

## **COUNCIL**

**Meeting held in the Council Chamber, Council Offices, Urban Road, Kirkby-in-Ashfield,**

**on Thursday, 11th October, 2018 at 7.00 pm**

**Present:** Councillor Glenys Maxwell in the Chair;

Councillors Lee Anderson, Rachel Bissett, Tony Brewer, Amanda Brown, Tim Brown, Cheryl Butler, Don Davis, David Griffiths, Helen Hollis, Tom Hollis, Jackie James, John Knight, Rachel Madden, Cathy Mason, Lauren Mitchell, Keir Morrison, Nicolle Ndiweni, Christine Quinn-Wilcox, Paul Roberts, Kevin Rostance, Phil Rostance, Robert Sears-Piccavey, Helen-Ann Smith, Mike Smith, John Wilmott, Sam Wilson and Jason Zadrozny.

**Apologies for Absence:** Councillors Jim Aspinall, Chris Baron, Steve Carroll, Christian Chapman, Joanne Donnelly, Lachlan Morrison and Mick Murphy.

**Officers Present:** Lynn Cain, Richard Crossland, Ruth Dennis, Mike Joy, Robert Mitchell, Paul Parkinson and Justine Wells.

### **C.35 Declarations of Disclosable Pecuniary or Personal Interests and Non Disclosable Pecuniary/Other Interests**

Councillors Cheryl Butler, Don Davis and Paul Roberts declared a Non Disclosable Pecuniary/Other Interest in relation to agenda item 7 (Notice of Motion 1). They stated that their interests arose from being responsible dog owners.

### **C.36 Minutes**

RESOLVED

that the minutes of the meetings of the Council held on 26th July and 6th September, 2018, as now submitted, be received and approved.

**C.37 Announcements from the Chairman, Leader, Members of the Cabinet and the Head of Paid Service**

Leader of the Council

*“Thank you, Madam Chairman and firstly can I say how good it is to see you back in the Chair. I know that you’ve been so poorly lately and for you to come back even though you’re not fully well I think shows your strength and determination and I’m very pleased for one to see you back here.*

*Madam Chairman, I’d first like to just update Members on a few urgent items that have happened in my Portfolio since the last meeting. Firstly with the Place Enhancement Board. Work on the place is really beginning to take shape and I’m pleased that it’s being led by a very pro-active private sector led partnership. The next steps will be in the upcoming Cabinet report in November which will then be pushed out to Members.*

*In terms of economic growth, Madam Chairman, on Friday the 21<sup>st</sup> September the Annual Ashfield Jobs Fair was held at the Festival Hall in Kirkby. The event was attended by almost a thousand people and they were able to visit sixty five stands which were occupied by a mixture of employers, agents and training providers with local and national employers like the Armed Forces. There were well over a thousand jobs on offer. I spoke to all the exhibitors and local residents as usual and the feedback was very positive.*

*We continue to manage our successful business grant scheme which is aimed at stimulating business start-up, business growth and shop front improvements. Almost £60,000 still remains in that pot, Madam Chairman, and it’s therefore still open for local businesses to apply. Andrew I’m looking at you, we want some good news in the Chad about that, about how much money we’ve got available and we’re very keen for businesses to come forward and apply for some of that funding we’ve got.*

*Of course, Madam Chairman, I meet regularly with major local businesses to find out their concerns. Just recently I’ve met with a very large national retailer about their growth plans, with successful local manufacturing businesses and also with the Mansfield and Ashfield 2020 network of small and medium sized businesses. Yesterday was my fifth business breakfast with those groups and again it was incredibly successful. I’m determined to ensure that the procurement for the new Kirkby Leisure Centre is a model of good practice as well regarding local businesses and apprenticeships across all trades and services.*

*With regard to planning, we have begun the research and development work on the new Local Plan 2018 to 2037. As I said at the Extraordinary Council meeting on the 6<sup>th</sup> September, I want a greater degree of ambition and creativity in the next Plan. A Cabinet report setting out the next steps went to the 1<sup>st</sup> October Cabinet Meeting and we are currently working up a more detailed timeline of activities which I will bring back to Members in due course.*

*Also at the 1<sup>st</sup> October meeting, I announced a consultation on a new design guide for those who might want to convert vacant retail premises into residential. While our retail vacancy rates are not out of step with other comparable areas, there are too many which are simply being left. I hope*

*Members will support this new guidance and I would want to bring a report back to Cabinet in due course.*

*Conservation Area status is being investigated for Hucknall Town Centre following a year of development including engagement with the local Historic Society, a proposed conservation area has been developed and was presented to Cabinet on October the 1<sup>st</sup>. Wide ranging consultation is now underway and I will be bringing forward another report in due course.*

