

## COUNCIL

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

on Monday, 16th September, 2024 at 7.00 pm

**Present:** Councillor Paul Grafton in the Chair;

Councillors Jamie Bell, Jodine Cronshaw, Samantha Deakin, Anna Ellis, Dale Grounds, Oliver Hay, Vicki Heslop, Tom Hollis, Christopher Huskinson, Dawn Justice, Sarah Lewsey, Trevor Locke, Rachel Madden, Sarah Madigan, Gordon Mann, Cathy Mason, Andy Meakin, Warren Nuttall, Dave Shaw, John Smallridge, Helen-Ann Smith, David Walters, Lee Waters, John Wilmott and Jason Zadrozny.

**Apologies for Absence:** Councillors Kier Barsby, Will Bostock, Ian Briggs, Andy Gascoyne, Julie Gregory, Arnie Hankin, Nicholas Parvin, Matthew Relf and Phil Rostance.

**Officers Present:** John Bennett, Craig Bonar, Lynn Cain, Sarah Curtiss, Ruth Dennis, Joanne Froggatt, Theresa Hodgkinson, Peter Hudson, Mike Joy and Shane Wright.

### **C.16 Declarations of Disclosable Pecuniary or Personal Interests and/or Non-Registrable Interests**

The Council's Executive Director of Governance (and Monitoring Officer) declared an interest on behalf of herself and the Chief Executive in relation to agenda item 8c. (Appointment of Electoral Registration Officer and Returning Officer). There interests were such that they advised they would be leaving the room for the duration of the discussion on the matter.

### **C.17 Minutes**

RESOLVED

that the minutes of the meeting of the Council held on 30 May 2024, as now submitted, be received and approved.

## **C.18 Announcements from the Chairman, Leader, Members of the Cabinet and the Head of Paid Service**

### Chief Executive

The Chief Executive, on behalf of herself and the Leader, expressed her pride at the reported outcomes from the recent Corporate Peer Challenge undertaken by the Local Government Association (LGA). Following a rigorous three day review which included participation by many Members and officers, a peer report had been received which praised the strong services delivered by the Council and the effective leadership which continued to underpin the success.

### Leader of the Council

The Leader firstly wished the Chairman, Councillor Arnie Hankin, a speedy recovery from his recent illness and then advised the Chamber in respect of some ongoing work that the Council's legal team were undertaking regarding the regulation of the Council's charitable land. Following completion of the work and should any land exchanges be required as a result of such regulation; the public would be duly consulted prior to any decisions being made.

He then went onto echo the sentiments of the Chief Executive in respect of the excellent outcomes following the Corporate Peer Challenge. Lastly, he advised the Chamber that he had recently fulfilled a lifelong wish to have a book of poems published and any proceeds from the sale of the book would be donated to the Chairman's chosen charities.

## **C.19 Presentation of Awards**

The Chairman took the opportunity to celebrate and commend individuals and teams that had been awarded or shortlisted for special recognition, as follows:

- Raj Gaware – Winner of the Royal Town Planning Institute- Young Planner of the Year
- Amy Fines – Winner of the Great Vision Awards 2024- Overcoming Challenges Award
- Tanya Stirland – Winner of the Woman of the Future - Women in Housing Awards (Housing Heroes Awards)
- Nottinghamshire (Ashfield District Council) – Winner of the Sustainable Food Place Bronze Award
- Hucknall Leisure Centre - Midlands Regional Centre of the Year- Shortlisted for the UKActive Awards 2024
- Seven Green Flag Awards - Brierley Forest, in Huthwaite; The Lawn and Kings Mill Reservoir, in Sutton in Ashfield; Kingsway Park and Portland Park, in Kirkby in Ashfield; Selston Country Park, and Titchfield Park, in Hucknall

- Merchant Navy - Presented to the Chief Executive of Ashfield District Council and the Chairman, in appreciation of all of the continued support that the Council gives to the Merchant Navy Association Mansfield and Ashfield Branch.

## **C.20 Questions from the Public**

No questions were received for consideration.

## **C.21 Petitions**

No petitions were received for consideration.

## **C.22 Report on an Urgent Key Decision**

In accordance with Rule 17.2 of the Access to Information Procedure Rules, the Leader informed Council of an executive decision that had been taken pursuant to Rule 16 (Special Urgency Provisions.)

The decision related to the appointment of an installation contractor following receipt of Retrofit Funding (Devolution Deal) to ensure that installation works commenced without undue delay.

