

# **BROXTOWE BOROUGH COUNCIL**

## **COUNCIL MEETING**

**19 JULY 2017**

Councillor H G Khaled MBE, Mayor

Councillors:	E H Atherton	A Harper
	D Bagshaw	G Harvey
	S A Bagshaw	R I Jackson
	L A Ball BEM	E Kerry
	J S Briggs	S Kerry
	T P Brindley	L A Lally
	M Brown	P Lally
	D A Burnett	G Marshall
	S J Carr	R D MacRae
	M J Crow	J K Marsters
	E Cubley	J W McGrath
	T A Cullen	J M Owen
	R H Darby	P J Owen
	J A Doddy	J C Patrick
	S Easom	M E Plackett
	D A Elliott	M Radulovic MBE
	L Fletcher	C H Rice
	J W Handley	P D Simpson
	M Handley	A W G A Stockwell

Apologies for absence were received from Councillors B C Carr, J C Goold, W J Longdon, K E Rigby and R S Robinson.

The Mayor referred to the recent tragic deaths of Tony Bird and Owen Jenkins. Members and officers held a minute's silence as a mark of respect.

### 15. **DECLARATIONS OF INTEREST**

Councillor M Radulovic MBE declared an interest in item number 22 due to his own legal action over a breach of data protection, minute number 35 refers.

### 16. **MINUTES**

The minutes of the meeting held on 17 May 2017 were confirmed and signed subject to the resolution on item number 11 being amended to 18 May 2017.

17. MAYOR'S ANNOUNCEMENTS

The Mayor gave a résumé of her engagements since the last Council meeting, which included her attendance at birthday parties and a variety of fundraising events. The Mayor thanked the outgoing Deputy Chief Executive, Mr Shane Flynn, for his efforts during his time with the Council.

Mr Paul Syson, who had completed 40 years' service with the Council, was presented with a long service award. The Mayor congratulated Paul on his achievement.

18. YOUTH MAYOR'S REPORT ON BROXTOWE YOUTH VOICE ISSUES

There was no report from the Youth Mayor.

19. PRESENTATION OF PETITIONS

Mr Robert Aldred presented a petition which contained 1,370 signatures and called for the Council to reconsider its position to keep Stapleford Community Centre open. It was suggested that the situation would be taken account of at a meeting of the appropriate committee and that Mr Aldred be informed of the outcome.

20. LEADER'S REPORT

The Leader presented his report and expressed his condolences to the families and friends of those who lost their lives in the fire at Grenfell Tower as well as to those who lost their homes and possessions.

He stated that this was a tragedy that should never have happened, and the findings of the public enquiry would be monitored to ensure that this Council was able to continue to protect those for whom it has responsibility, and to provide information to others so that they can take action to ensure that their properties are as safe as the Council can make them.

This Council had ensured that 'hard wired' smoke detectors were installed in the Council's retirement living properties. Fire risk assessments were performed on an annual basis and an external provider was carrying out a more in depth fire risk audit this month. In addition, the Housing Committee has instructed officers to examine the agreement in place for leasehold flats to ensure that appropriate safeguards were built into this agreement to protect those living in the Borough.

Planning permission had been given for 250 dwellings on the Barton's site at Chilwell. This was an exemplar scheme, with a high level of community engagement to secure a very high quality architectural finish and layout. Furthermore, 297 houses were built in 2016/17 in Broxtowe; this was a substantial increase on the previous year and almost four times the figure of 78 that this administration inherited in 2014/5. This was the result of

more proactive work to bring sites forward and land being allocated for housing development.

There had been mixed news regarding railways, with the Government confirming the route of HS2 and the hub station site at Toton. Whilst this was to be welcomed it also confirmed that the route north from the station behind Stapleford and through Trowell would be on a viaduct up to 50 feet high, which was disappointing as is the confirmation that there will be no changes to the line through and under Strelley village and north through Nuthall.

21. REPRESENTATION ON OUTSIDE BODIES

**RESOLVED that Councillor J C Goold be the Council's representative to Relate and Councillor L A Ball BEM be the Council's representative on the Health and Wellbeing Board.**

22. PUBLIC QUESTIONS

There were no questions from members of the public.

23. MEMBERS' QUESTIONS

23.1 The following question was submitted by Councillor M Radulovic MBE:

“Could the Chair of the Finance and Resources Committee please give an update into the latest position of the government's proposal to move towards Business Rates Retention?”

