

# **BROXTOWE BOROUGH COUNCIL**

## **COUNCIL MEETING**

**19 DECEMBER 2018**

Present: Councillor D A Burnett BEM, Mayor

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

Also in attendance: W Mee, Youth Mayor and F Hussain, Deputy Youth Mayor

Apologies for absence were received from Councillors M Handley, J W Handley, S Kerry, H G Khaled MBE, K E Rigby and A W G A Stockwell.

57. **DECLARATIONS OF INTEREST**

There were no declarations of interest.

58. **MINUTES**

The minutes of the meetings held on 17 October and 21 November 2018 were confirmed and signed as a correct record.

59. **MAYOR'S ANNOUNCEMENTS**

The Mayor gave a résumé of his engagements since the last Council meeting, which included his attendance at numerous engagements and a variety of fundraising events.

60. YOUTH MAYOR'S REPORT ON BROXTOWE YOUTH VOICE ACTIVITIES

The Youth Mayor, Will Mee, updated the meeting on the work of Broxtowe Youth Voice and his attendance at various events such as remembrance parades and the switch-on Christmas lights.

61. PRESENTATION OF PETITIONS

No petitions were presented.

62. LEADER'S REPORT

The Leader presented his report and stated that the part 2 Local Plan Examination Hearing sessions took place over two weeks from 4 December and finished on 13 December 2018.

He stated that despite the pressure applied by many in the development industry the Inspector appeared to accept the point made by the Council that the sites put forward in the Plan did meet the overall housing requirements, both in terms of overall numbers and the distribution as set out in the Core Strategy. It is also an endorsement of the extensive preparation work that went into the Plan that the majority of town and parish councils and neighbourhood forums who are in the process of preparing their own neighbourhood plans, were broadly in support of the approach the Council is taking with the Part 2 Local Plan. Many of them appeared at the examination hearing sessions and for two of the largest and complex sites, Chetwynd and Toton, the Chetwynd Neighbourhood Forum were supportive of the approach taken and the Leader thanked them and others for their support. The final stage, on the basis of receiving an Inspector's report recommending adoption of the Plan, was to prepare a report for Full Council to enable the Plan to be adopted. This was likely to be after the local elections in May.

Further progress had been made on the redevelopment of the Beeston Town Centre site and the Leader had visited two of the three Cinema operators who were interested in coming to Beeston and negotiations were at an advanced stage.

A new house-building delivery plan was presented to the Housing Committee which sets out an ambitious new programme of house building through the Council's Housing Revenue Account, due to the government's relaxations on the debt cap, existing available revenue within the HRA and capital receipts from right to buy sales. The recent Housing and Finance Committees had approved the building of two new dementia friendly bungalows on the old market site on Willoughby Street. Beeston. Other opportunities for similar developments were being looked for.

It was reported at 31 March 2018 the general fund reserves were £6.044 million compared to £4.338 million at 31 March 2015. This reflected a great team effort in managing financial resources efficiently and effectively and delivering the Council's corporate priorities.

(Councillor R S Robinson left the meeting following the item thereon.)

63. PUBLIC QUESTIONS

63.1 The following question was submitted by Lewis Bryan for the Chair of the Community Safety Committee:

"Myself and my partner witnessed an increased number of anti-social behaviour incidents by young people during the start of the new academic year. In one recent incident my female partner witnessed three young men urinating outside the entrance to our apartment complex.

What actions have and will Broxtowe Borough Council take to ensure young new arrivals into the area respect the community they live, study and work within?"

The Chair of the Community Safety Committee responded that there were over 60,000 students studying at further education establishments in the Greater Nottingham area. While the majority of these lived in Nottingham City, some lived in the surrounding boroughs, including Broxtowe.

Broxtowe Borough Council recognised that a large percentage of these students were young people who were living away from parental controls for the first time in their lives and this could, in some cases, lead to a reduction in social responsibility and respect for their community. While this may have been understandable, it was clearly not acceptable. Anti-social behaviour could take many forms including noise from dwellings, noise in the street, as well as behaviour brought about by consumption of excess alcohol.

