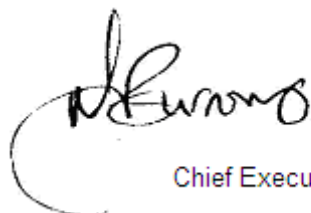


SUMMONS TO COUNCIL

date Thursday, 26 June 2014
commencing at 10:30

venue County Hall, West Bridgford,
Nottingham

You are hereby requested to attend the above Meeting to be held at the time/place and on the date mentioned above for the purpose of transacting the business on the Agenda as under.


Chief Executive

- | | | |
|-----------|--|---------|
| 1 | Minutes of the last meeting held on 15 May 2014 | 7 - 28 |
|
 | | |
| 2 | Apologies for Absence | |
|
 | | |
| 3 | Declarations of Interests by Members and Officers:- (see note below)
(a) Disclosable Pecuniary Interests
(b) Private Interests (pecuniary and non-pecuniary) | |
| 4 | Business outstanding from the previous meeting
Note - <i>The Chairman has agreed (under Standing Order 15) that the adjournment debate deferred from the previous meeting will be taken as part of item 13 later on the agenda</i> | |
| 5 | Chairman's Business
(a) Presentation of Awards/Certificates (if any) | |
| 6a | Presentation of Petitions (if any) (see note 5 below) | |
|
 | | |
| 6b | Petitions Responses Report - Transport and Highways Committee | 29 - 30 |
|
 | | |
| 7 | Questions
a) Questions to Nottinghamshire and City of Nottingham Fire Authority | |

b) Questions to Committee Chairmen

8	Clarification of Committee Meeting Minutes published since the last meeting	31 - 32
9	Management Accounts 2013-14	33 - 64
10	Rolls-Royce Site Hucknall	65 - 70
11	Adoption of Byelaws for Bestwood Country Park	71 - 80
12	NOTICE OF MOTION	

MOTION ONE

“On 16th September 2014, a group of mothers is setting off on a march from Jarrow to London to demand that the NHS remains in public hands and is run for the people – not for profit. On 27th and 28th August 2014, the People’s March for the NHS will be passing through towns in Nottinghamshire including Mansfield, Sutton in Ashfield and Hucknall.

The marchers hope to highlight the privatisation of the NHS which has seen profitable parts of the NHS transferred into private hands whilst leaving the public purse to carry the cost of expensive and complex operations.

This Council:-

- a) recognises the threat to our NHS from legislation including the Health and Social Care Act (2012) and the proposed Transatlantic Trade and Investment Partnership; both of which put profits before people;
- b) values the principle of our NHS to provide free, universal healthcare for all;
- c) supports the People’s March for the NHS along with its aims and intentions.”

Councillor Alice Grice

Councillor Joyce Bosnjak

MOTION TWO

"In view of the increased financial and performance monitoring responsibilities for health services afforded to Nottinghamshire County Council by Central Government, this Council:-

- (a) supports the demand made by members of the Public Health Committee in January 2014 for performance and quality data reports relating to Public Health contracts to include more clarity on performance and indications of trends;

(b) agrees that these steps towards better performance monitoring must continue, with clearer targets for Public Health service outcomes and regular reports to Full Council, in order to satisfy all Members that value is being achieved for the £36 million of public money being invested in Public Health in 2014/15;

(c) calls for a clearer definition of the new role and responsibilities of the Health Scrutiny and Joint Health Scrutiny Committees agreed at the May 2014 Council meeting, to clarify which committee will take the lead for which geographical area and scrutinise the performance of

i) Nottingham University Hospitals NHS Trust

ii) Sherwood Forest Hospitals NHS Trust

iii) GPs surgeries and

iv) other health-related bodies;

(d) calls for the size and membership of the Council's two health scrutiny committees to be reviewed and increased where necessary to reflect their greater roles and responsibilities.

Councillor Mrs Kay Cutts

Councillor Martin Suthers OBE

13 ADJOURNMENT DEBATE

From Councillor Reg Adair concerning Council Tax Rates (deferred from the Full Council meeting on 15th May 2014).

NOTES:-

(A) For Councillors

(1) Members will be informed of the date and time of their Group meeting for Council by their Group Researcher.

(2) The Chairman has agreed that the Council will adjourn for lunch at their discretion.

(3) (a) Persons making a declaration of interest should have regard to the Code of Conduct and the Procedure Rules for Meetings of the Full Council. Those declaring must indicate whether their interest is a disclosable pecuniary interest or a private interest and the reasons for the declaration.

