Councillor A Freeman, Councillor K Girling, Councillor L Goff, Councillor P Harris, Councillor S Haynes, Councillor Mrs R Holloway, Councillor R Jackson, Councillor J Kellas, Councillor B Laughton, Councillor J Lee, Councillor D Lloyd, Councillor Mrs S Michael, Councillor P Peacock, Councillor M Pringle, Councillor Mrs P Rainbow, Councillor M Skinner, Councillor T Smith, Councillor I Walker, Councillor K Walker, Councillor T Wendels, Councillor R White, Councillor T Wildgust and Councillor Mrs Y Woodhead

APOLOGIES FOR ABSENCE: Councillor R Blaney, Councillor L Brailsford, Councillor Mrs E Davis, Councillor N Mison and Councillor T Thompson

59 DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

Councillor P Harris declared a personal interest in the Brompton Bike Rental Service which was subject to a Member question at Agenda Item No. 7. The Council noted the interests previously declared in Agenda Item No. 17 - Minutes for Noting.

60 NOTIFICATION TO THOSE PRESENT THAT THE MEETING WILL BE RECORDED AND STREAMED ONLINE

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

61 MINUTES FROM THE MEETING HELD ON 7 FEBRUARY 2023

AGREED that that minutes of the meeting held on 7 February 2023 be approved as a correct record and signed by the Chairman.

62 COMMUNICATIONS WHICH THE CHAIRMAN, LEADER, CHIEF EXECUTIVE OR PORTFOLIO HOLDERS MAY WISH TO LAY BEFORE THE COUNCIL

The Chairman informed the Council that her recent Musical Night at North Muskham had raised £1235 for her charity, Childrens' Bereavement, and she thanked all Members for their support during her busy civic year as Chairman.

63 IN ACCORDANCE WITH RULE NO. 3.1 TO RECEIVE THE PRESENTATION OR THE DEBATING OF ANY PETITIONS FROM MEMBERS OF THE COUNCIL

In accordance with Council Procedure Rule No. 3.1, Councillor P Peacock presented a petition with 525 signatures which opposed any further housing developments in Clipstone without the appropriate community infrastructure.

64 QUESTIONS FROM MEMBERS OF THE PUBLIC AND COUNCIL

In accordance with Council Procedure Rule No. 3.3.3, Councillor L Goff submitted a question to the Council. Details of the question put forward and the response given from Councillor Mrs R Holloway are attached as Appendix A to these minutes.

65 REVENUE BUDGET AND COUNCIL TAX SETTING FOR 2023/24

The Council considered the report of the Leader of the Council relating to the Revenue Budget and Council Tax Setting for 2023/24.

The report indicated that, in setting the level of Council Tax for 2023/2024, it was necessary to consider the requirements of the Council Tax Collection Fund for 2023/2024. This incorporated the District Council's Council Tax Requirement, Parish Council Precepts and the Council Tax requirements of Nottinghamshire County Council, the Nottinghamshire Police & Crime Commissioner and the Nottinghamshire Fire & Rescue Service.

The Cabinet, at its meeting held on 21 February 2023, recommended that the District Council's Council Tax Requirement for 2023/2024, excluding Parish Council precepts, should be £16,959,000 as detailed in the Council's Budget Book for 2023/2024.

It was reported that all Parish Council precepts had been received. Parish precepts totalled £3,572,738.30.

Nottinghamshire County Council had set a precept on Newark & Sherwood District Council's Collection fund for 2023/2024 of £72,033,406.00. The Nottinghamshire Police & Crime Commissioner had set a precept on Newark & Sherwood District Council's Collection fund for 2023/2024 of £11,249,708.52, and the Nottingham and Nottinghamshire Fire & Rescue Service had proposed a precept on Newark & Sherwood District Council's Collection fund for 2023/2024 of £3,743,216.00.

Councillor P Peacock moved and Councillor L Brazier seconded an amendment to the report recommendations, the effect of which was for a Council Tax freeze for 2023/24.

Members debated the proposed amendment and in being put to the vote, it was lost with 9 votes for and 25 against.

The Council considered the substantive motion and it was AGREED (with 25 votes for and 9 against) that the recommendations as set out in the report and attached as Appendix B to these minutes be approved.