*We are prioritising dealing with dilapidated and empty commercial and industrial land and premises. We much prefer to work with the owners to bring this premises or land up to a reasonable standard but if they are not willing to work with us we will not hesitate to enforce. We are in the process of taking enforcement action against several of the worse grot spots. I will keep Members briefed on progress and we have already, Madam Chairman, had two or three successful court orders ruling in our favour. We will be tough on those that leave our District untidy or unpleasant to view.*

*Madam Chairman, that is my Leader's briefing, thank you."*

Cabinet Member (Outward Focus)

*"Thank you, Chairman. Can I say how happy I am to see you in the Chair even though you're not a hundred per cent and I know you'll do a fine job as you always do.*

*Chairman, the Housing Department is pleased to announce that as of the end of Quarter 2, its rent collection figures are the highest they have ever been at this time of year when compared to any previous year. The income collection team is noted as being one of the highest performing income teams in the land and has achieved its success through offering different forms of services to those tenants who can't pay and those who won't pay.*

*This is a tremendous achievement on the eve of the launch of Universal Credit across the Ashfield District, thus meaning the team can focus on helping tenants with their current financial issues rather than still having to deal with debts from the past. I would also like to thank both the Director of Housing and the Manager of Tenancy Services for providing a very informative Members' briefing on the subject of Universal Credit last week which I attended.*

*Ashfield Housing Services, whether as the Council or Ashfield Homes, has always had a strong commitment to providing opportunities for apprentices. Building on previous successes I am delighted to announce that Ashfield won not one but two awards at the Association for Public Service Excellence Awards event in Stoke last week. The first award was for our plumbing apprentice, Keaton Pierce, who lives locally in the District. And the second in recognition for Ashfield District Council's commitment as an employer to the apprentice scheme. Further awards have been forthcoming as well after winning the East Midlands Regional Award for energy efficiency in relation to its upgrade work to tenants' homes, we were represented at the region at the national awards last month and received a special commendation for our efforts.*

*Contracts have been formalised to fit new communal heating systems in both Nuncar and Aspley Courts. The schemes will provide a more responsive heating system to residents as well as lowering the Council's carbon footprint. The Council will this month let nine family units on Hawker Way in Hucknall, with the remaining seven to be let shortly.*

*The Cabinet visited Rolls Royce with the Director of Housing to view the nine properties being delivered by Persimmon Homes on that site and I can confirm that the homes are built to a very high standard and will be a great addition to Ashfield's housing stock, supplying much needed family accommodation in the face of growing numbers of applicants and the loss of many properties due to Right to Buy which stands at around fifty units lost last year.*

*The Council is now over half way towards its target of achieving the purchase of twelve properties from the HRA's £1 million acquisition fund in order to provide much needed accommodation for those on the housing waiting list. In addition to this the Council is actively pursuing the purchase of the former Hucknall By-Pass properties from the County Council. I am sure this Council looks forward to the Housing Department coming forward for more funding to buy yet more properties. Thank you, Chairman."*

Deputy Leader of the Council (Outward Focus)

*"Thank you, Madam Chairman. I echo my colleagues' words, glad to see you back in that chair.*

*I'll just be very brief, there's just a couple of points that I wanted to bring up. The first one I wanted to talk about was Brierley Visitors Centre. I know a lot has been said on Facebook about Brierley and I thank you for approaching us, Councillor Anderson, about this issue. The Brierley Visitors Centre isn't closing for good, it is having a full revamp, being completely cleaned, gutted, renovated, freshly decorated and that is out to tender at the moment. We're interviewing potential people to go in and take over the use of that unit as we speak.*

*We've also in the last week had the lady that runs Hucknall's Titchfield Park hand in her notice on the Titchfield Park in Hucknall. So we are also out to tender for that café as well. But there'll be no loss of service during that period.*

*A couple of things that I'm very happy to announce, that a number of projects presented to Cabinet in October as part of the Play Strategy; to invest up to a £120,000 in each of the four areas across the next four years. The strategy will focus on the Rural areas in the first year with projects due to be progressed through the Council's Capital Gateway process. Subject to approval from the process and approval at Cabinet and Council in November, the following projects are proposed; Friezeland Recreational Ground, Underwood, outdoor gym and scooter park, multi-use games area at Jacksdale Recreation Ground and an extension to the main car park in Jacksdale.*

*The play area at Broomhill Park is being progressed with the play equipment tender process completed. The play areas are expected to be installed by the end of March next year. Works to replace old play equipment at Sutton Lawn,*