The decision was key and the full 28 days' notice could not be given. The Rule 16 Notice and the decision document were duly published on the Council's website.

## **C.23 Approval for Absence Exceeding Six Months - Councillor Will Bostock**

Council was requested to approve the continuation of Councillor Will Bostock's absence from meetings due to an ongoing illness.

RESOLVED that

- a) the absence of Councillor Will Bostock, due to illness, be approved by the Council for the purposes of Section 85 of the Local Government Act 1972, and that Councillor Bostock's continued absence from meetings of the Authority be extended for a period of approximately 6 months until 15 April 2024 (effective from the 15 October 2024);
- b) the Council's best wishes be forwarded onto Councillor Bostock.

## **C.24 Appointment of Electoral Registration Officer and Returning Officer**

Approval was sought to make permanent appointments to the positions of Electoral Registration Officer, Returning Officer and Deputy Electoral Registration Officers following temporary arrangements put in place for the Parliamentary General Election 2024.

(The Council's Chief Executive and Executive Director for Governance (and Monitoring Officer), had previously declared interests in respect of this item. Their interests were such that they left the room and took no part in the ensuing discussions regarding the matter.)

RESOLVED that

- a) with effect from 16 September 2024, Ruth Dennis, Executive Director - Governance be appointed:
  - as the Electoral Registration Officer (ERO) for the Council pursuant to Section 8(2)(a) of the Representation of the People Act 1983;
  - as the Returning Officer (RO) pursuant to Section 35(1) of the Representation of the People Act 1983 with authority to act in that capacity for elections to the Council and all or any Parish Councils within the Council's administrative area; and
  - to act in respect of all related electoral, poll or referendum duties, including elections to the County Council and for national and regional polls or referenda;
- b) with effect from 16 September 2024, Theresa Hodgkinson, Chief Executive, be appointed as Deputy Electoral Registration Officer pursuant to Section 52(2) of the 1983 Act;
- c) the following officers be authorised to act as Deputy Electoral Registration Officers for the purpose of signing Temporary Voter Authority Certificates, in addition to the Statutory Electoral Registration Officer (Ruth Dennis) and Deputy Electoral Registration Officer (Theresa Hodgkinson);
  - Michael Joy, Assistant Director – Democracy
  - Ian Dobson, Electoral Services (AEA) Consultant
  - Carla Benedetti, Electoral Services Officer
  - Louise Ellis, Assistant Director – Legal;
- d) in relation to the duties of Returning Officer (RO), or any other electoral referendum or polling duties arising from such appointment, the Returning Officer (RO) shall:
  - be entitled to be remunerated in accordance with the scale of fees approved from time to time in respect of the District, Parish and Nottinghamshire County Council for local elections; and
  - be entitled to be remunerated in accordance with the relevant scale of fees prescribed by a Fees Order in respect of national or regional elections, polls or referenda; and
  - in all cases where it is a legal requirement or normal practice to do so, fees paid to the Returning Officer (RO) shall be superannuable and the Council shall pay the appropriate employer's contribution to the superannuation fund, recovering such employer's contributions from Central Government or other local authorities or agencies where this can be done;

e) in relation to the conduct of local authority elections and polls, and elections to the United Kingdom Parliament, and all other electoral duties where the Council is entitled by law to do so, the Council shall take out, and maintain in force, insurance indemnifying the Council and the Returning Officer (RO) against:

- legal expenses reasonably incurred in connection with the defence of any proceedings brought against the Council, or the Returning Officer (RO); and/or
- the cost of holding another election in the event of the original election being declared invalid; provided that such proceedings or invalidation are the result of the accidental contravention of the Representation of the People Acts, or other legislation governing the electoral process, or accidental breach of any ministerial, or other duty, by the Returning Officer (RO), or any other person employed by, or officially acting for her in connection with the election or poll);

Also, that, in the event of such insurance carrying an 'excess' clause by which an initial portion of risk is not insured, the Council, through its internal insurance fund or otherwise, will indemnify the Returning Officer (RO) up to the value of such excess.

#### **C.25 Polling Places Post Elections Review**

Following a review by the Polling Places Review Working Group, Council was requested to approve a public consultation exercise in respect of amendments to polling places, as outlined in the report.

RESOLVED that

- a) the information contained in the report, be received and noted;
- b) a public consultation exercise be approved to commence on 30 September 2024 and conclude on the 28 October 2024, in respect of Polling Station SKG3 moving from the Bridge Baptist Church to the Fox and Crown Public House.