In accordance with Procedure Rule No. 5.6.1 a recorded vote was taken as follows:

| Councillor | Vote |
|---------------------|-------------|
| Lee Brazier | Against |
| Malcolm Brock | Against |
| Mrs Betty Brooks | For |
| Scott Carlton | For |
| Max Cope | For |
| Mrs Rita Crowe | For |
| Robert Crowe | For |
| Donna Cumberlidge | Against |
| Mrs Linda Dales | For |
| Andrew Freeman | Against |
| Keith Girling | For |
| Laurence Goff | Against |
| Peter Harris | Against |
| Simon Haynes | For |
| Mrs Rhona Holloway | For |
| Mrs Lydia Hurst | For |
| Roger Jackson | For |
| Jack Kellas | For |
| Bruce Laughton | For |
| Johno Lee | For |
| David Lloyd | For |
| Mrs Sylvia Michael | For |
| Paul Peacock | Against |
| Mike Pringle | Against |
| Mrs Penny Rainbow | For |
| Mrs Sue Saddington | For |
| Mathew Skinner | For |
| Tom Smith | For |
| Ivor Walker | For |
| Keith Walker | For |
| Tim Wendels | For |
| Miss Ronnie White | For |
| Tim Wildgust | For |
| Mrs Yvonne Woodhead | Against |

66 CAPITAL PROGRAMME BUDGET 2023/24 TO 2026/27

The Council considered the report of the Deputy Chief Executive / Director – Resources and Section 151 Officer which set out the proposed Capital Programme for the period 2023/24 to 2026/27. Following the Cabinet’s consideration of the Capital Programme at its meeting on 21 February 2023 and in accordance with Financial Regulation 6.2.3, the final programme was recommended to Council for approval. Attached as Appendix 1 to the report was the report submitted to the Cabinet on 21 February 2022 which detailed the resources available, the Council’s existing committed programme and the priority schemes identified.

The Capital Programme for 2023/24 to 2026/27 proposed investment of £129.298m over the 4 year programme, including Housing Services £50.607m (made up of Property Investment and the New Build Programme) and General Fund £78.691m (made up of various general fund projects). The expenditure was financed by a combination of Government Grants, Third Party Contributions, Capital Receipts, Revenue Support (through the HRA Major Repairs Reserve, General Fund reserves) and borrowing.

AGREED (unanimously) that:

- a) the General Fund schemes shown in Appendix A to the report and the Housing Revenue Account schemes shown in Appendix B to the report be approved as committed expenditure in the Capital Programme;
- b) the Capital Programme be managed in accordance with Financial Regulation 6.2.3;
- c) in accordance with the delegation to the Section 151 Officer in the Council's Constitution to arrange financing of the Council's Capital Programme, the Capital Programme for the financial years 2023/24 to 2026/27 be financed to maximise the resources available, having regard to the provisions of the Local Government and Housing Act 1989 and subsequent legislation; and
- d) any changes above the limit delegated to the Section 151 Officer (i.e., £10,000), either in funding or the total cost of the capital scheme, be reported to the Cabinet for consideration.

67 MEDIUM TERM FINANCIAL PLAN 2023/24 TO 2026/27

The Council considered the report of the Deputy Chief Executive and Director – Resources and Section 151 Officer which sought approval for the Council's Medium Term Financial Plan (MTFP) for the four financial years between 1 April 2023 and 31 March 2027 (2023/24 to 2026/27). A copy of the Plan was attached as an Appendix to the report. The MTFP aimed to provide both Members and officers with a clear financial framework for delivering the Council's Community Plan objectives over the next four years. Updating the MTFP was an essential pre-requisite to the annual budget setting for future years.

The MTFP showed that the Council was able to set a balanced budget for 2023/24, but would need to reduce expenditure or increase income in order to mitigate future anticipated shortfalls in funding. The Council would need to continually consider how best to manage demand for its services, as well as monitoring and reviewing how best to deliver services.

AGREED (unanimously) that the Medium Term Financial Plan (MTFP) for 2023/24 to 2026/27 be approved.