*Morven Park and West Park in Kirkby are due to be completed by February next year. The Council is working with the Sutton Junction Residents Association to complete the replacement of the play areas at Roundhills Recreation Ground. A unique play facility in Ashfield has been installed over the summer at Brierley Forest Park with the Park Trust Group contributing £24,000 towards to the cost of the new equipment. An opening event will take place in October/November incorporating the raising of the green flag.*

*I'd also like to say that my last point, Madam Chairman, is that yesterday I had a very long meeting with all the bowls clubs across the District and we are doing a lot of work with the bowls clubs to bring all our bowling greens up to a reasonable standard so that we're not having teams from outside of the District refusing to come and play bowls at our fields. It's not on...it's not good and I will put that right.*

*Thank you, Madam Chairman."*

*Deputy Leader of the Council (Inward Focus)*

*"Thank you Madam Chair and I think first I know everybody'll be disappointed that Councillor Chapman's not here to deliver a twenty-two minute speech on his Portfolio but I'm sure he'll make it up at the next one, Madam Chair.*

*So can I, can I first thank Council officers for the excellent job they are doing. I'm proud to be standing here today doing my first speech as joint Deputy Leader of Ashfield District Council. The first thing I did when I took over the Leisure Portfolio was to scrap the deal to build a new leisure centre in Kirkby on NHS land.*

*We cancelled a deal with the NHS to buy the former Ashfield Health and Wellbeing Centre on Portland Street, Kirkby. The previous leadership had wanted to demolish it and turn it into the new leisure centre replacing the Festival Hall on Hodgkinson Road. Residents have been promised a new swimming pool for decades in Kirkby and the Ashfield Independents intend to deliver it.*

*Work continues at a pace on identification of an appropriate site and work with funders on pulling together a financial contribution to provide this new leisure centre. This is one of our top, if not the top, priorities. We are pleased with the support being shown by the Local Enterprise Partnership and Sport England. This is just the type of partnership working we need if we are to deliver a first class facility for residents to enjoy. I have also been using my influence within the Local Government Association to gather support for this ambitious project.*

*Another thing I did when I took over, Madam Chairman, was to stop the works to demolish the former Huthwaite Leisure Centre. The closed Huthwaite Leisure Centre was weeks away from being knocked to the ground and the site turned into six new homes.*

*Following the decision to offer the centre as a base for a community group or business, we are delighted to announce that this Council are working with a hugely popular community group to take over the facility. The facility was originally a school and more recently converted into the leisure centre with a gym, a small court hall, bar, kitchen and snooker room, associated changing rooms and office space with off-street parking.*

*We invited community groups and other interested parties to submit a sustainable business plan to operate the site at no future cost to the Council. It is absolutely critical that we maintain as many community facilities as possible, Madam Chairman. Residents spoke about the lack of community facilities available in Huthwaite and if the plans go ahead with the community group we are talking to, the future of the building will be safe for future generations. Huthwaite Leisure Centre cost the Council £250 a week. A loss of £12,000 a year. We are determined to keep this valuable asset for future generations. The previous Council's decision to demolish it was especially contentious as only last year the Council spent £100,000 on a new roof and electrics.*

*Speaking of retaining leisure facilities, I was pleased that the Cabinet on the 9<sup>th</sup> July formally approved the operation of Selston Leisure Centre to the transfer of Selston High School. The transfer of the operation to the school makes perfect sense. It allows Selston High School to manage the leisure provision that already is located on their campus, allowing both pupils and the local community to make best use of the facilities available. The Council commissioned a new review to ensure that community and sporting facilities remain affordable, accessible and fit for purpose. The transfer of operational management to Selston High School will ensure this remains the case. The transfer was a common-sense solution to ensure the leisure centre and facilities remain open to all in the Rurals.*

*One of the greatest success stories of this Council's leisure centres, is this Council's Lammas Leisure Centre in Sutton. This year it is celebrating its tenth anniversary whereby Dame Kelly Holmes opened it alongside a fresh-faced Councillor Jason Zadrozny who was then Leader of our District. A fantastic activity hosted by an Olympian and TV personality and also Everyone Active sporting champion Colin Jackson is to be hosted on Saturday November the 3<sup>rd</sup>. A date for everybody's diary there. Not sure Jason looks as fresh-faced though now.*

*I think actually it's important as well to take the time to talk about some of the events that we've hosted in the District. I mean many people will have seen the Tour of Britain and the number of yellow bikes we had put out and the community stalls we hosted in Kirkby and various other locations. Also the money-grabber we had in Sutton town centre on the 8<sup>th</sup> of September. I mean it was great to see some of the kids, and frankly adults, jumping around there trying to grab, win themselves £100 and I think they're the kind of big splash events that this Council should aspire to do.*