(b) Any member or officer who declares a disclosable pecuniary interest in an item must withdraw from the meeting during discussion and voting upon it, unless a dispensation has been granted. Members or officers requiring clarification on whether to make a declaration of interest are invited to contact the Monitoring Officer or Democratic Services prior to the meeting.

(c) Declarations of interest will be recorded and included in the minutes of this meeting and it is therefore important that clear details are given by members

and others in turn, to enable the Team Manager, Democratic Services to record accurate information.

(4) Members are reminded that these papers may be recycled. Appropriate containers are located in the respective secretariats.

(5) Members are reminded that petitions can be presented from their seat with a 1 minute time limit set on introducing the petition.

(6) Commonly used points of order

32 – Supplementary Questions must be on the same matter

46 – The Member has spoken for more than 20 minutes

48 – The Member is not speaking to the subject under discussion

51 – The Member has already spoken on the motion

56 – Points of Order and Personal Explanations

75 – Disorderly conduct

(7) Time limit of speeches

Motions

46 – no longer than 20 minutes

Petitions

23 – up to one minute

Questions to committee Chairmen

28 – up to 60 minutes allowed

Adjournment Debates

70 – Mover has up to 5 minutes

71 – any other Councillor has up to 3 minutes

(B) For Members of the Public

(1) Members of the public wishing to inspect "Background Papers" referred to in the reports on the agenda or Schedule 12A of the Local Government Act should contact:

Customer Services Centre 0300 500 80 80.

(2) The papers enclosed with this agenda are available in large print if required. Copies can be requested by contacting the Customer Services Centre on 0300 500 80 80. Certain documents (for example appendices and plans to reports) may not be available electronically. Hard copies can be requested from the above contact.



Nottinghamshire County Council

Meeting COUNTY COUNCIL

Date Thursday, 15th May 2014 (10.30 am – 7.18 pm)

Membership

Persons absent are marked with 'A'

COUNCILLORS

John Allin (Chairman)

Pauline Allan (Vice-Chairman)

	Reg Adair	Darren Langton
	Roy Allan	Bruce Laughton
	Chris Barnfather	Keith Longdon
	Alan Bell	Rachel Madden
	Joyce Bosnjak	Diana Meale
	Nicki Brooks	John Ogle
	Andrew Brown	Philip Owen
	Richard Butler	Michael Payne
	Steve Calvert	John Peck JP
	Ian Campbell	Sheila Place
	Steve Carr	Liz Plant
	Steve Carroll	Darrell Pulk
	John Clarke	Alan Rhodes
A	John Cottee	Ken Rigby
	Jim Creamer	Tony Roberts MBE
	Mrs Kay Cutts MBE	Mrs Sue Saddington
	Maureen Dobson	Andy Sissons
	Dr John Doddy	Pam Skelding
	Boyd Elliott	Stella Smedley MBE JP
	Sybil Fielding	Martin Suthers OBE
	Kate Foale	Parry Tsimbirdis
	Stephen Garner	Gail Turner
	Glynn Gilfoyle	Keith Walker
	Kevin Greaves	Stuart Wallace
	Alice Grice	Muriel Weisz
	John Handley	Gordon Wheeler
	Colleen Harwood	John Wilkinson
	Stan Heptinstall MBE	Jacky Williams
	Tom Hollis	John Wilmott
	Richard Jackson	Yvonne Woodhead
	Roger Jackson	Liz Yates
	David Kirkham	Jason Zadrozny
	John Knight	

HONORARY ALDERMEN

Martin Brandon-Bravo OBE

OFFICERS IN ATTENDANCE

Mick Burrows	(Chief Executive)
Jayne Francis–Ward	(Policy, Planning and Corporate Services)
Chris Kenny	(Adult Social Care, Health & Public Protection)
Jon Wilson	(Adult Social Care, Health & Public Protection)
Anthony May	(Children, Families and Cultural Services)
Sara Allmond	(Policy, Planning and Corporate Services)
Carl Bilbey	(Policy, Planning and Corporate Services)
Martin Done	(Policy, Planning and Corporate Services)
Keith Ford	(Policy, Planning and Corporate Services)
Catherine Munro	(Policy, Planning and Corporate Services)
Paul Simpson	(Policy, Planning and Corporate Services)
Anna Vincent	(Policy, Planning and Corporate Services)
Michelle Welsh	(Policy, Planning and Corporate Services)

OPENING PRAYER

Upon the Council convening, prayers were led by the Chairman's Chaplain.