The Chair of the Finance and Resources Committee responded that the Department for Communities and Local Government had informed the Council that it was making a flat rate contribution of £12,000 to all Councils in order to meet new burdens funding.

The supporting small businesses scheme was to ensure that any business that lost small business rates relief, as a result of the revaluation, had to pay no more than £50 per month in comparison to last year. Full guidance was supplied to the Council on 20 June 2017 of the qualifying criteria. It had been identified that there will be a maximum of eleven NNDR accounts that fall within this category, according to the software supplier. The Council still awaited the software upgrade to enable the processing of these.

The Support for Pubs Scheme allows the Council to reduce a pubs charge by £1,000 if their rateable value was under £100,000 and they did not exceed the state aid requirements. Thus far, 42 properties had been identified as being likely to fall within this category. A software upgrade was required to action these changes.

Each authority was required to create its own Discretionary Scheme to support business in the area. Schemes were currently being worked on and it is hoped that in the next two weeks there would be options available for members to make a decision. The Council was working with other Nottinghamshire authorities to create a similar scheme across the County and was required to consult with the Fire Service and the County Council prior to seeking agreement from members.

A supplementary question was submitted by Councillor Radulovic MBE which requested clarification on government grants and financial projections.

The Chair of the Finance and Resources Committee stated that Business Rates Retention was not factored into medium term finances unless there were guaranteed figures. Although financial projections were reasonable the Council was on course to have a balanced budget within three years.

23.2 The following question was submitted by Councillor S A Bagshaw:

“Could the Chair of the Housing Committee please allay the fears of many staff and residents about his intention to further cut the number of retirement living officers and reduce the service to many older residents across Broxtowe?”

The Chair of the Housing Committee responded that as part of the Housing Strategy, the Housing Department was committed to considering the needs of older residents in the Borough and through a review of retirement living, the team was analysing the information provided by residents to assess what the needs and demands were for the service and how best this demand could be met in the future.

Particular consideration was being given to age categories, specialist schemes and schemes with different levels of support being offered. This would ensure the Council was delivering the right level of support to individuals and groups of tenants.

The Retirement Living Team provided 1,135 hours of contact management weekly. This was delivered through a retirement living team of three team leaders, 20 full-time and 13 part-time retirement living officers. Additionally, the retirement living schemes are covered by the 24 hour emergency call system.

Requests to reduce working hours from retirement living officers were approved following careful consideration, and the decision not to recruit to the vacant hours was based on demand for services in a particular scheme or area.

There were tenants who had specific needs or may be particularly vulnerable and the retirement living service forms part of their support network. This would not change. However, there were also tenants in Retirement Living that found the service intrusive and overbearing, but had no other option but to accept a property in a Retirement Living scheme.

To meet those changing needs and reflecting individual circumstances, the service would be resourced appropriately and continue to support those in greatest need whilst providing autonomy to those who wished to be independent.

The Housing team were piloting projects on how to meet individual needs for all residents who were elderly or in need of support through Assistive Living. One such project included undertaking community visits to residents who may be private tenants or homeowners and it was hoped that the experience and expertise delivered by the Retirement Living team could be utilised beyond the boundaries of Retirement Living. The ambition was to be more expansive and responsive and deliver services to Broxtowe's residents. As the demand for services changed, this Council must be responsive in order to provide sustainable services to those in need.

A supplementary question was submitted by Councillor Bagshaw which stated that with the uncertainty surrounding the Homelessness Reduction Act 2017 detail not having yet been published, the Housing and Planning Act 2016 of which details were awaited, the impact of the sale of high value properties on housing waiting lists and the detail on lifetime tenancies still awaited, the Chair was asked how the problems around housing waiting lists would be resolved.

The Chair of the Housing Committee responded that the Council would respond as necessary by understanding needs and undertaking measures that were appropriate.

23.3 The following question was submitted by Councillor J W McGrath:

“Without reference to specific names of tenants, I have four cases on file – two of which have serious health issues. Could the Chair of the Housing Committee outline the banding system as of today and are there any proposals to refine and/or redefine the banding system?”

The Chair of the Housing Committee responded that all applicants who were accepted onto the Housing Register would have their application assessed and placed into one of the four 'bands' in line with their current housing need. Within each band there was no other hierarchy of the categories within the bands. However, if two people in a particular band place a bid for a property the applicant who had been on the register for the longest time would win the bid. Should any resident feel that the banding allocated was not appropriate, there was an appeal system.