*After this meeting I'll circulate a list of future events that are happening across the District to Members but, for example, there's the Kirkby down-pouring event on the 19<sup>th</sup> of this month, a Halloween Spectacular on the 27<sup>th</sup> of this month, along with Christmas events starting in early December and community*

*events; a community feel along with the leisure facilities are exactly what this Council and what this administration intends to push forward. And I only hope after we've had a bit more time under our belts that that list of activities and achievements will grow, Madam Chairman, and I look forward to doing a much more lengthier speech at the next meeting.*

*Thank you, Madam Chair."*

(During the announcements, Councillor Lauren Mitchell left the room at 7.16 p.m. and returned to the meeting at 7.18 p.m.)

### **C.38 Questions from the Public**

In accordance with Council Procedure Rule 11, the following questions had been submitted:-

#### Question 1

From Mr. David Hennigan:

To Councillor Helen-Ann Smith as the Portfolio Holder responsible for Parks and Open Spaces:

*"Can the Council please outline the work it has done to secure our parks, recreation grounds and open spaces it is responsible for in the light of the continuing encampment of travellers across our District? Can the Council please tell me the specific actions they have taken since May to ensure our parks are free for all to use?"*

The Deputy Leader of the Council (Outward Focus) responded to the question as follows:-

*"Thank you Mr. Hennigan for your question. As everyone in this room is aware illegal travel encampments have been a major issue across the District this summer. We have been working tirelessly on this issue and I would firstly like to thank all the officers and my colleagues that were involved in the clean up afterwards and the continuous clean up whilst the travellers have been on site. So I'd like to make that point to all the Council staff please Mr. Mitchell.*

*Due to this significant problem that we've had with illegal encampments this summer, we have completely revamped our illegal encampment protocol and the way the Council deals with these. We have been conducting regular checks on all our parks and open spaces across the District to ensure that they are as secure as they could possibly be. We've had locks changed, we've put extra locks on in certain areas; we've also been working jointly with the County Council with an issue on Strawberry Bank, which is County Council land. We went up and worked with the County Council to make sure that that site was also secure.*

*We've also been doing a lot of work with neighbouring authorities across the region to try and find the best way of dealing with this issue and we're looking at a couple of different options at the moment. The first one that we're looking at is....this is the legal part that I've got to say like this but then I'll explain it afterwards.*

*We are looking at an injunction which can be applied for under Section 222 of the Local Government Act 1972, which gives the Council the general power to prosecute or defend or appear in any legal proceedings in their own name where it is considered expedient for the promotion or protection of the interests of the inhabitants of their area.*

*An injunction can be sought for an individual site or district wide. It can also be against named individuals if details are known. We would need sufficient evidence to prove to the Court that the injunction is required to protect the interests of inhabitants.*

*Basically what that means is there is an injunction that we can get but it needs to be site specific. I've been advised that we wouldn't get it through the court on a District wide basis because we've had no incidents of illegal encampments in large proportions of the District.*

*It seems very confined to certain areas but on those areas where we have had them we can get an injunction, which is something that we're looking at doing. This basically means that if they come back on to that site that they've been on previously we can send the bailiffs to kick them off within five minutes of them being there rather than having to go through the full process. Now that is one of the options that we are looking at.*

*Another one, I've been doing a lot of work with some of my colleagues on Derby City Council and they've come up with quite an innovative way of dealing with the problem with illegal encampments on one of their parks, on Markeaton Park in Derby City. What they've done is basically, they've dug a moat round the edge of the park about two-foot wide, so that they can still get their lawnmowers on because they can fit through pedestrian area but you can't get caravans, or trailers, or anything like that on to the park. So that is another option that we are looking at for our play parks and open spaces. Thank you."*

The Chairman then gave Mr. Hennigan the opportunity to ask a supplementary question and he responded as follows:-

*"Do you consider the hard line taken against travellers from the Administration that run this Council, all Council officers to be racist?"*

The Deputy Leader of the Council (Outward Focus) again responded to the supplementary question as follows:-

*"Yes, thank you Madam Chairman. No, I don't consider it to be a racist approach to dealing with the issue. I think it was a justified response. They illegally broke on to our parks, they damaged locks, they pulled out bollards that were in the way to prevent vehicles from accessing it.*

*We do a lot of work with a lot of other travelling communities. We have a lot of very good relationships with the Showman's community. Myself and the Leader have actually been invited to the Showman's Guild next year, their annual dinner, so it's not a racist approach. We did what we did to protect the residents and to make it so that children could actually use the play provisions that we have within the District.*

*While the illegal travellers were on the Twitchell Park on Cowpasture Lane, it meant that on Sunday we have a considerable number of groups of young lad's football teams playing on there which meant they couldn't play football that week. That is the sort of thing that I don't condone and I will always work to put the best interests of the residents of Ashfield at heart."*

#### Question 2

Council were advised that the question, as submitted by Mr. Linford Gibbons from Kirkby in Ashfield, had been withdrawn prior to the meeting.