68 TREASURY MANAGEMENT, CAPITAL AND INVESTMENT STRATEGIES 2023/24

The Council considered the report Deputy Chief Executive / Director - Resources and Section 151 Officer which sought approval for the Treasury Management Strategy, Capital and Non-Treasury Investment strategies which had all been updated in accordance with latest guidance and in line with legislative requirements. The strategies were attached as appendices to the report. The Audit & Governance Committee had considered all three strategies at their meeting held on 1 February 2023 and recommended these to Full Council for approval.

AGREED (unanimously) that Council approves:

- a) the Treasury Management Strategy 2023/24, incorporating the Borrowing Strategy and the Annual Investment Strategy (Appendix A to the report);
- b) the Treasury Prudential Indicators and Limits, contained within Appendix A to the report;
- c) the Authorised Limit Treasury Prudential Indicator, contained within Appendix A to the report;
- d) the Capital Strategy 2023/24 (Appendix B to the report);
- e) the Capital Prudential Indicators and Limits for 2023/24, contained within Appendix B to the report;
- f) the Minimum Revenue Provision (MRP) Policy Statement as contained within Appendix D to the report, which sets out the Council's policy on MRP;
- g) the Flexible Use of Capital Receipts Strategy (Appendix E to the report);
- h) the Non-Treasury Investment Strategy 2023/24 (Appendix F to the report); and
- i) the Investment Prudential Indicators and Limits for 2023/24, contained within Appendix F to the report.

69 COUNCIL TAX EMPTY HOMES PREMIUM

The Council considered the report of the Deputy Chief Executive / Director – Resources and Section 151 Officer which proposed changes to the current policy on charging a Council Tax premium on long term empty homes in the district.

The Local Government Act 2012 gave delegated powers to local authorities, under Section 11B of the Local Government Finance Act 1992 (as amended) to increase Council Tax by adding up to 50% to the Council Tax charge on some long-term empty properties. The amount that councils could charge for long-term empty properties was further amended with the Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Act 2018. The charges now permitted were as follows:

From 2019/20 for properties empty for more than two years, the maximum long-term empty premium was 100%.

From 2020/21 for properties empty for more than five years, the maximum long-term empty premium was 200%.

The options open to the Council were detailed in the report, with option one being recommended by the Cabinet, which was to increase the empty homes premium to the maximum allowed in the regulations, for properties empty for more than two years to 100%, for properties empty for more than 5 years, but less than ten years, to 200% and over 10 years to 300%.

AGREED (unanimously) that the proposal to increase the long-term empty home premium as set out in paragraph 2.2 of the report (Option 1), effective from 1 April 2023, be approved.

70 LOCALISED COUNCIL TAX SUPPORT SCHEME 2023/24

The Council considered the report of the Deputy Chief Executive / Director – Resources and 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 2023/24 financial year with minor changes. The changes were in accordance with the annual uprating amounts applied by the Department for Works and Pensions. By applying the annual uprating of income and disregards to the 2023/24 scheme the Council would continue to maintain the current level of support to all Council Tax Support claimants.

AGREED (unanimously) that the Council continues to adopt the existing Localised Council Tax Support Scheme for all potential claimants for the financial year 2023/24 and uprates the applicable amounts, premiums, state benefits and disregard criteria in accordance with the annual uprating amounts applied by the Departments for Works & Pensions.

71 PAY POLICY STATEMENT 2023/24

The Council considered the report of the Director – Customer Services & Organisational Development which sought approval of the Pay Policy Statement (attached as Appendix A to the report) for 2023/24. In accordance with Section 38(1) of the Localism Act 2011, the Council was required to produce a Pay Policy Statement for each financial year. The Pay Policy Statement set out the authority’s policies for the financial year relating to:

- the remuneration of the authority’s lowest-paid employees (together with a definition of “lowest-paid employees”) and the reasons for adopting that definition;
- the relationship between remuneration of Chief Officers and that of other officers (pay multiples); and
- the remuneration of Chief Officers.

The minimal changes that had been made to the Policy for the year were highlighted and the report summarised the latest position in respect of the pay claim for 2023/34 the issues with the National Living Wage. The report also reflected on current issues in relation to recruitment and the review of pay. It was noted that the Council had budgeted for a 5% pay increase across all grades.

The Cabinet, at their meeting held on 21 February 2023, recommended the Pay Policy Statement to the Council for adoption.

AGREED (unanimously) that:

- a) the Pay Policy Statement for 2023/34, including amendments as detailed at section 2 of the report be approved; and
- b) the ongoing issues with recruitment and the review of pay and market supplements be noted.

