

COUNCIL

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

on Thursday, 29th September, 2022 at 7.00 pm

Present: Councillor David Walters in the Chair;

Councillors Chris Baron, Kier Barsby, Jamie Bell, Will Bostock, Christian Chapman, Melanie Darrington, Samantha Deakin, Andy Gascoyne, Dale Grounds, Arnie Hankin, David Hennigan, Trevor Locke, Rachel Madden, Sarah Madigan, David Martin, Andy Meakin, Lauren Mitchell, Keir Morrison, Warren Nuttall, Matthew Relf, Kevin Rostance, Phil Rostance, Dave Shaw, John Smallridge, Helen-Ann Smith, Lee Waters, Caroline Wilkinson, Daniel Williamson, John Wilmott and Jason Zadrozny.

Apologies for Absence: Councillors John Baird and Andrew Harding.

Officers Present: Lynn Cain, Ruth Dennis, Theresa Hodgkinson, Peter Hudson, Mike Joy, Chris Stephenson and Shane Wright.

C.28 Declarations of Disclosable Pecuniary or Personal Interests and/or Non-Registrable Interests

No declarations of interest were made.

C.29 Minutes

RESOLVED

that the minutes of the meeting of the Council held on 7 July 2022, as now submitted, be received and approved.

(Following consideration of the minutes, all present at the meeting observed a minutes silence in honour of the passing of former Councillors Jim Blagden and Ken Creed and Her Majesty Queen Elizabeth II.)

C.30 Announcements from the Chairman, Leader, Members of the Cabinet and the Head of Paid Service

Executive Lead Member for Licensing, Environmental Health and Regulatory Services

Councillor John Wilmott took the opportunity to pay tribute to former Councillor Jim Blagden and spoke about his unwavering commitment to the Council and the people of Hucknall.

Leader of the Council

Councillor Jason Zadrozny firstly commended the Council for the work it had undertaken following the death of Her Majesty Queen Elizabeth II and spoke about the list of duties, visits and events that had been undertaken. He sincerely hoped that the Council had played its part and provided a befitting tribute.

Secondly, a further tribute was given to former Councillor Jim Blagden and his outstanding contribution to the Council and the Ashfield District. Councillor Zadrozny spoke of Jim's love for his family, his paintings, his work for St. John's Ambulance service and the people of Hucknall. Former Councillor Jim Blagden had died after a very brave fight with leukaemia.

The following Councillors also paid tribute to former Councillors Blagden and Creed:

David Hennigan
Chris Baron
Sarah Madigan
Lee Waters
Trevor Locke
David Martin.

C.31 Questions from the Public

No questions were received for consideration.

C.32 Petitions

No petitions were received for consideration.

C.33 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 Carbon Saving Works to Council Assets with the project requiring formalisation to secure resources and commence as quickly as possible to meet the timescale for completion of March 2023.

The decision was key and contained exempt information and the full 28 days' notice could not be given. The Rule 16 Notice and the non-exempt elements of the decision were duly published on the Council's website.

C.34 Devolution Deal for Derby, Derbyshire, Nottingham and Nottinghamshire

Council was updated on the progress of the Derby, Derbyshire, Nottingham and Nottinghamshire Devolution programme.

RESOLVED

that the following be received and noted:

- a) the progress to date on the devolution and joint working programme, including the announcement of a 'level 3' deal offer from Government on 30 August 2022;
- b) the requirement for a formal public consultation process scheduled to take place over winter 2022;
- c) the proposed formation of an East Midlands Mayoral Combined County Authority with a new elected mayor, with elections expected to take place in Spring 2024.

(During consideration of this item, Councillor Matthew Relf entered the meeting at 7.45pm and Councillor Dale Grounds left the meeting at 7.57pm.)

C.35 Polling Places Review

Council was presented with proposals for revised polling places and consequential boundary changes following the conclusions of the Polling Places Review Working Group. The draft changes had already been subject to a consultation exercise following approval by Council on 7 July 2022.

Members were requested to note an error on pages 37 and 38 of the report and the following correction:

- Sutton Road,
- (207-215) The Avenue *to read.....*

- Sutton Road (207-215)
- The Avenue.