The Council had powers to deal directly with some anti-social behaviour (for example noise from dwellings), but also worked with a number of partners to try and minimise other aspects of such behaviour and increase respect amongst the student population for the communities in which they lived. The role of the universities themselves and Nottinghamshire Police were much bigger in this regard than that of the Council.

The Communities Team of the Public Protection Division was co-located with Nottinghamshire Police in Beeston. This enabled both organisations to work very closely on a range of issues, including dealing with anti-social behaviour. Officers from the police attended Freshers' Week to deliver advice and information and represent both teams at this event.

Every student at Nottingham Universities signed up to the Student Charter. These had been developed and agreed in partnership with the Students' Union. They sought to describe the environment, relationships and mutual expectations which underpinned the student experience at the University of Nottingham and Nottingham Trent University. They also contained a Code of Discipline (Nottingham University) and Code of Behaviour (Nottingham Trent). The purpose of these was to ensure that good standards of communal life were maintained. Both set out that students were expected to adhere to the regulations, procedures and policies of the University, to show respect for the persons within, and for the property of, the University and the wider community. Where the University believed that the behaviour of a student fell below the expected standards, the procedures in the Codes could be instigated. The Codes extended to alleged misconduct by a student occurring on or off University premises and where the affected party was the University itself, a member of the community, or a visitor.

Ultimately, legal sanctions for anti-social behaviour could be applied against individuals, but as with any offence, this relied on evidence and perpetrators being identified. However, the Council and other partners would seek to advise and change behaviours in the first instance, with the ultimate aim of producing a community where all could enjoy their own lifestyle without causing alarm or distress to others.

63.2 The following question was submitted by Lyn Harley for the Chair of the Jobs and Economy Committee:

“The village of Trowell has been subjected to odours, dust, noise and excessive HGV traffic for many years from Quarry Hill Industrial Estate, the latest application which was passed by Derby County Council allows a waste recycling company to operate within a building from 04.00 until 23.00 Monday to Friday, 04.00 to 19.00 Saturdays, Sundays & Bank Holidays, with extended operations on all other parts of the site from 07.00 to 19.00 Monday to Friday and 07.00 to 13.00 Saturday to 06.00 to 19.00 six days a week. Broxtowe Borough Council or Trowell Parish Council were not consulted. This site is about 750 metres from Trowell when are BBC going to act on behalf of the residents of Trowell to mitigate the damage being done to their health, environment and living conditions.”

The Chair of the Jobs and Economy Committee responded that the licence for this activity was issued by Derbyshire County Council. This Council intended to write to Derbyshire County Council to ask, on behalf of residents of Trowell, that Derbyshire County Council take the necessary steps available to minimise disturbance to nearby residents as a result of this activity and also to ensure that the impacts on Trowell residents were taken fully into account when this licence became necessary for renewal.

63.3 The following question was submitted by Don Pringle for the Chair of the Jobs and Economy Committee:

“In July 2025 HS2 Limited will commence work in close proximity to Trowell on 6 Construction Compounds, Building the Viaduct, Realigning the M1, building a bridge over Stapleford Road (A6007), commence major earth moving operations between Trowell garden Centre and the M1, commencing major earthworks on Trowell Moor, closing 7 footpaths permanently, followed by a bridge over Nottingham Road (A609) in mid-2026. This work will be completed between 2027 and 2031. How do Broxtowe Borough Council (BCC) plan to get HS2 Ltd to mitigate the damage about to be inflicted on the residents of Trowell, and will this be addressed if and when BCC respond to the Consultation ending at 23.45 on the 21<sup>st</sup> of December. Trowell Residents need to be able to travel to work, take children to and from school, enjoy a social life and shop for food during this period of construction.”

The Chair responded that the Council’s Jobs and Economy Committee considered this matter at its meeting on 17 December and the Council would be writing to HS2 to ask that the negative impacts of the construction work were minimised and also that unavoidable effects were mitigated as fully as possible. A number of points were discussed at the Committee meeting, including the need to ask that all construction traffic for the station utilised the new access road to the station, therefore keeping disturbance to a minimum to surrounding communities. Additionally, that there must be access maintained on both sides of the railway line to Stapleford and Sandiacre during construction, that the loss of the local nature reserve at Toton was avoided, that

the Greenwood Community Centre was not demolished, other demolitions were kept to the minimum that was necessary and that bridge arrangements over existing roads were fit for purpose during construction work.