#### **C.39 Petitions**

No petitions were received for consideration.

#### **C.40 Remaining Business from 26th July, 2018 Council Meeting: Notice of Motion 1**

The Council received a notice of motion moved by Councillor Lee Anderson and seconded by Councillor Kevin Rostance as follows:-

*"For the Council to consider banning all dogs from Council owned football and sports pitches and explore options for the introduction of a PSPO".*

Having been fully considered, the motion was put to the vote which resulted in an equal number of votes cast. In accordance with Council Procedure Rule 18.2, the Chairman exercised her second/casting vote and it was

RESOLVED

that the Council agrees to consider banning all dogs from Council owned football and sports pitches and explores options for the introduction of a Public Spaces Protection Order (PSPO).

(During consideration of the motion, Councillor Cathy Mason left the room at 7.36 p.m. and returned to the meeting at 7.37 p.m.)

#### **C.41 Remaining Business from 26th July, 2018 Council Meeting: Notice of Motion 2**

The Council received a notice of motion moved by Councillor Tom Hollis and seconded by Councillor Jason Zadrozny as follows:-

*“This Council is committed to regenerating our Town Centres. This Council recognises the problems caused by crime and anti-social social behaviour and its effect on trade.*

*This Council notes the decisive action taken after complaints about serious anti-social behaviour in the centre of Sutton, congratulates Ashfield District Council on its multi-agency approach to tackle the issues raised and welcomes the difference that our action has made to resident’s lives.*

*This Council further notes the adverse effect that drug taking is having on our Town Centres with a rise in the use of dangerous drugs like ‘Black Mamba’ or ‘Spice’ with parts of our District resembling horror films.*

*This Council acknowledges that the main way we can call for extra police resources via Nottinghamshire Police is through the Police and Crime Panel. This Council regrets that the former Labour Leader of this Council failed to attend a single meeting for 8 months.*

*This Council resolves to:*

- 1) Write to the Home Secretary backing the call for drugs like ‘Black Mamba’ or ‘Spice’ to be reclassified as Class A drugs to give the Police more power to act.*
- 2) To fully co-operate with the ‘Black Mamba/Spice Summit’ that the leader of Ashfield District Council called for at a recent meeting of Nottinghamshire County Council.*
- 3) To write to Police and Crime Commissioner Paddy Tipping calling for more police resources across the Ashfield District.”*

Councillor Cheryl Butler moved an amendment to the motion, seconded by Councillor Paul Roberts, in the following terms:-

*“This Council is committed to regenerating our Town Centres. This Council recognises the problems caused by crime and anti-social social behaviour and its effect on trade.*

*This Council notes the decisive action taken after complaints about serious anti-social behaviour in the centre of Sutton, congratulates Ashfield District Council on its multi-agency approach to tackle the issues raised and welcomes the difference that our action has made to resident’s lives.*

*This Council further notes the adverse effect that drug taking is having on our Town Centres with a rise in the use of dangerous drugs like ‘Black Mamba’ or ‘Spice’ with parts of our District.*

*This Council acknowledges that the main way we can call for extra police resources via Nottinghamshire Police is through the Police and Crime Panel.*

*This Council resolves to:*

- 1) Write to the Home Secretary backing the call for drugs like ‘Black Mamba’ or ‘Spice’ to be reclassified as Class A drugs to give the Police more power to act.*

- 2) *To fully co-operate with the 'Black Mamba/Spice Summit' that the leader of Ashfield District Council called for at a recent meeting of Nottinghamshire County Council.*
- 3) *To write to Police and Crime Commissioner Paddy Tipping calling for more police resources across the Ashfield District."*

The meeting was adjourned at 7.55 p.m. to enable Members to consider the amendment. The meeting reconvened at 8.05 p.m.

Having considered the suggested amendment, Councillors Tom Hollis and Jason Zadrozny, as the mover and seconder of the motion, duly agreed to the change of wording.

Having been fully considered, the substantive motion was then put to the vote and it was

**RESOLVED**

that this Council agrees to:

- a) write to the Home Secretary backing the call for drugs like 'Black Mamba' or 'Spice' to be reclassified as Class A drugs to give the Police more power to act;
- b) fully co-operate with the 'Black Mamba/Spice Summit' that the Leader of Ashfield District Council called for at a recent meeting of Nottinghamshire County Council;
- c) write to Police and Crime Commissioner Paddy Tipping calling for more police resources across the Ashfield District.