RESOLVED that

- a) the changes detailed in Table 1 of the report, as presented, be approved;
- b) the consequential boundary changes in Table 1 of the report, be duly noted;
- c) should a polling place be unavailable in the run up to an election, delegated authority be granted to the (Acting) Returning Officer to select an appropriate alternative with formal retrospective approval being sought by Council following the election, should this be a permanent proposed change;

- d) it be noted that the approved changes will take effect on 30 September 2022.

C.36 Changes to Committees, Panels and Outside Bodies

Council was requested to consider changes to Committee memberships and two outside bodies following the sad passing of former Councillor Jim Blagden and further vacancies arising on seats assigned to the non-aligned independents.

RESOLVED that

- a) the overall allocation of seats by group as detailed in Table A, be noted;
- b) the allocation of seats on Committees detailed in Table B, be also noted;
- c) the following appointments be made to vacancies on the undermentioned Committees:

Committee:	Member:
Overview and Scrutiny Committee	Cllr. Trevor Locke
Scrutiny Panel A	Cllr. Trevor Locke
Scrutiny Panel B	Cllr. Warren Nuttall
Licensing Committee	Cllr. Andy Meakin
Audit Committee	Cllr. Jamie Bell
Charities Committee	Cllr. Andy Meakin
Chief Officers' Employment Committee	Cllr. Keir Morrison
Standards and Personnel Appeals Committee	Cllr. Jamie Bell

- d) it be noted that non-aligned vacancies remain on Scrutiny Panel B, Licensing Committee and Standards and Personnel Appeals Committee;
- e) Councillor Dave Shaw be appointed as the Council's representative on the Byron Charity – Hucknall for the term ending 31 May 2024;
- f) Councillor Lee Waters be appointed as the Council's representative on the Hucknall Relief in Need Charity for the term ending 31 November 2024.

C.37 Annual Scrutiny Report 2022

The Chairman of the Overview and Scrutiny Committee, Councillor Kier Barsby, presented the Annual Scrutiny Report for 2022.

RESOLVED

that the work undertaken by scrutiny as detailed within the Annual Scrutiny Report for 2022, as presented, be received and noted.

C.38 Recommendations from the Cabinet and the Council's Committees

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

It was noted by Council that the recommendation outlined in respect of the Leisure Transformation Programme report had been included in error and was in fact an additional recommendation that formed part of the Funding Update report to Cabinet on 27 September 2022.

Minute No. CA.16

Cabinet, 19 July 2022

Draft Financial Outturn 2021/22 for General Fund, Housing Revenue Account (HRA) and Capital Programme

RESOLVED

that the carry-forward of the £14.567m underspend on the Capital Programme to 2022/23 due to slippage (delays to schemes) included in the approved Programme (Section 5), be approved.

Minute No. L.3

Licensing Committee, 27 July 2022

Consideration of Variation to Hackney Carriage Tariffs

RESOLVED

that having received no valid consultation responses during the agreed 14-day consultation process, the new set of Hackney Carriage Tariffs, as appended to the Licensing Committee report, be formally adopted.

Minute No. CA.25

Cabinet, 27 September 2022

Funding Update

RESOLVED that

- a) subject to Department for Levelling Up, Housing and Communities (DLUHC) approval, the amendment of the Capital Programme values for the two Future High Streets Fund schemes as outlined in the Cabinet report, be approved;
- b) subject to DLUHC's approval of the Investment Plan, the UKSPF funding of £3.192m, noting the indicative revenue/capital split, be accepted and approval be given for the Corporate Finance Manager, with DLUHC approval, to vary the revenue/capital split for the purpose of updating the Capital Programme;
- c) with regard to Safer Streets 4 Funding; to approve the addition of £81k to the Capital Programme and to allow for the Corporate Finance Manager and the Executive Lead Member for Community Safety and Crime Reduction to have the potential to increase the Safer Streets Capital Scheme funding. This is to enable funding to be switched from the revenue allocation to deliver further capital elements should the need arise. This would only be actioned following agreement with the funding provider for the use of the funding. This would reduce the amount added to the revenue budget in 2022/23;
- d) on DLUHC approval of all future Towns Fund business cases, delegated authority be granted to the Executive Lead Member for Finance, Revenues

and Benefits and the Corporate Finance Manager to immediately add the schemes and their associated funding to the Capital Programme to avoid project delays, noting that full due diligence will be undertaken prior to progression through the various RIBA stages of each of the projects.