FORMER COUNTY COUNCILLOR BARRIE BOWKER

Members stood in silence in remembrance of former County Councillor Barrie Bowker.

CHANGE OF AGENDA ORDER

The Chairman agreed to change the agenda order to move the presentation of awards element of Chairman's Business to the start of the meeting, to enable him to have the honour of presenting the award before he passed the Chairmanship on, as he had been present at the award ceremony where the team won the award.

PRESENTATION OF AWARDS

Mansfield Bus Station – Presentation of RICS Award

Councillor Kevin Greaves introduced the award. The bus station was highly commended in the Infrastructure category of the Royal Institution of Chartered Surveyors (RICS) East Midlands Awards 2014 and was the overall winner in the Community Benefit category. As winner of this category, the building would now go on to represent the Region in the National Awards Finals in London in October. The Chairman received the award from Councillor Greaves and presented it to the members of staff who were present.

OUTGOING CHAIRMAN'S ADDRESS TO THE COUNCIL

John Allin, outgoing Chairman of the County Council, made a short address, during which he referred to the highlights of his year in office, in particular Armed Forces Week, the royal visits and the reception for the retired Gurkhas.

1. ELECTION OF CHAIRMAN

It was moved by Councillor Michael Payne and seconded by Councillor Mrs Kay Cutts and:-

RESOLVED: 2014/019

That Councillor Pauline Allan be elected Chairman of Nottinghamshire County Council, until the Annual Meeting 2015.

Arising from the above resolution, Councillor Allan made the prescribed Declaration of Acceptance of Office, was invested with the Chairman's Chain of Office and assumed the chair. Thereafter, Councillor Pauline Allan's portrait was unveiled by the Chief Executive.

INCOMING CHAIRMAN'S ADDRESS TO THE COUNCIL

Councillor Pauline Allan addressed the Council, thanking members for the opportunity to perform the civic role for the County Council. She indicated that her chosen charity was The Ear Foundation.

RETIRING CHAIRMAN AND VICE-CHAIRMAN VOTE OF THANKS

At the invitation of the newly elected Chairman, Councillor Joyce Bosnjak paid tribute to John Allin's contribution to Nottinghamshire Civic life, thanking him for his work as Chairman.

The motion was seconded by Councillor Darren Langton who articulated Member's appreciation and congratulations for his year of office.

RESOLVED:-2014/020

That the County Council's thanks for Councillor Allin's work as its Chairman during 2013-14 be recorded.

PAST CHAIRMAN'S BADGE OF OFFICE

Further to the above resolution, the Chairman of the County Council presented to Councillor Allin his Past Chairman's Badge of Office and acknowledged his work during the year.

2. ELECTION OF VICE-CHAIRMAN

The appointment of Councillor Sybil Fielding as Vice-Chairman was moved by Councillor Darrell Pulk and seconded by Councillor Keith Walker

RESOLVED:-2014/021

That Councillor Sybil Fielding be appointed Vice-Chairman of the Nottinghamshire County Council until the Annual Meeting 2015.

Arising from the above Resolution, Councillor Fielding made the prescribed Declaration of Acceptance of Office, was invested with the Vice-Chairman's chain and took her new place alongside the Chairman.

Councillor Fielding gave a short address to Council and thanked Members for appointing her as Vice-Chairman.

3. MINUTES

RESOLVED: 2014/022

That the Minutes of the last meeting of the County Council held on 27th March 2014 be agreed as a true record and signed by the Chairman.

4. APOLOGIES FOR ABSENCE

An apology for absence was received from:-

Councillor John Cottee (medical/illness)

5. DECLARATIONS OF INTEREST

There were no declarations of interest

6. RECOGNITION OF MEMBERS AND OFFICERS OF GROUPS

Councillor Steve Carroll introduced the report and moved a motion in terms of resolution 2014/023 below.

The motion was seconded by Councillor Nicki Brooks.

RESOLVED:-2014/023

- 1) That the membership of the political groups be noted.
- 2) That, in accordance with the Procedure Rules, the Officers of the Groups be recognised.

7. CHAIRMAN'S BUSINESS

Former County Councillor Barrie Bowker

The Chairman, Councillor Stella Smedley MBE JP, Councillor Parry Tsimbiridis, Councillor David Kirkham and Councillor Jim Creamer all spoke in memory of former County Councillor Barrie Bowker.