(During consideration of this motion, Councillor Rachel Madden left the room at 7.44 p.m. and returned to the meeting at 7.46 p.m.)

#### **C.42 Remaining Business from 26th July, 2018 Council Meeting: Notice of Motion 3**

The Council received a notice of motion moved by Councillor Helen-Ann Smith and seconded by Councillor John Wilmott as follows:-

*"This Council notes that the previous Labour administration spent £3million shrinking our bins in a failed attempt to increase recycling and that under Labour, fly-tipping went up by 39% across the Ashfield District.*

*This Council acknowledges that fly-tipping and the state of our streets is one of the biggest concerns that Councillors hear on the doorstep and that urgent action was needed to tackle the problem.*

*This Council welcomes the 'Big Ashfield Spring Clean' where 82,500kg of waste was collected over 3 weeks in Hucknall, Kirkby, Sutton and The Rurals – the most amount of rubbish collected since Ashfield District Council was created in 1974.*

*This Council further notes:*

- (1) 60,900kg of rubbish was collected in static skips.*
- (2) 8,700kg of rubbish was collected in flying skips.*
- (3) 12,900kg of rubbish was collected in side waste.*
- (4) 160 fridges freezers were removed.*
- (5) 867 items of bulky waste were collected.*
- (6) That 99.66% of all rubbish was recycled.*

*Across the District:*

- (1) In Sutton, 33,500kg of rubbish was collected.*
- (2) In Kirkby and The Rurals, 28,500kg was collected.*
- (3) In Hucknall, 20,500kg was collected.*

*This Council would like to thank Council Staff for going beyond the call of duty to ensure the Big Ashfield Spring Clean was a huge success and thanks to the hundreds of residents across our District who helped with litter picks concentrating on our parks and town centres.*

*This Council therefore resolves to:*

- (1) Start the planning for the Big Ashfield Spring Clean 2019, learning the lessons from 2018 to improve an already hugely successful scheme.*
- (2) Continue this Council's fight for a cleaner District as a priority and to use every power we have to catch, prosecute and publicise the fly-tippers who spoil our environment."*

Councillor Helen-Ann Smith, as mover of the motion, asked Council to note that part (4) should have stated 144 fridges/freezers and not 160 as stated in the motion and part (5) should have referred to 867 houses that had bulky items of waste removed rather than 867 items of bulky waste removed, as printed.

Councillor Cathy Mason moved an amendment to the motion, seconded by Councillor David Davis, in the following terms:-

*"This Council acknowledges that fly-tipping and the state of our streets is one of the biggest concerns that Councillors have here on the doorstep and that urgent action is needed to tackle the problem.*

*This Council welcomes the concept of assisting Ashfield residents with their large item waste disposal, and as previously promised by the Deputy Leader of the Council (Outward Focus) in Full Council on July 26<sup>th</sup>, 2018, who stated 'it is our intention to evaluate the benefits of the scheme and announce a further scheme early next year.'*

*This Council would like to thank the staff for going beyond the call of duty during the 2018 Big Ashfield Spring Clean with acknowledgement of special thanks to ALL the residents of Ashfield who helped with the litter picks concentrating on our parks and town centres.*

*This Council therefore resolves to:*

- 1. Fully evaluate the programme run in 2018, as promised.*
- 2. Take note and carefully consider the recommendations made by Overview and Scrutiny when it reports back on the review, already in the Workplan, of the Big Ashfield Spring Clean 2018.*
- 3. Put together a business case, that is fully costed, before committing to any more similar schemes in the future; learning lessons from the 2018 project.*
- 4. Continue this Council's fight for a cleaner District as a priority and to use every power we have to catch, prosecute and publicise the fly-tippers who spoil our environment."*

The meeting was adjourned at 8.40 p.m. to enable Members to consider the amendment. The meeting reconvened at 8.45 p.m.

(At this point in the proceedings and in accordance with Council Procedure Rule 23.1, it was moved and seconded that the conclusion of business be extended to 9.30 p.m. Having been put to the vote it was duly carried.)

Having debated the amendment, it was put to the vote and duly carried.

The meeting was again adjourned at 9.05 p.m., reconvened at 9.09 p.m. and following further debate the substantive motion was then put to the vote and it was

RESOLVED

that the Council agrees to:

- a) fully evaluate the programme run in 2018, as promised;
- b) take note and carefully consider the recommendations made by Overview and Scrutiny when it reports back on the review, already in the Workplan, of the Big Ashfield Spring Clean 2018;
- c) put together a business case, that is fully costed, before committing to any more similar schemes in the future; learning lessons from the 2018 project;
- d) continue this Council's fight for a cleaner District as a priority and to use every power we have to catch, prosecute and publicise the fly-tippers who spoil our environment.