- 63.4 The following question was submitted by Debby Pitchfork for the Leader of the Council:

“The report of the Interim Monitoring Officer lists a number of procedures that should be put in place for future sales of council-owned assets, implying that no such protections were previously in place. Moreover, the council has not produced any clear criteria that were used for determining the selection of land for sale and the order in which it was sold. To what extent do you feel that the move to sell off council-owned garage sites without criteria for site selection and clear protections in place contribute to the Redwood Crescent situation and the council's breach of its legal responsibilities?”

The Leader responded that following the incident a new policy had been developed and adopted, which set out a clearer framework for decision making relating to surplus assets. It was not wrong to sell-off assets such as garage sites which were under-utilised, unoccupied, redundant or unproductive, as long as all the appropriate formalities and safeguards were complied with. The Leader stated that he was satisfied that lessons had been learnt from the experience of what happened at Redwood Crescent.

- 63.5 The following question was submitted by David Johnson for the Leader of the Council:

“No background papers are provided with the Interim Monitoring Officer's report. When might we expect papers upon which the officer based his report to be released?”

The Leader responded that the material relied on by the Interim Monitoring Officer was exempt and so not listed on the report. In response to Freedom of Information requests the Council had already released as much background material as it could legally produce without prejudicing proceedings which had recently concluded or which may be anticipated in the future.

- 63.6 The following question was submitted by Graham Lockwood for the Chair of the Jobs and Economy Committee:

“I understand that at last week's full Council meeting of Erewash Borough Council on 13<sup>th</sup> December, where their HS2 mitigation plans were hotly debated, it was surprising to hear them declare that tunnelling under our joint areas had been turned down twice. However, when questioned at their last road show HS2 Ltd stated they had never been formally asked to consider a tunnelling option. In our previous question this evening you heard what will happen to Trowell, Broxtowe (Trowell and Stapleford) and Erewash (particularly Long Eaton) will be the most affected areas in The East Midlands, why do you not both combine and jointly petition HS2 Ltd to properly cost the tunnel option, making sure that is measured against the cost/effect 6 years of major construction will have on the business and public economy in Nottinghamshire and Derbyshire.”

The Chair of the Jobs and Economy Committee responded that Broxtowe was a member of the HS2 Mitigation Board which had commissioned work to investigate the

potential for a tunnel to minimise the impact on residents and businesses in Broxtowe. It was understood that the work would be very costly, but the Council could include a response to the current consultation that HS2 fully investigate this option as part of their ongoing mitigation work.

63.7 The following question was submitted by Kath Johnson for the Leader of the Council:

“The Interim Monitoring Officer's report states that the council were legally bound by the option agreement. However, given that concerns were raised with the Council months before the sale went through, what attempts, if any, were made to negotiate the matter with the purchaser?”

The Leader responded that there was no evidence of attempts to negotiate a buy-back of the land from the Developer. Given the Developer's wish and steadfast intent to develop the land for modular housing development it seemed highly unlikely that this would have been a course of action that would have been possible without incurring additional costs.

63.8 The following question was submitted by Robert Pitchfork for the Leader of the Council:

“Prior to the September 2017 Planning Committee, residents and developers had agreed to a process of mediation run through the council's own mediation service. Without notifying residents, this process was cancelled shortly before the committee and the developers agreed with the Chief Executive that there would be just one meeting, of which residents received very short notice. Upon speaking to the Chief Executive, I was told that there was no other option and that this was the only meeting that would happen. At the meeting with the developers, we were told by them, in front of several witnesses, that if they did not get planning permission at the September 2017 Planning Committee, they would have to pull out. This would have offered a way out of the option agreement for the council. On this basis, to what extent does the council leadership feel responsible for the sale and all of the difficulties that followed?”

The Leader responded that the questioner posed a hypothetical situation regarding what might have occurred if the Developer had taken a certain course of action. It would not have been helpful for him to speculate on what might have happened in those circumstances, although he had ensured that the full facts on what actually did occur or did not occur, which were known, had been made public as soon as this had been practically possible to share the information.