8. PETITIONS

(a) PRESENTATION OF PETITIONS

The following petitions were presented to the Chairman as indicated below:-

- (1) The Vice-Chairman regarding badger culling on County Council land
- (2) Councillor Keith Longdon regarding parking at Grosvenor Road/King Street in Eastwood
- (3) Councillor Steve Carr requesting reinstatement of the Motivator Bus
- (4) Councillor Richard Jackson regarding tram compensation
- (5) Councillor Dr John Doddy regarding tram compensation
- (6) Councillor Tom Hollis regarding traffic and highways issues in Huthwaite
- (7) Councillor John Ogle regarding parking issues on Eldon Street, Tuxford

Councillor Stella Smedley MBE JP left the meeting at 11.43am and returned at 2.11pm

RESOLVED: 2014/024

That the petition be referred to the appropriate Committee for consideration in accordance with the Procedure Rules, with a report being brought back to Council in due course

(b) PETITION RESPONSES

RESOLVED: 2014/25

That the contents and actions be noted in respect of petition responses agreed by the Transport and Highways Committee at its meeting be noted.

7. QUESTIONS

(a) QUESTIONS TO NOTTINGHAMSHIRE AND CITY OF NOTTINGHAM FIRE AUTHORITY

No questions were received

(b) QUESTIONS TO COMMITTEE CHAIRMEN

Five questions had been received as follows:-

- (1) from Councillor Jacky Williams about a pedestrian crossing on Hickings Lane, Stapleford (Councillor Kevin Greaves replied).
- (2) from Councillor Bruce Laughton regarding the speed limit on the A614 (Councillor Kevin Greaves replied).
- (3) from Councillor Reg Adair concerning Council Tax rates (Councillor David Kirkham replied).
- (4) from Councillor Mrs Kay Cutts MBE regarding 'School Keep Clear' markings (Councillor Kevin Greaves replied).
- (5) from Councillor Bruce Laughton concerning the 'Superfast' Broadband roll out (Councillor Diana Meale replied).

The full responses to these questions are set out in Appendix A to these Minutes

As far as question three was concerned, Councillor Reg Adair, having heard the response from Councillor Kirkham, indicated an intention to move the adjournment of the Council to enable the matter to be debated more fully.

10. CLARIFICATION OF MINUTES

The report provided Members with the opportunity to raise any matters of clarification in the Minutes of Committee meetings published since the last meeting.

The meeting was adjourned from 12.45 am to 2.00 pm after consideration of this item.

11. APPOINTMENT OF COMMITTEES

Councillor Steve Carroll introduced the report and moved a motion in terms of resolution 2014/026 below.

The motion was seconded by Councillor Nicki Brooks.

RESOLVED: 2014/026

- (a) that Rights of Way Committee be dissolved with immediate effect;

- (b) that the Council confirm the establishment of the following Committees and Sub-Committees of Council with their existing terms of reference and with the membership shown:-

<u>Meeting</u>	<u>Number of County Cllrs</u>	<u>Lab</u>	<u>Cons</u>	<u>Lib Dems</u>	<u>Indepe- ndent</u>	<u>Cllr Maureen Dobson</u>	<u>Other</u>
Adult Social Care and Health Committee	11	6	3	1	1		
Appeals Sub-Committee (pool)	11	6	3	1	1		
Audit Committee	9	5	3	1			
Children and Young People's Committee	11	6	3	2			4 non-voting co-optees
Conduct Committee	5	3	1	1			
Community Safety Committee	9	5	3	1			
Corporate Parenting Sub-Committee	9	5	3	1			
Culture Committee	11	6	3	1		1	
Economic Development Committee	9	5	3	1			2 non-voting co-optees
Environment and Sustainability Committee	9	5	3	1			
Finance and Property Committee	11	6	3	1	1		
Grant Aid Sub-Committee	7	4	2	1			
Greater Nottingham Light Rapid Transit Advisory Committee	5	3	1	1			5 City Councillors
Health Scrutiny Committee	6	3	2	1			4 District Council members
Joint Committee on Strategic Planning & Transport	4	2	1	1			4 City Councillors
Joint City/Council Health Scrutiny Committee	8	4	3	1			8 City Councillors
Health and Wellbeing Board	5	3	1	1			19 (see recommendation c)
Local Joint Resolutions	6	3	2	1			