(During consideration of this motion, Councillor Rachel Madden left the room at 8.49 p.m. and returned to the meeting at 8.51 p.m. Councillor Kevin Rostance also left the room during the adjournment and returned to the meeting at 8.46 p.m.)

#### **C.43 Report on Urgent Key Decision**

The Leader of the Council advised as follows:-

*“In accordance with Rule 17.2 of the Access to Information Procedure Rules it is necessary for me to inform the Council when an executive decision has been taken pursuant to Rule 16 (Special Urgency Provisions.)*

*I can inform the Council that one such decision has been taken by me as a matter of urgency recently.*

*The decision related to the potential disposal or revised lease of a commercial investment property. The decision was key and contained exempt information but the full 28 days’ notice could not be given due to the need to proceed with the transaction without delay.*

*The Rule 16 Notice and the non-exempt elements of the decision have been published.”*

#### **C.44 Recommendations from the Cabinet and the Council's Committees**

In accordance with the Council Procedure Rule 2(ix), Council considered two recommendations from the following:-

Minute No. CA.31  
Cabinet – 10<sup>th</sup> September, 2018  
Flexible Use of Capital Receipts Strategy

RESOLVED

that the Flexible Use of Capital Receipts Strategy, as presented, be approved.

Minute No. CA.38  
Cabinet – 1<sup>st</sup> October, 2018  
Local Government Reorganisation

RESOLVED

that the Council formally supports the Cabinet’s position in opposing Nottinghamshire County Council’s proposals for a Local Government Reorganisation including a Unitary Council for Nottinghamshire.

#### **C.45 Notice of Motion 1**

The Council received a notice of motion moved by Councillor Cheryl Butler and seconded by Councillor Keir Morrison as follows:-

*“Ashfield District Council resolves to:*

- *Oppose the Leader of Nottinghamshire County Council's plan to abolish Ashfield District Council in order to replace it with a single unitary council for Nottinghamshire.*

- *Condemn the Conservative Leader of Nottinghamshire County Council for failing to consult the residents and businesses of Ashfield and Nottinghamshire on their views about the future shape of local government in our area. This shows contempt for the residents and businesses we serve.*
- *Call on the Leader of Nottinghamshire County Council to re-engage with leaders of all councils and opposition groups in Nottingham and Nottinghamshire, working constructively, transparently and in a manner of mutual respect - so that we can work collectively on the issues facing the residents and businesses we serve.*
- *Call on the Leader of Nottinghamshire County Council to spend her time strongly lobbying the Conservative Government for sustainable and fair funding for Ashfield and Nottinghamshire rather than wasting time on attempting to unilaterally redraw the boundaries of local government in Nottinghamshire.*
- *Agree to write to the Secretary of State for Local Government stating our opposition to the Leader of Nottinghamshire County Council's plan to abolish all districts and boroughs in Nottinghamshire and replace them with a single unitary council and to highlight the complete lack of any credible business case for such a move."*

Councillor Jason Zadrozny moved an amendment to the motion, seconded by Councillor Cathy Mason, in the following terms:-

*"Ashfield District Council resolves to:*

- *Oppose the Leader of Nottinghamshire County Council's plan to abolish Ashfield District Council in order to replace it with single tier councils for Nottinghamshire.*
- *Express strong disapproval of the Conservative Leader of Nottinghamshire County Council for failing to genuinely consult the stakeholders, residents and businesses of Ashfield and Nottinghamshire on their views about the future shape of local government in our area. This shows contempt for the residents and businesses we serve.*
- *Call on the Leader of Nottinghamshire County Council to re-engage with leaders of all councils and opposition groups in Nottingham and Nottinghamshire, working constructively, transparently and in a manner of mutual respect - so that we can work collectively on the issues facing the residents and businesses we serve.*
- *Agree that this Council believes that one of the biggest decisions made about the future of Local Government in our County since 1974 should be made by the residents – not politicians. To this end, this Council will set up a cross party group to determine the best form of public consultation to be taken, and bring a future report to council to discuss.*

- *Call on the Leader of Nottinghamshire County Council to join Ashfield and other local authorities and national organisations such as the LGA, District Councils Network and the County Councils Network in strongly lobbying the Government for sustainable and fair funding for Ashfield and Nottinghamshire rather than wasting time on attempting to unilaterally redraw the boundaries of local government in Nottinghamshire.*
- *Agree to write to the Rt. Hon. James Brokenshire MP, Secretary of State for Housing, Communities and Local Government formally stating this Council's opposition to the Leader of Nottinghamshire County Council's plan to abolish all districts and boroughs in Nottinghamshire and replace them with single tier councils and to highlight the complete lack of any credible business case for such a move."*

Having considered the suggested amendment, Councillors Cheryl Butler and Keir Morrison, as the mover and seconder of the motion, duly agreed to the change of wording.