In direct response to medical issues associated with applicants, the housing team understood that these could be complex and work closely with, and take advice from, a variety of professionals such as GPs, consultants and the County's Occupational Therapist team. All relevant information obtained was used in order to make fair and consistent assessments of the housing needs of applicants.

The Housing team undertook an annual review of the Housing Allocations Policy, to ensure that it complied with any changes in legislation. Where significant changes were required, a full consultation process was carried out and a reported to the relevant committee. The last full Allocations Policy review was in 2012.

However, with the recent Royal Assent of the Homelessness Reduction Act and considering the actions agreed within the Housing Strategy, there would be a need to undertake a full revision of the Policy. No date had been confirmed for this, but a full review would be conducted in the lifetime of the current Housing Strategy.

23.4 The following question was submitted by Councillor D A Elliott:

“Could the Chair of the Jobs and Economy Committee provide an update on our plans for medium and long term regeneration in Beeston?”

It was stated that as the topic had been considered by the Policy and Performance Committee; it would be more suitable for the Chair of that Committee to provide an answer. In doing so, the Chair stated that progress was being made and a leisure led development for the town centre was desirable, but in the interim a beach attraction was to be installed for the summer.

A supplementary question was submitted by Councillor Elliott which requested information regarding progress at Mushroom Farm and Bennerley Sidings. The Chair stated that the Council was currently in discussions with the developer over Mushroom Farm and plans were progressing with regard to bringing the Bennerley Viaduct back to full use.

23.5 The following question was submitted by Councillor G Marshall:

“Would the Chair of the Jobs and Economy Committee outline the timescale for implementing Phase 2 of the Core Strategy?”

The Chair responded that following the decision of Jobs and Economy Committee on 6 July, the Plan would be published for a minimum period of six weeks for consultation. This period would be arranged to allow sufficient time after the summer holidays to ensure that everyone affected was able to comment. The consultation would run through September and into early October. This would lead to the comments received and proposed changes to the Plan being reported to Jobs and Economy Committee before Christmas. The Plan would then be submitted to the Planning Inspectorate to start the public examination, which would be likely to take between six and eight months which would lead to adoption in late 2018.

A supplementary question was submitted by Councillor Marshall which asked for clarification over the Council’s plans to ensure requirements are met to provide housing across the Borough which will meet the needs of the entire community.

Councillor Harper responded that the Council was meeting its legal requirements and it was important that houses are put in place and that the regulations are adhered to.

24. MEMBERS' SPEECHES ON WARD ISSUES

There were no members' speeches on ward issues.

25. QUESTIONS ON OUTSIDE BODIES

There were no questions on outside bodies.

26. NOTICE OF MOTION

The following notice of motion had been received from Councillor R I Jackson and was seconded by Councillors M J Crow and D A Elliott:

"The Council expresses its sympathies to the family and friends of Owen Jenkins who tragically lost his life trying to help others. This Council will play a leading role in coordinating all other agencies to ensure that such a tragedy can never happen again and give support to Owen's family and friends as they grieve."

The motion, on being put to the meeting, was carried.

27. AD HOC COMMITTEE AND LICENSING AND APPEALS COMMITTEE – SUBSTITUTES

The Council at its meeting on 1 March 2017 considered appointments to the Ad Hoc Committee, Licensing and Appeals Committee and an Investigating and Disciplinary Committee. On that occasion the Council put in place arrangements for the membership of those Committees including resolving to appoint a named substitute from each political group to act in the event of a conflict of interests. Upon reflection it was considered that there may not be sufficient named substitutes

**RESOLVED to:**

- 1. Appoint the following number of additional named substitutes from each political group to each Committee from a prioritised list from the Conservative, Labour and Liberal Democrat groups tabled at the meeting: Ad Hoc Committee – 3 Conservative, 1 Labour and 1 Liberal Democrat, Investigating and Disciplinary Committee – 3 Conservative, 2 Labour and 1 Liberal Democrat, Licensing and Appeals Committee – 3 Conservative, 2 Labour and 1 Liberal Democrat.**
- 2. Amend the Constitution at Council Procedure Rule 22 to state that "Only Rules 4-7, 10-21 and 23 apply to meetings of Committees and Sub Committees" to make it clear that the**

- Council's arrangements for substitutes do apply to Committees.**
3. **Confirm that the quorum of the Ad Hoc Committee is three members.**