Minute No. CA.26

Cabinet, 27 September 2022

2022/23 Forecast Outturn for General Fund, Housing Revenue Account (HRA) and Capital Programme as at July 2022

RESOLVED

that the amendments and the addition of new schemes to the Capital Programme 2022/23 to 2026/27 and the funding of the Capital Programme as set out in Section 7 and Appendix 3 of the Cabinet report, be approved.

C.39 Updates from Members of the Cabinet on their Portfolio Activity

No Cabinet Member updates were received.

(At this point in the proceedings and in accordance with Council Procedure Rule 4 [Order of Business], the Chairman advised that he would be considering the third Notice of Motion, moved by Councillor Daniel Williamson and seconded by Councillor Helen-Ann Smith, first. Members concurred with this course of action.)

C.40 Notice of Motion 1 (formerly No. 3)

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

Motion 3

To consider a notice of motion proposed by Councillor Daniel Williamson and seconded by Councillor Helen-Ann Smith, as follows:-

“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” and
“New legislation should be passed which broadens corporate parenting responsibilities across a wider set of public bodies and organisations.”*

On Protected Characteristics for Care Experience – (Care Review May 2022)

“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 should 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.”

Care Review May 2022

Ashfield District Council notes that

1. *District councils in England must publish information about services which it offers that may assist care leavers in, or in preparing for adulthood and independent living. (Children and Social Work Act 2017 Section 2 (1) (a))*
2. *For the purposes of Section 2 (1) (a) of the Children and Social Work Act 2017. The services that may assist care leavers in, or in preparing for, adulthood and independent living include services relating to;*
 - (a) *health and well-being;*
 - (b) *relationships;*
 - (c) *education and training;*
 - (d) *employment;*
 - (e) *accommodation;*
 - (f) *participation in society.*
3. *On Corporate Parenting Principals Ashfield District Council accepts that it is a relevant local authority in England by virtue of the Children and Social Work Act 2017 Section 1 (3) (b) and in carrying out functions in relation to the children and young people who are care leavers as defined at paragraph 4 of this motion must have regard to the need;*

- (a) *to act in the best interests, and promote the physical and mental health and well-being, of those children and young people;*
 - (b) *to encourage those children and young people to express their views, wishes and feelings;*
 - (c) *to take into account the views, wishes and feelings of those children and young people;*
 - (d) *to help those children and young people gain access to, and make the best use of, services provided by the local authority and its relevant partners;*
 - (e) *to promote high aspirations, and seek to secure the best outcomes, for those children and young people;*
 - (f) *for those children and young people to be safe, and for stability in their home lives, relationships and education or work;*
 - (g) *to prepare those children and young people for adulthood and independent living.*
4. *Children and care leavers relevant for the purposes of the Children and Social Work Act 2017 Section 1 (2) (a) (b) and (c) are;*
- (a) *children who are looked after by a local authority, within the meaning given by section 22(1) of the Children Act 1989;*
 - (b) *relevant children within the meaning given by section 23A(2) of that Act;*
 - (c) *persons aged under 25 who are former relevant children within the meaning given by section 23C(1) of that Act.*
5. *Ashfield 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.*
6. *Ashfield District Council believes that*
- (a) *Care experienced people face significant barriers that impact them throughout their lives;*
 - (b) *Despite the resilience of many care experienced people, society too often does not take their needs into account;*
 - (c) *Care experienced people often face discrimination and stigma across housing, health, education, relationships employment and in the criminal justice system;*
 - (d) *Care experienced people often face a postcode lottery of support;*
 - (e) *As corporate parents, councillors in a district council have a collective responsibility for providing the best possible support and safeguarding for the children who are looked after by a local authority and who are leaving the care system;*
 - (f) *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;*

- (g) *Councillors should be champions of our looked after children and care leavers and challenge the negative attitudes and prejudice that exists in all aspects of society;*
- (h) *The Public Sector Equality Duty requires public bodies, such as councils, to eliminate unlawful discrimination, harassment, and victimisation of people with protected characteristics;*