Having been fully considered, the substantive motion was then put to the vote and it was

#### RESOLVED

that Ashfield District Council agrees to:

- a) oppose the Leader of Nottinghamshire County Council's plan to abolish Ashfield District Council in order to replace it with single tier councils for Nottinghamshire;
- b) express strong disapproval of the Conservative Leader of Nottinghamshire County Council for failing to genuinely consult the stakeholders, residents and businesses of Ashfield and Nottinghamshire on their views about the future shape of local government in our area showing contempt for the residents and businesses we serve;
- c) call on the Leader of Nottinghamshire County Council to re-engage with leaders of all councils and opposition groups in Nottingham and Nottinghamshire, working constructively, transparently and in a manner of mutual respect - so that we can work collectively on the issues facing the residents and businesses we serve;
- d) agree that this Council believes that one of the biggest decisions made about the future of Local Government in our County since 1974 should be made by the residents, not politicians and to this end, this Council will set up a cross party group to determine the best form of public consultation to be taken and bring a future report to Council to discuss;

- e) call on the Leader of Nottinghamshire County Council to join Ashfield and other local authorities and national organisations such as the LGA, District Councils Network and the County Councils Network in strongly lobbying the Government for sustainable and fair funding for Ashfield and Nottinghamshire rather than wasting time on attempting to unilaterally redraw the boundaries of local government in Nottinghamshire;
- f) agree to write to the Rt. Hon. James Brokenshire MP, Secretary of State for Housing, Communities and Local Government formally stating this Council's opposition to the Leader of Nottinghamshire County Council's plan to abolish all districts and boroughs in Nottinghamshire and replace them with single tier councils and to highlight the complete lack of any credible business case for such a move.

#### **C.46 Notice of Motion 2**

Councillor Jason Zadrozny advised that he wished to withdraw the motion as printed.

#### **C.47 Questions received in accordance with Council Procedure Rule 13**

In accordance with Council Procedure Rule 13, the following question was submitted:-

##### Question 1

From Councillor Lee Anderson:

*“Residents in the New Cross area feel let down by ADC. With all the recent problems such as anti-social behaviour, drug dealing and hostile behaviour residents have raised serious concerns about the number of HMO’s that are opening in the area. Could the council leader please explain what steps can be taken to ensure that the increasing amount of HMO’s is controlled in the future?”*

Councillor Jason Zadrozny, Leader of the Council, responded as follows:-

*“It gives me the opportunity to speak about the great and positive work we’re doing in Sutton and in general across the New Cross area to fill the void left by the current incumbents. I’ll answer your questions in turn.*

*Firstly, let me say at the outset anti-social behaviour, drug dealing, hostile behaviour is not acceptable and we’re determined to root it out, not only in Sutton but across the District. We much prefer to work pro-actively with people to change their behaviour but when we do that it obviously doesn’t make the news but we will take strong enforcement action where necessary.*

*We do this through our teams and with our relationships with the Department of Work and Pensions and the Crime Commissioner and as you know we’ve employed four more Community Protection Officers. I think you are up to*

*speed with everything we've done with public space protection orders and everything else and I'll give you the answer that I've written out.*

*However, I think the more important question is about the Houses in Multiple Occupation where we have done some work. Mandatory licensing of HMO's has become a legal requirement since the Housing Act in 2004 but under the original regulations a HMO would need to be licensed only if it had three storeys or more or five persons or more.*

*We only think there are three of which are in the New Cross area. However, new regulations that are enforceable, that we've taken through Cabinet, mean that all HMO's to include all properties occupied by five persons or more will now have to be licensed. This regulation relates to all buildings not just those of three storeys and the extended regulations apply to flats when they're being built as well.*

*We estimate that there are now two hundred properties within the District that will need the new licence that we will grant and we think there are around ten in the New Cross area. HMO's in themselves are not the problem although I'm aware of particular areas where they are a concern. These are being tackled by a range of services working together. The issue is with the people there and the way the people choose to behave. We prefer to see buildings brought back into productive use and to work with landlords and tenants.*

*We are running out of time Councillor Anderson so I'll give you a comprehensive answer about the work we've had to pick up in writing."*

The meeting closed at 9.30 pm

Chairman.