72 SIX MONTH REVIEW OF THE COUNCIL'S REVISED GOVERNANCE ARRANGEMENTS - CONSTITUTION AMENDMENTS

The Council considered the report of the Assistant Director - Legal & Democratic Services and Monitoring Officer which considered Constitution amendments proposed by the Audit & Governance Committee following its six-month review of the Council's revised Governance Arrangements. The Committee had concluded that it was too soon to make a fully informed view of the Governance Arrangements, however a number of issues had arisen during the evidence gathering process which required approval from Full Council, including a change to the urgency procedure as well as changes to the Protocol for Members on Gifts and Hospitality. The Audit & Governance Committee had agreed that a review of the governance arrangements would be undertaken after the election in May 2023 and this had been included on the Committee's work programme.

AGREED (unanimously) that:

- a) the Urgency Procedure be revised as set out in Appendix 1 of the report;
- b) the threshold for registration of gifts and hospitality contained in the Code of Conduct for Councillors and the Protocol for Members on Gifts and Hospitality be amended to £25;
- c) the minor amendments/corrections to the Constitution since May 2022, as set out at Appendix 2 of the report be noted; and
- d) the Council note that a further review of the Council's governance arrangements was included on the Work Plan for the Audit & Governance Committee.

(i) Care Leavers

In accordance with Council Procedure Rule No. 3.4.3 Councillor P Peacock moved and Councillor T Wendels seconded a motion to the following effect:

“The Independent Review of Children's Social Care headed by Josh McCallister published in May 2022 a final report and recommendations that included: "Government should make care experience a protected characteristic"

On Protected Characteristics for Care Experience:

"Many care experienced people face discrimination, stigma and prejudice in their day to day lives. Public perceptions of care experience centre on the idea that children are irredeemably damaged and that can lead to discrimination and assumptions being made."

One young person told the review that a teacher had told them "You're smart - for a kid in care" another young person said "I don't want people to point out that I am in care if I don't want that mentioned. It makes me so cross - that shouldn't happen."

This stigma and discrimination can be explicit and often comes with assumptions about the likely characteristics of children and adults that have care experience. They can also be implicit and are evidenced in the way care experience is discussed in schools, workplaces and the media.

At its worst this can lead to care experienced people being refused employment, failing to succeed in education or facing unfair judgements about their ability to parent when they have children and families of their own.

Hearing testimony from care experienced people sharing the discrimination they have experienced, even from a very young age, it is clear that such discrimination can be similar in nature to other groups that have a legally protected characteristic under the Equality Act (2010).

So, while there may be ways that society can help reduce stigma and discrimination, including creating greater public consciousness on these issues, just as with other areas of equality, there is a case to go further. Therefore, the government is being encouraged to make care experience a protected characteristic.

“Making care experience a protected characteristic would provide greater authority to employers, businesses, public services, and policy makers to put in place policies and programmes which promote better outcomes for care experienced people. It will make the UK the first country in the world to recognise care experienced people in this way. As a measure, it will bolster and pave the way for a number of the recommendations in this chapter." *Independent Review of Children's Social Care May 2022.*

Newark and Sherwood District Council acknowledges that Care experienced people face significant barriers that can impact them throughout their lives.

- Despite the resilience of many care experienced people, society too often does not take their needs into account;
- Care experienced people often face discrimination and stigma across housing, health, education, relationships, employment and in the criminal justice system;
- Care experienced people often face a postcode lottery of support;
- As corporate parents, councillors have a collective responsibility for providing the best possible care and safeguarding for the children who are looked after by us as an authority;
- All corporate parents should commit to acting as mentors, hearing the voices of looked after children and young people and to consider their needs in any aspect of council work;
- Councillors should be champions of our looked after children and challenge the negative attitudes and prejudice that exists in all aspects of society;
- The Public Sector Equality Duty requires public bodies, such as councils, to eliminate unlawful discrimination, harassment and victimisation of people with protected characteristics;
- Newark and Sherwood District Council acknowledges that Children entering the care system are often split from their siblings and placed outside their home Local Authority Area. That they don't choose to enter the care system, that they don't choose to be split up from their siblings and don't choose to be placed outside their local area.