63.9 The following question was submitted by Lindsay Clay for the Leader of the Council:

“The report states that the sale price of £60,000 for Redwood Crescent was considered to be within a range of value in all the circumstances and so a definitive judgement about whether the best consideration was obtained for the land could not be made. However, this value range covers the land if it had planning permission and if it did not. The value given for the land without planning permission was £30,000; the value with planning permission was £120,000. The trigger for the option agreement was that the developer would have to get planning permission. In that context, surely the accepted price of £60,000 was far below what might have been obtained if the sale of the land was advertised and a range of potential bidders approached?”

The Leader responded that it was difficult to speculate about what might have been the outcome if different choices had been made. If more units of accommodation had been permitted to be built on the land, a higher price might have been obtainable, however this would not have been in accordance with the preferences of local residents.

63.10 The following question was submitted by Kris Poole for the Leader of the Council:

“The Interim Monitoring Officer’s report states that the only record of approaches to developers other than Precision Homes about the sale of land at Redwood Crescent is a statement made by a council officer. This same officer could not name any such companies and has since been dismissed for their actions. In the absence of any corroborating evidence, is the Leader of the Council therefore willing to accept that Precision Homes was the only company approached, or is this a matter that residents will need to refer to the Information Commissioner and Local Government Ombudsman?”

The Leader responded that the position was as outlined in the report to Council. He further stated that he was not aware of any additional information to that which had been stated in the report. He was satisfied that there had been a proper process of holding to account for what had occurred, and had made a public apology on behalf of the Council for what had gone wrong which he repeated in response to the question.

#### 64. MEMBERS’ QUESTIONS

64.1 The following question had been submitted by Councillor R D MacRae for the Leader of the Council:

“As you know both Councillor John McGrath and myself have asked several times if we can restart the Stapleford Working Group. We have been told this is not going to happen but told there will be a meeting with ALL Ward Councillors to discuss matters relating to Stapleford. My question is when will this meeting take place?”

The Leader responded that there was an intention to circulate potential dates to ward councillors in early January with a view to holding the meeting in late January or early February.

64.2 The following question had been submitted by Councillor J W McGrath for the Chair of the Housing Committee:

“Councillor Kerry, at the last Housing Committee meeting, it was announced that we as a Council intend to build 230 affordable houses, can we have a breakdown of how we are going to achieve this?”

The Chair responded that members of the Housing, Finance and Resources and Policy and Performance Committees would know that there were plans to build two new dementia friendly bungalows in Willoughby Street, Beeston. These would be delivered through the Capital Works Team. Proposals would be presented to the next Policy and Performance Committee to augment the Capital Works Team to build more capacity to increase delivery of social affordable and intermediate housing schemes to meet the target set by the Housing Committee.

The Chief Executive and Deputy Chief Executive were having systematic meetings with a range of registered social housing providers to explore potential partnership relationships and a sequential plan was being drawn up to ensure that best use was made of all existing assets. A meeting was planned for 9 January at which this plan, which would align with the recent social and affordable needs study, would be discussed, with a view to bringing it before the first available committee for approval.

64.3 The following question had been submitted by Councillor S A Bagshaw for the Chair of the Finance and Resources Committee:

“Would the Chair of the Finance and Resources Committee outline details of the risks associated with the roll out of Universal Credit across the Borough? At the recent Housing Performance Group it was said that up to 29% of all rental income was at risk of not being collected. Would the Chair of the Finance and Resources Committee give the total amount in figures of the rental actually at risk and what measures are being implemented to reduce the risk to the Council’s finances?”

The Chair of the Finance and Resources Committee stated that the Council had known the timetable for the implementation of Universal Credit and officers had drawn up comprehensive arrangements to mitigate its effects on both recipients and this Council.

There were two major challenges to the roll-out. Firstly, the transition period from the old to the new systems of operation. The government had made changes and these had gone some way to mitigate issues. The second major change concerned payment of housing rents. Previously for clients on housing benefit, payments were made directly to the landlord. This aspect of the policy was flawed; it would inevitably lead some clients who had chaotic financial planning lifestyles into serious debt. However, this was government policy and the Council had to deal with the consequences.