<u>Meeting</u>	<u>Number of County Cllrs</u>	<u>Lab</u>	<u>Cons</u>	<u>Lib Dems</u>	<u>Indepe- ndent</u>	<u>Cllr Maureen Dobson</u>	<u>Other</u>
Committee							
Nottinghamshire Pension Fund Committee	9	5	3	1			
Pensions Investment Sub-Committee	9	5	3	1			8 (see recommendation c)
Pensions Sub- Committee	9	5	3	1			8 plus 2 pensioner reps (see recommendation c)
Personnel Committee	9	5	3	1			
Planning & Licensing Committee	11	6	3	1	1		
Policy Committee	19	10	6	2	1		
Public Health Committee	9	5	3	1			
Senior Staffing Sub- Committee	9 or 5	5 3	3 1	1 1			
Transport and Highways Committee	11	6	3	1	1		

- (c) That the Health Scrutiny Committee membership include 1 co-opted Councillor with voting rights from each of the following authorities:- Ashfield District Council, Bassetlaw District Council, Mansfield District Council and Newark and Sherwood District Council.
- (d) That the other representatives on the above Committees /Sub Committees be appointed as follows:-
- (1) Children and Young People's Committee: One representative of the Church of England Diocese, one representative of the Roman Catholic Diocese, and two Parent Governors.
 - (2) Health and Wellbeing Board: Seven District/Boroughs Councillors, six NHS Clinical Commissioning Group representatives, one Healthwatch, one NHS England, the Police and Crime Commissioner, three officers – Corporate Director, Adult Social Care, Health and Public Protection, Corporate Director, Children, Families and Cultural Services, Director of Public Health
 - (3) Pensions Investment Sub-Committee: Three City Councillors, two Nottinghamshire District/Borough Council representatives, two Trade Union Representatives, one Scheduled Body representative

- (4) Pensions Sub-Committee: Three City Councillors, two Nottinghamshire District/ Borough Council representatives, two Trade Union representatives, one Scheduled Body representative plus two pensioner representatives.
- (5) Economic Development Committee: Two representatives of the Business Community
- (e) That the Senior Staffing Sub-Committee when considering issues relating to the Chief Executive and Corporate Directors will have a membership of 9 Members and when the Sub-Committee considers issues relating to other officers the membership will be 5 Members and that no Member must sit on the Sub-Committee unless they have received appropriate training.
- (f) That the Leader of the Council be an ex-officio member of all committees and sub-committees except the Appeals Sub-Committee, Planning and Licensing Committee, Senior Staffing Sub-Committee and Joint Committees; with the right to speak but not to vote.
- (g) That the Council make the following appointments of Chairman and Vice-Chairman until the Annual Meeting of the Council in May 2015, it being noted that the appointment of a Chairman and Vice-Chairman of the Senior Staffing Sub-Committee or Conduct Committee will be a matter for that Sub-Committee:-

Committee	Chairman	Vice-Chairman
Adult Social Care and Health	Muriel Weisz	Yvonne Woodhead
Appeals Sub-Committee	Sheila Place	Nicki Brooks
Audit	Keith Walker	Sheila Place
Children and Young People	John Peck JP	Liz Plant and Kate Foale
Community Safety	Glynn Gilfoyle	Alice Grice
Corporate Parenting Sub-Committee	Liz Plant	None
Culture	John Knight	Alan Bell
Economic Development	Diana Meale	Roy Allan
Environment and Sustainability	Jim Creamer	Pamela Skelding
Finance and Property	David Kirkham	Darren Langton
Grant Aid Sub Committee	Joyce Bosnjak	Martin Suthers OBE
Health and Wellbeing Board	Joyce Bosnjak	Appointed by the Board
Health Scrutiny Committee	Colleen Harwood	John Allin
Joint Cttee on Planning & Transport	Jim Creamer	City Councillor
Joint Health Scrutiny (with City)	Parry Tsimbiridis	City Council
Nottinghamshire Pension Fund	Stella Smedley MBE JP	Ken Rigby
Pensions Investment Sub-Committee	Stella Smedley MBE JP	Ken Rigby
Pensions Sub-Committee	Stella Smedley MBE JP	Ken Rigby
Personnel	Sheila Place	Nicki Brooks
Planning & Licensing	John Wilkinson	Sue Saddington
Policy	Alan Rhodes	Joyce Bosnjak

Public Health Committee	Joyce Bosnjak	Glynn Gilfoyle
Transport and Highways	Kevin Greaves	Steve Calvert