The Council therefore resolves to:-

- Re-affirm our responsibilities as a corporate parent to children and young people with care experience
- Undertake a review of the impact of the Council's Care Leaver Offer and identify potential improvements/developments to improve the quality of life of Care Experienced People
- Agree to include people with care experience as a category within our Equalities Impact Assessment Process, in the same way as other groups afforded Protected Characteristic status
- Include people with care experience in general engagement exercises and discussions on new policy so they have opportunities to shape and influence what we do."

The Motion, on being put to the vote, was agreed unanimously.

(ii) Universal Free School Meals

Prior to the debating of the motion, there was a short adjournment in order to consider a proposed amendment.

In accordance with Rule No. 3.4, Councillor L Brazier moved and Councillor Mrs Y Woodhead seconded a motion to the following effect:

“We need Free School Meals for all to ensure no child is left behind.

Free School Meals are a way of ensuring that all children receive a nutritious, hot meal every day. Reliable, nutritious food at school helps children to focus on their learning and their attainment improves.

Education staff see first-hand the impact that poverty has on a child’s educational experience and outcomes in school. When children come to school hungry they find it hard to concentrate and focus on their learning.

As a Council, Newark and Sherwood have supported projects throughout the district that are dealing with food poverty, as well as directly supporting with the set up of social supermarkets in the district.

This Council therefore calls upon the UK government to support families in the current cost of living crisis, by extending free school meals to all children in UK primary education.”

Councillor M Skinner proposed and Councillor J Kellas seconded an amendment to the following effect:

“This Council supports the Local Government Association in ensuring that those who should receive the benefits of a free school meal actually do so by simplifying the process and automatically enrolling families to prove the benefit.

Reliable, nutritious food at school helps children to focus on their learning and their attainment improving lifelong learning.

Education staff see first-hand the impact that poverty has on a child’s educational experience and outcomes in school. When children come to school hungry they find it hard to concentrate and focus on their learning.

As a Council, Newark and Sherwood is supporting projects throughout the district that are dealing with food poverty, as well as directly supporting with the set up of social supermarkets in the district. Ensuring that all eligible pupils are enrolled would also help to support families’ budgets saving them nearly £500 per year. In turn, this would provide millions of pounds of additional vital funding for schools through the pupil premium and ensure help is received by those that require it most in order to narrow the attainment gap between children from disadvantaged background and their peers.

This Council therefore calls upon the Government to support families in the current cost of living crisis, by taking forward the Local Government Association’s recommendation on simplifying the process and automatically enrolling families, inclusive of the eligible thresholds, to provide the Free Schools Meals benefit.”

Councillor A Freeman raised a point of order that the proposed amendment negated the original motion which was in breach of Council Procedure Rule 4.6.1. The Monitoring Officer advised the Council that she considered the proposed amendment did not negate the original.

The amendment, on being put to the meeting was declared carried with 25 votes for and 9 against. The amendment became the substantive motion to which Councillor A Freeman moved and Councillor L Brazier seconded an amendment to add the following words at the end “and urgently urge the government to review the eligibility criteria.”

This amendment, on being put to the meeting, was declared lost with 9 votes for and 25 against.

Councillor M Skinner moved and Councillor J Kellas seconded a further amendment to amend the final paragraph which would read as “This Council therefore calls upon the Government to support families in the current cost of living crisis by taking forward the Local Government Association’s recommendations on simplifying the process, and automatically enrolling families inclusive of eligibility thresholds to provide the free school meal benefit.”

This amendment, on being put to the meeting, was declared carried, with 27 votes for and 7 abstentions. This became the substantive motion, which on being put to the meeting was declared carried with 27 votes for and 7 abstentions.

74 MINUTES FOR NOTING

74a CABINET - 21 FEBRUARY 2023

Minute No. 85 – Funding Requirement for Jubilee Bridge Maintenance Costs

Councillor P Harris stated that the Council would need to take some learning from this exercise.

74b POLICY AND PERFORMANCE IMPROVEMENT COMMITTEE - 30 JANUARY 2023

74c PLANNING COMMITTEE - 16 FEBRUARY 2023

74d AUDIT AND GOVERNANCE COMMITTEE - 1 FEBRUARY 2023

Meeting closed at 9.25 pm.

Chairman