The Council had been working with Mobyssoft Housing Intelligence in respect of identifying the potential impact of Universal Credit. Mobyssoft were market leaders in respect of housing intelligence software and had helped the Council identify the maximum exposure to be 29% of its current rental charge, equating to £4.5m in financial terms. This figure was the total amount that the Council was likely to have to collect directly from tenants, whereas now they received directly from Housing Benefit. Of those who do transition over to Universal Credit, there would be a significant amount that would continue to pay their rent using the housing element they received from Universal Credit. In line with this transition, the Council were setting up direct debits for rent payments, which were anticipated to be live by February 2019. This additional payment method would help those who were able to manage their finances ensuring payments were prompt and controlled.

In addition to the above, on 4 December 2018 the Housing Committee agreed the restructure of the Rents Team. This restructure was put in place to mitigate the impact of Universal Credit and transition to the Housing Department. The new structure created an Income and Housing Manager as well as three additional Income Collection Officers. The role of these individuals would be to ensure robust processes and timely recovery action was taken, whilst working with tenants to explain their obligations and relevant payment methods available.

The Rents Team will be utilising the Rents Sense software, provided by Mobyssoft, which will enable the team to prioritise the high risk tenancies and address relevant



early intervention as well as providing relevant timely support for those experiencing difficulties maintaining their tenancy and finances.

There was an awareness of the issue and it was believed that the Council had taken the necessary steps to mitigate the effect of the revised payment scheme on the Housing Revenue Account.

A supplementary question was submitted by Councillor Bagshaw which queried whether the risk of non-collection could be a contributing factor on the usage of food parcels.

The Chair of the Finance and Resources Committee responded that the Council had worked with the voluntary sector and people were in place. The Council was doing the best it could and would continue to work with tenants.

64.4 The following question had been submitted by Councillor G Marshall for the Chair of the Jobs and Economy Committee:

“Approximately how many businesses in Broxtowe are registered and how many of these businesses employ people on temporary, short term or zero hours contracts?”

The Chair of the Jobs and Economy Committee stated that there were currently 3,310 registered businesses in the Borough. These could be split in to business size based on employee numbers:

- Micro (0 to 9) - 2,975
- Small (10 to 49) - 275
- Medium (50 to 249) - 40
- Large (250+) - 20

There was no information on the contracts companies offer out, and this information is unobtainable as it is usually commercially sensitive.

A supplementary question was submitted by Councillor Marshall which queried whether benefit receivers are in-work recipients and how fluctuating incomes would be mitigated of those receiving benefits.

The Chair of the Jobs and Economy Committee responded that the Council would be sympathetic to people’s cases and the situation would be mitigated when the information was received.

64.5 The following question has been submitted by Councillor M Radulovic MBE for the Leader of the Council:

“Is the Leader of the Council now in a position to say that the external investigation in relation to senior members of staff has been concluded? And is he now in a position to state what the total was of all costs associated with the external investigation as a whole sum”.

The Leader responded that the external investigation in relation to senior members of staff had been concluded. The total associated external investigation costs stood at £206,900, of which 75% would be met by the HRA and 25% by the General Fund.

A supplementary question was submitted by Councillor Radulovic which asked if the figure was actually closer to £600,000 when considering the cost of pay-outs and temporary staff?

The Leader responded that if the chosen course had not been followed and by not employing temporary staff the cost to the Council would have been far greater.

65. MEMBERS' SPEECHES ON WARD ISSUES

Councillor P J Owen provided an update on issues relating to Nuthall East and Strelley which included information concerning Severn Trent Water in relation to Gloucester Avenue.

Councillor J Doddy provided an update on issues relating to Bramcote which included information concerning embedding health issues into planning consultations.

66. QUESTIONS ON OUTSIDE BODIES

There were no questions on Outside Bodies.

67. APPOINTMENTS TO COMMITTEES AND WORKING GROUPS

There were no amendments to the Committees and Working Groups.

68. REFERENCES

68.1 STATEMENT OF PRINCIPLES – GAMBLING ACT 2005

Alcohol and Entertainments Licensing Committee  
11 September 2018

The Alcohol and Entertainments Committee had been advised of the consultation on the Council's draft revised Gambling Act 2005 Statement of Principles for 2019-2021.