28. ARRANGEMENTS FOR THE DISCHARGE OF FUNCTIONS

Appointments to committees and working groups

**RESOLVED** that in accordance with the powers set out in the **Local Government Act 2000** and all and every power enabling, the following be appointed with the powers appropriate to each as set out in the scheme of delegation or as approved by Council:

**Alcohol and Entertainments Licensing Committee**

Conservative

D A Burnett (Chair)  
W J Longdon (Vice Chair)  
E H Atherton  
M J Crow  
M E Plackett  
P D Simpson  
A G W A Stockwell

Labour

T A Cullen  
R H Darby  
P Lally

Liberal Democrat

K E Rigby

Independent

R D MacRae

**Community Safety Committee**

Conservative

J G Goold (Chair)  
M Brown (Vice Chair)  
E Cubley  
G Harvey  
S Kerry  
J M Owen



Labour

T A Cullen  
J C Patrick  
D Bagshaw

Liberal Democrat

B C Carr

**Finance Committee**

Conservative

P D Simpson (Chair)  
T P Brindley (Vice Chair)  
E Cubley  
S Easom  
P J Owen  
A W G A Stockwell

Labour

S A Bagshaw  
P Lally  
G Marshall

Liberal Democrat

S J Carr

**Governance, Audit and Standards Committee**

Conservative

J W Handley (Chair)  
E H Atherton (Vice Chair)  
T P Brindley  
J C Goold  
S Kerry  
J M Owen

Labour

S A Bagshaw  
J W McGrath  
J C Patrick

Liberal Democrat

K E Rigby

**Housing Committee**

Conservative

E Kerry (Chair)  
A W G A Stockwell (Vice Chair)  
L A Ball BEM  
J C Goold  
G Harvey  
J M Owen

Labour

S A Bagshaw  
J W McGrath  
J C Patrick

Liberal Democrat

J K Marsters

**Jobs and Economy Committee**

Conservative

A Harper (Chair)  
M J Crow (Vice Chair)  
E Cubley  
L Fletcher  
J W Handley  
M Handley

Labour

T A Cullen  
P Lally  
R S Robinson

Liberal Democrat

B C Carr

## **Leisure and Environment Committee**

### **Conservative**

S Easom (Chair)  
M E Plackett (Vice Chair)  
J S Briggs  
E Cubley  
P J Owen  
C H Rice

### **Labour**

R H Darby  
L A Lally  
R S Robinson

### **Liberal Democrat**

S J Carr

## **Licensing and Appeals Committee**

### **Conservative**

D A Burnett (Chair)  
W J Longdon (Vice Chair)  
E H Atherton  
M J Crow  
M E Plackett  
P D Simpson  
A W G A Stockwell

Substitutes

1. L A Ball BEM
2. T P Brindley
3. M Brown
4. J W Handley
5. A Harper
6. G Harvey
7. E Cubley

### **Labour**

D Bagshaw  
T A Cullen  
J C Patrick

Substitutes

1. S A Bagshaw
2. J W McGrath
3. L A Lally

### **Liberal Democrat**

K E Rigby

Substitute

1. S J Carr

### **Independent**

R D MacRae

## **Planning Committee**

### Conservative

M Handley (Chair)  
L A Ball BEM (Vice Chair)  
J S Briggs  
T P Brindley  
M Brown  
A Harper  
P J Owen

Substitutes

1. W J Longdon
2. G Harvey
3. S Kerry
4. J M Owen
5. J W Handley
6. A G W A Stockwell
7. E Cubley

### Labour

D Bagshaw  
G Marshall  
R S Robinson

Substitutes

1. J C Patrick
2. J W McGrath
3. T A Cullen

### Liberal Democrat

J K Marsters

Substitute

1. B C Carr

### Independent

R D MacRae

## **Policy and Performance Committee**

### Conservative

R I Jackson (Chair)  
M J Crow (Vice Chair)  
S Easom  
J C Goold  
A Harper  
E Kerry  
P D Simpson

### Labour

D A Elliott  
G Marshall  
J W McGrath

### Liberal Democrat

S J Carr

## **Ad-Hoc Committee**

### Conservative

J W Handley (Chair)  
L Fletcher  
S Kerry

Substitutes: 1. D A Burnett  
2. T P Brindley  
3. M Brown  
4. E Cubley

### Labour

D A Elliott (Vice Chair)