Ashfield District Council is proud that

7. *It published the first joint Local Offer in England in partnership with Mansfield District Council, Bassetlaw District Council, Rushcliffe District Council, Newark and Sherwood District Council, Rushcliffe Borough Council, Gedling Borough Council and Broxtowe Borough Council and;*
- (a) *That the council tax exemption policy for care leavers across our district and all other districts of Nottinghamshire provides equality of opportunity because it includes care leavers that may have moved into our districts from other Local Authority Areas.*
 - (b) *That our district and all other districts of Nottinghamshire has a free leisure centre membership offer for all Care Leavers up to the age of 25*
 - (c) *It is a signatory to the Nottinghamshire Looked After Children and Care Leavers Partnership Strategy 2022-2025.*

Ashfield District Council Resolves to.

8. *That when making any decisions in relation to its policies or formulating its Council plan that it recognises that care experienced people are an oppressed group who face discrimination;*
9. *That it recognises that Councils have a duty to put the needs of oppressed people at the heart of decision-making through co-production and collaboration;*
10. *That it Includes people with care experience within the Council's Equality Impact Assessment process as a voluntary addition to the 9 protected characteristics.*
11. *That in the delivery of the Public Sector Equality Duty the Council includes care experience in the publication and review of Equality Objectives and the annual publication of information relating to people who share a Protected Characteristic in services and employment in so far as available data allows for meaningful monitoring.*
12. *To formally call upon all other bodies to treat care experience as a protected characteristic until such time as it may be introduced by legislation.*
13. *To formally call upon all other bodies to adopt the corporate parenting principal until such time as it may be introduced by legislation.*
14. *For the council to proactively seek out and listen to the voices of care experienced people when developing new policies based on their views.*

15. *That in accordance with the Care Leavers Agreement across Nottinghamshire this council aims to remove the Local Connection area test for Care Leavers as defined at paragraph 4 of this motion*
16. *That where a care leaver is found intentionally homeless consideration of additional priority will be given through the Housing Register to ensure suitable accommodation can be secured.*
17. *For this council to increase participation in democracy for Care leavers of all ages by inviting them to attend to give their views and experiences at relevant scrutiny committees.”*

Councillor Jason Zadrozny submitted an amendment to the wording of paragraphs 12 and 13 of the motion and asked Councillors Williamson and Smith, as mover and seconder of the motion, to incorporate them into the original motion. Both agreed to this course of action.

Paragraphs 12 and 13 with amendments:

12. *To formally **adopt and** call upon all other bodies to treat care experience as a protected characteristic until such time as it may be introduced by legislation.*
13. *To formally **adopt and** call upon all other bodies to adopt the corporate parenting principals **for children in care and care leavers** until such time as it may be introduced by legislation.*

During consideration of the motion, the Chairman introduced Terry Galloway who had been instrumental in developing the motion put before Members at the meeting, aimed at raising awareness and support for local care leavers. Mr. Galloway, a Director of Norman Galloway Homes had also been the founder of the Care Leaver Local Offer, which endeavoured to create systemic change and provide a platform for all those interested in getting things improved for children in care and care leavers.

Mr. Galloway addressed the meeting and spoke about his time in care, the difficulties he experienced and his hope for change and improvement for care leavers in the future.

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

RESOLVED that

- a) when making any decisions in relation to policies or formulating its plans, the Council recognises that care experienced people are an oppressed group who face discrimination;
- b) the Council recognises that it has a duty to put the needs of oppressed people at the heart of decision-making through co-production and collaboration;

- c) people with care experience are included within the Council's equality impact assessment process as a voluntary addition to the 9 protected characteristics;
- d) in the delivery of the Public Sector Equality Duty, the Council includes care experience in the publication and review of equality objectives and the annual publication of information relating to people who share a protected characteristic in services and employment in so far as available data allows for meaningful monitoring;
- e) it be agreed to formally adopt and call upon all other bodies to treat care experience as a protected characteristic until such time as it may be introduced by legislation;
- f) it be agreed to formally adopt and call upon all other bodies to adopt the corporate parenting principals for children in care and care leavers until such time as it may be introduced by legislation;
- g) the Council will proactively seek out and listen to the voices of care experienced people when developing new policies based on their views;
- h) in accordance with the Care Leavers' Agreement across Nottinghamshire, the Council aims to remove the local connection area test for care leavers as defined at paragraph 4 of the motion;
- i) where a care leaver is found intentionally homeless, consideration of additional priority will be given through the Housing Register to ensure suitable accommodation can be secured;
- j) the Council agrees to increase participation in democracy for care leavers of all ages by inviting them to attend to give their views and experiences at relevant scrutiny committees.