**RESOLVED that the Statement of Licensing Policy be approved for adoption for publication by 3 January 2019 and implementation on 31 January 2019.**

68.2 REVIEW OF STATEMENT OF LICENSING POLICY

Alcohol and Entertainments Licensing Committee  
11 September 2018

The Alcohol and Entertainments Committee had been advised of the consultation on the Council's draft revised Licensing Act 2003 Statement of Licensing Policy for 2019-2024.

**RESOLVED that the Statement of Licensing Policy be approved for publication by 7 January 2019 and implementation on 7 January 2019.**

68.3 BOARD OF DIRECTORS  
Liberty Leisure Ltd Board Meeting  
14 November 2018

Council noted the resignation of Andrea Stone from the Board of Directors of Liberty Leisure Ltd.

**RESOLVED that as Mr E Czerniak no longer represents the organisation from which he was appointed he should be removed from the Board of Directors of Liberty Leisure Ltd.**

68.4 REVIEW OF POLLING DISTRICTS AND PAGES POLLING PLACES  
Governance, Audit and Standards Committee  
3 December 2018

Members considered the issues arising from the review of polling districts and polling places. A minor amendment was noted in relation to the name of a polling place.

**RESOLVED that:**

- 1. The proposed changes to the polling district boundaries between GRE2 and GRE3 and KIM4 and KIM5 respectively as set out in appendix 1 be approved.**
- 2. That polling places for the Broxtowe Parliamentary Constituency and the part of the Ashfield Constituency within the Broxtowe Borough area be designated as set out in appendix 2.**
- 3. That authority be delegated to the (Acting) Returning Officer to make any changes necessary to polling stations at short notice before an election, with any permanent changes being approved by Full Council.**

69. PROGRAMME OF MEETINGS

Members considered the proposed programme and were informed that in accordance with the Member Development Charter criteria the programme took account of cultural and faith commitments and had been composed so as to avoid collision with any significant dates.

**RESOLVED that the Programme of Meetings for May 2019 to April 2020, as set out in the appendix, be approved.**

70. NOTTINGHAMSHIRE ECONOMIC PROSPERITY COMMITTEE – CHANGES TO THE TERMS OF REFERENCE

At its meeting on 7 January 2014 Cabinet agreed to the establishment of a joint committee of local authorities in the City of Nottingham and Nottinghamshire to drive future investment in growth and jobs within their areas. Members considered amendments to the Nottinghamshire Economic Prosperity Committee terms of reference.

**RESOLVED that:**

- 1. The amended terms of reference for the Economic Prosperity Committee be approved.**
- 2. The Council's Constitution be amended accordingly.**

71. GOVERNANCE ISSUES ARISING FROM THE SALE OF LAND AT REDWOOD CRESCENT

Members considered a report which concerned several governance issues arising from the way Council officers had handled the sale of land at Redwood Crescent. The sale of land and garages at Redwood Crescent in Beeston, and the subsequent difficulties with the small housing development there had been the subject of much local controversy and media attention.

The report considered issues arising under the legal framework governing the Council's power to dispose of land (section 123 of the Local Government Act 1972); issues arising under the legal framework for Assets of Community Value; and issues arising under the law, guidance and local constitutional provisions concerning Freedom of Information Act requests. The following points were amongst those raised:

- There was confidence that the Council was well placed to ensure that there was no repeat of these issues.
- Corporate governance was lacking through the process. Poor practice should have been stopped sooner and it was a failure of all involved with the Council.
- The tenacity and vigilance of the residents should be noted. The report was welcome but there were still unanswered questions. Recommendation 4 should be strengthened and it was queried whether there was a structure in place for dealing with Assets of Community Value under Recommendation 8. It was further queried what action was taken when it was realised that responses to Freedom of Information requests had been fabricated.
- There was a worry whether other items would now come to light.
- It was not right that Council amenities were being sold. The environment was being destroyed.
- The reason that officers responsible have left the authority was due to a lack of professionalism. The Council had to make decisions based on flawed advice and protocol. When the professionalism of officers is lacking then all members are vulnerable. The Council had been let down by some senior officers and there was now a need to move forward with new staff.

The Leader of the Council apologised for the circumstances that were set out in the report and assured members and residents that all necessary actions would be taken to solve current problems and prevent similar issues arising in future on other sites.