Substitutes: 1. T A Cullen  
2. S A Bagshaw

### Liberal Democrat

J K Marsters

Substitutes: 1. B C Carr  
2. S J Carr

### Independent Members

L Ogilvie  
H Salisbury

## **Investigating and Disciplinary Committee**

### Conservative

T P Brindley (Chair)  
M Handley (Vice Chair)  
M Brown

Substitutes: 1. W J Longdon  
2. L A Ball BEM  
3. J C Goold  
4. G Harvey

### Labour\*

G Marshall  
R S Robinson  
J C Patrick

Substitutes: 1. S A Bagshaw  
2. D Bagshaw  
3. J W McGrath

*\*One member to attend listed in order of priority.*

### Liberal Democrat

K E Rigby

Substitutes: 1. S J Carr  
2. J K Marsters

## **Computer Working Group**

### Conservative

E H Atherton  
D A Burnett  
E Cubley  
L Fletcher  
S Kerry

### Labour

R H Darby  
L A Lally

### Liberal Democrat

B C Carr

## **Energy Efficiency Working Group**

### Conservative

M Brown  
J A Doddy  
G Harvey  
C H Rice  
P D Simpson

### Labour

G Marshall  
R S Robinson

### Liberal Democrat

J K Marsters

## **Housing Performance Group**

### Conservative

L A Ball BEM  
J S Briggs  
E Cubley  
J C Goold  
E Kerry

Labour

D Bagshaw  
J C Patrick

Liberal Democrat

J K Marsters

**Local Joint Consultative Committee**

Conservative

E H Atherton  
J S Briggs  
D A Burnett  
J C Goold  
A Harper  
W J Longdon  
C H Rice

Labour

D Bagshaw  
T A Cullen  
R H Darby

Liberal Democrat

K E Rigby

**Bramcote Bereavement Services Joint Committee**

Conservative

R I Jackson  
S Easom

Labour

M Radulovic MBE

29. REFERENCE

Bramcote Bereavement Joint Services Committee – 22 June 2017  
ONLINE PUBLICATION OF CEMETERY RECORDS

**RESOLVED that this be delegated to the Joint Committee to progress.**

30. REFERENCE

Policy and Performance Committee – 4 July 2017  
SCHEME OF DELEGATION – PROPERTY LETTINGS AT BEESTON SQUARE

**RESOLVED that Financial Regulation 14.4 be amended to include: ‘In respect of properties in Beeston Square only, lettings, negotiations and settlement of leases and rent for Council owned land or property where the annual rental exceeds £100,000 shall be referred to the Policy and Performance Committee for approval.’**

31. REFERENCE

Housing Committee – 5 July 2017  
HOUSING REVENUE ACCOUNT – UPDATE TO BUSINESS PLAN MODEL

Members expressed concern over changes to retirement living officers and automation for alarm calls. It was suggested that the correct measures would be taken when necessary.

**RESOLVED that the updated financial model for the Housing Revenue Account be approved.**

Councillors S J Carr and J K Marsters requested that it be shown in the minutes that they voted against the resolution.

32. MEMBER APPOINTMENT PANEL

**RESOLVED that five councillors, including the three group leaders or their nominees, be nominated to form an appointment committee to fill the position of Managing Director of Liberty Leisure following an external advertisement.**



33. RECOGNITION OF INTERIM DEPUTY CHIEF EXECUTIVE AND SECTION 151 OFFICER

**RESOLVED** that the unanimous recommendation of the Member Appointment Panel to appoint Zulfiqar Darr as the Council's interim Deputy Chief Executive and section 151 Officer until further notice be approved.

34. EXCLUSION OF PUBLIC AND PRESS

**RESOLVED** that, under Section 100A of the Local Government Act, 1972, the public and press be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraphs 1 and 2 of Schedule 12A of the Act.

35. DELEGATION TO RECEIVE REPORT

**RESOLVED** that the current incumbent Chief Information Officer (SIRO) of Broxtowe Borough Council, Newark and Sherwood District Council and Rushcliffe Borough Council receives the Investigation Report, takes appropriate steps and refers its contents to appropriate decision-takers.

(Councillor M Radulovic MBE left the meeting before discussion or voting thereon, in addition to all Council Officers except for the Democratic Services Manager and the Deputy Monitoring Officer.)

36. COMMON SEAL

**RESOLVED** that the Common Seal be affixed to or the Proper Officer do sign on behalf of the Council, where appropriate, any orders, deeds or documents necessary to give effect to any resolutions of the Council or Committee.