#### **C.26 Recommendations from the Cabinet and the Council's Committees**

Council was requested to consider and approve three recommendations from Cabinet and one from the Chief Officers' Employment Committee.

Minute No. CA.17

Cabinet – 16 September 2024

Draft Financial Outturn 2023/24 for General Fund, Housing Revenue Account (HRA) And Capital Programme

RESOLVED

that approval be given to carry forward the £16.784m underspend on the Capital Programme to 2024/25 due to slippage (delays to schemes) included in the approved Programme as outlined in Section 4 of the Cabinet report.

Minute No. CA.18  
Cabinet – 16 September 2024  
2024/25 Forecast Outturn for General Fund, Housing Revenue Account (HRA)  
and Capital Programme as at July 2024

RESOLVED

that the amendments and the addition of new schemes to the Capital Programme 2024/25 to 2028/29 and the funding of the Capital Programme as set out in Section 6 and Appendix 3 of the Cabinet report, be approved.

Minute No. CA.20  
Cabinet – 16 September 2024  
Public Spaces Protection Order 2024 Extension and Variation (Post  
Consultation)

RESOLVED

that approval be given to extend and vary the existing Public Spaces Protection Order 2021' and for the 'Public Spaces Protection Order 2024' (refer to draft order) to come into force on 1st October 2024 for a period of 3 years.

Minute No. CO.4  
Chief Officers' Employment Committee – 15 July 2024  
Arrangements for the Appointment of the Corporate Finance Director and  
Chief Finance Officer (S151)

RESOLVED that

- a) with effect from 7 October 2024, Andrew Page, Financial Services Manager be appointed as the Interim Chief Finance Officer (S151) to Council until the commencement of the permanent Corporate Resources Director / Chief Finance Officer (S151);
- b) Peter Holland be appointed to the permanent role of Corporate Resources Director / Chief Finance Officer (S151), subject to satisfactory completion of pre-employment checks, with the commencement date to be agree with the Head of Paid Service.

(At this point in the proceedings, Members took the opportunity to wish Pete Hudson, the Council's Corporate Resources Director and S151 Officer, best wishes in his retirement. He would be leaving the authority on 7 October 2024 and many Members spoke of his excellence and outstanding contribution and commitment towards his role, the Council and the people of Ashfield.)

**C.27 Updates from Members of the Cabinet on their Portfolio Activity**

The following Cabinet Members gave updates in relation to their portfolio activity:

Councillor Rachel Madden – Executive Lead Member for Finance, Revenues and Benefits

Councillor Chris Huskinson – Executive Lead Member for Leisure, Health and Wellbeing

Councillor John Wilmott – Executive Lead Member for Community Safety and Crime Reduction

Councillor Samantha Deakin - Executive Lead Member for Customer and Digital Experience.

## **C.28 Notice of Motion**

The Council received a notice of motion moved by Councillor Vicki Heslop and seconded by Councillor Samantha Deakin as follows:-

*“Across England and Wales each year, swathes of goldfish are sadly left hanging in unsuitable plastic bags at fairgrounds and fetes. Many of them are won by children or their parents, who are unprepared to take on a pet. This sadly means that many goldfish do not receive the right care and attention resulting in neglect.*

*Giving pets as prizes sadly does not only effect goldfish but other animals as well.*

*This Council:*

- *Is concerned about the number of cases reported to the RSPCA each year, regarding pets given as prizes.*
- *Is concerned for the welfare of those animals given as prizes*
- *Recognises many cases of pets being given as prizes may go unreported each year*
- *Supports a move to ban the giving of live animals as prizes, in any form, on Ashfield Council land.*

*This Council resolves to:*

- *Ban the outright giving of live animals as prizes, in any form on Ashfield Council land.*
- *Ask the Leader and CEO to write to the Government, urging an outright ban on giving of live animals as prizes on both public and private land as supported by the RSPCA campaign.”*

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

RESOLVED

that this Council agrees to:

- a) ban the outright giving of live animals as prizes, in any form on Ashfield Council land;

- b) ask the Leader and CEO to write to the Government, urging an outright ban on giving of live animals as prizes on both public and private land as supported by the RSPCA campaign.

**C.29 Questions received in accordance with Council Procedure Rule 13**

No questions were received from Members.

**C.30 Questions received in accordance with Council Procedure Rule 13.2 - In relation to Cabinet and Committee Meeting Minutes published since the last ordinary meeting of the Council**

No questions were received from Members.

The meeting closed at 8.55 pm

Chairman.