**RESOLVED that:**

1. **That the report be noted and the Chief Executive be requested to implement the following recommendations.**
2. **That when considering sites for disposal, a site visit is carried out by a professional valuer and a record, including photographic, be taken of the land and any buildings and other characteristics including the use actually being made of it.**
3. **That ward councillors be advised when any site in their ward is being considered for inclusion in a list of sites for potential disposal.**
4. **That, before disposing of land, other than under short-term let or licence, the Council take professional valuation advice, which should be made independent of the purchaser.**
5. **That the Council introduce procedures to ensure that its duties under section 123 of the Local Government Act 1972 are complied with, including:**

- (a) provision for not disposing of the freehold of any site without the approval of the Chief Executive, in consultation with the Chair of the appropriate committee, unless individual authority for the disposal had already been given by Council or under the delegated authority of a committee;
  - (b) provision for ensuring that there is effective market testing, using template practices, in the interests of achieving best consideration for a site;
  - (c) advertising any land which may be considered to be open space, with a default assumption of advertisement where there is any doubt as to whether a site consists of, or includes, open space.
6. That where a site is sold for housing purposes, any intended limitations on user to encourage affordable housing provision by the purchaser, which may have discounted its open market value, must be reflected in contractual commitments by the purchaser which will run with the title to the land.
  7. That, for sales (other than sales at auction) of sites for housing purposes at any discounted value, the ability of the purchaser to develop the site is tested, by way of references from other local authorities, prior to the Council entering into any legal commitment.
  8. That any notice received for or on behalf of a vendor or purchaser of an Asset of Community Value claiming to be a relevant disposal or otherwise requesting that the asset should be de-listed must be subject to full examination, including, where necessary, inquiries of HM Land Registry, to confirm the claimed transaction will have, or has had, the claimed effect, before any such asset is de-listed.
  9. That officers be reminded of their personal accountability in relation to the accuracy of any information supplied in response to any Freedom of Information or Environmental Information Regulations requests, with standard form internal electronic documentation being prepared or amended to clearly emphasise the seriousness within which any deliberately false, reckless or negligently prepared information will be treated.

72. VOTER ID PILOT - MODEL

At the meeting of the Governance, Audit and Standards Committee on 24 September 2018 the application to take part in the voter ID pilots next year was approved on the basis of photographic ID. Confirmation of the model to be adopted for the voter ID pilot in May 2019 was sought. It was suggested the electorate would need to be reassured that they would not be disenfranchised and it would be beneficial to gain experience by being part of the pilot. However, it was also suggested that a pilot would be costly and give rise to people feeling outside of the system.

**RESOLVED** that the mixed model, as included in the appendix to the report, be adopted for the voter ID pilot in May 2019.

73. URGENT ITEM: HS2 UPDATE

Members considered a report that was submitted to the Jobs and Economy Committee on 17 December 2018. HS2 had sought views on a Working Draft Environment Statement which attempted to identify the likely significant environmental

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effects likely to be caused by the construction and operation of the HS2 railway along the proposed route. As consultation on the draft statement was due to close on 21 December 2018 the Mayor declared that due to there being special circumstances the report would be considered as a matter of urgency under section 100B (4)(b) of the Local Government Act 1972. This would allow for all councillors to comment on the consultation. The following comments were agreed as the Council's response:

- The negative impacts of the construction work on HS2 are kept to a minimum.
- Where there are unavoidable effects that these are mitigated as fully as possible.
- All construction traffic for the station utilises the new access road to the station and not surrounding roads, keeping disturbance to a minimum to neighbouring communities.
- There must be access maintained on both sides of the railway line to Stapleford and Sandiacre during construction.
- The loss of the local nature reserve at Toton is avoided.
- The Greenwood Community Centre is not demolished.
- Other demolitions or land take are kept to the minimum that is necessary.
- Bridge arrangements over existing roads are fit for purpose during construction work.
- HS2 should more seriously consider a tunnelling option for the HS2 station, having regard to the potential economic impact and disruption to residents and businesses of the current proposal.

**RESOLVED that the amended points be submitted as the Council's response to the consultation.**

74. 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.**