(During consideration of the motion, Councillor Melanie Darrington left the meeting at 8.40pm.)

C.41 Notice of Motion 2

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

“Ashfield District Council welcomes the recommendation of Nottingham Fire and Rescue Authority that will lead to the “Conversion of Ashfield (Fire Station) from one day shift crewing and one On-call appliance to one wholetime and one On-call appliance.”

This Council notes the announcement by Councillor Jason Zadrozny, Chairman of the authority's community safety committee on April 29th 2022 of a full-scale assessment of resources across Nottinghamshire's fire station network, with the review also assessing whether each station has sufficient equipment to serve their communities.

This Council acknowledges the role of the Ashfield Independents who have been campaigning relentlessly since 2018 to ensure the people of Ashfield have a fully staffed, 24 hour Fire Station.

Ashfield District Council believes that this decision will save lives and therefore instructs the Leader and Chief Executive of Ashfield District Council to write to the Nottinghamshire and City of Nottingham Fire and Rescue Authority formally asking for this decision to be implemented as soon as practically possible.”

Having presented the motion, the mover Councillor Zadrozny (and again seconded by Councillor Relf), advised that he wished to amend his motion following a recent decision by the Fire Authority, as follows:

*“Ashfield District Council welcomes the recommendation of Nottinghamshire Fire and Rescue Authority that will **could** lead to the “Conversion of Ashfield (Fire Station) from one day shift crewing and one On-call appliance to one wholetime and one On-call appliance.”*

This Council notes the announcement by Councillor Jason Zadrozny, chairman of the authority’s community safety committee on April 29th 2022 of a full-scale assessment of resources across Nottinghamshire’s fire station network, with the review also assessing whether each station has sufficient equipment to serve their communities.

This Council acknowledges the Public Consultation “Fire Cover in Nottinghamshire” which is launched on Friday, 27th September and will formally take part - citing Ashfield District Council’s firm opinion that Ashfield Fire Station, based on Kirkby Road should be fully staffed, 24 hours a day. Ashfield District Council will also do everything within its power to encourage Ashfield residents to back the recommendations of the Fire Authority.

This Council acknowledges the role of the Ashfield Independents who have been campaigning relentlessly since 2018 to ensure the people of Ashfield have a fully staffed, 24 hour Fire Station.

*Ashfield District Council believes that this decision will save lives and therefore instructs the Leader and Chief Executive of Ashfield District Council to write to the Nottinghamshire and City of Nottingham Fire and Rescue Authority formally **stating the case for a 24 hour station based in Kirkby and** asking for this decision to be implemented as soon as practically possible.*

Councillor Keir Morrison then requested a further amendment to either remove paragraph 4 of the motion or add reference to the Labour Group into the narrative as follows:

*“This Council acknowledges the role of the Ashfield Independents **and the Labour Party** who have been campaigning relentlessly since 2018 to ensure the people of Ashfield have a fully staffed, 24 hour Fire Station.*

Having considered the request, the mover and seconder of the motion agreed to add reference to the Labour Party into paragraph 4 of the motion narrative.

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

RESOLVED

that Ashfield District Council believes that a decision to ensure Ashfield Fire Station is fully staffed 24 hours a day will save lives, and therefore instructs the Leader and Chief Executive of Ashfield District Council to write to the Nottinghamshire and City of Nottingham Fire and Rescue Authority formally stating the case for a 24 hour station based in Kirkby and asking for this decision to be implemented as soon as practically possible.

(During consideration of this motion, Councillor Sarah Madigan left the meeting at 8.55pm.)

C.42 Notice of Motion 3 (formerly No. 1)

Due to the lateness of hour and in accordance with Council Procedure Rule 23.1, the notice of motion, as moved by Councillor Rachel Madden and seconded by Councillor David Martin, stood adjourned to be considered at the next available meeting of the Council.

The meeting closed at 9.00 pm

Chairman.