- (h) That a Mental Health Guardianship Panel be established with 5 members (3 Labour Group, 1 Conservative Group, 1 Liberal Democrat Group), to make decisions on renewal and discharge of guardianship under the Mental Health Act 1983.
- (i) That the 12 places on the Combined Fire Authority will be allocated between the groups as follows:-
- Labour Group 6
 - Conservative Group 4
 - Liberal Democrat Group 1
 - Independent Group 1
- (j) That the Leader of the Council continue to be the representative appointed to the City of Nottingham and Nottinghamshire Economic Prosperity Committee and the Chairman of the Economic Development Committee continue to be appointed to act as substitute.
- (k) That 1 Labour Group Member, 1 Liberal Democrat Group Member and 1 Conservative Group Member be appointed to the Police and Crime Panel.
- (l) That the Chairman of the Transport and Highways Committee continue to be the representative appointed to the Bus Lane Adjudication Service Joint Committee and the Parking Adjudication Joint Committee.
- (m) That the appointment of members of the political groups to committees, sub-committees and joint committees be undertaken by the Team Manager, Democratic Services on behalf of the Chief Executive (the Proper Officer) acting in accordance with the provisions of the Local Government and Housing Act 1989, the Local Government Act 2000 the relevant Statutory Regulations and the Council's Standing Orders.
- (n) That the Team Manager, Democratic Services be authorised to act on behalf of the Chief Executive to appoint people as co-optees to membership of committees or joint committees when required.

12. AMENDMENTS TO THE COUNCIL'S CONSTITUTION

Councillor Alan Rhodes introduced the report and moved a motion in terms of resolution 2014/027 below.

The motion was seconded by Councillor Joyce Bosnjak.

Councillor Mrs Kay Cutts MBE moved the following amendment which was seconded by Councillors Jason Zadrozny and Gail Turner:-

“Delete recommendation ‘2)’ entirely with the effect that constituency speeches will remain part of the usual business of Full Council and that procedures for questions to Committee Chairmen will remain unaltered;

Recommendation ‘3)’ to be renumbered as ‘2)’

Following a debate, the amendment was put to the meeting and after a show of hands the Chairman declared it was lost.

The requisite number of Members requested a recorded vote and it was ascertained that the following 31 Members voted ‘**For**’ the motion:-

Reg Adair
Chris Barnfather
Andrew Brown
Richard Butler
Steve Carr
Mrs Kay Cutts MBE
Dr John Doddy
Boyd Elliott
Stephen Garner
John Handley
Stan Heptinstall MBE
Tom Hollis
Richard Jackson
Roger Jackson
Bruce Laughton
Keith Longdon

Rachel Madden
John Ogle
Philip Owen
Ken Rigby
Tony Roberts MBE
Mrs Sue Saddington
Andy Sissons
Martin Suthers OBE
Gail Turner
Keith Walker
Stuart Wallace
Gordon Wheeler
Jacky Williams
Liz Yates
Jason Zadrozny

The following 35 Members voted ‘**Against**’ the motion:-

Pauline Allan
Roy Allan
John Allin
Alan Bell
Joyce Bosnjak
Nicki Brooks
Steve Calvert
Ian Campbell
Steve Carroll
John Clarke
Jim Creamer
Maureen Dobson
Sybil Fielding
Kate Foale
Glynn Gilfoyle

Kevin Greaves
Alice Grice
Colleen Harwood
David Kirkham
John Knight
Darren Langton
Diana Meale
Michael Payne
John Peck JP
Sheila Place
Liz Plant
Darrell Pulk
Alan Rhodes
Pamela Skelding
Stella Smedley MBE JP

Parry Tsimbirdis
Muriel Weisz
John Wilkinson

John Wilmott
Yvonne Woodhead

The Chairman declared that the amendment was lost. The original motion was carried on a show of hands.

RESOLVED: 2014/027

- 1) To amend the Council's Constitution, by removing references to Rights of Way Committee and reassigning that Committee's responsibilities, as set out in Appendix 1 of the report.
- 2) To amend the procedure rules for Full Council as set out in Appendices 2 and 3 of the report.
- 3) To amend the terms of reference for the Health Scrutiny Committee and Joint City/County Health Scrutiny Committee as set out in Appendix 4 of the report.

The meeting adjourned from 3.59pm to 4.20pm.

Councillors Stephen Garner, Tom Hollis, Keith Longdon, Rachel Madden, Andy Sissons, Stella Smedley MBE JP, and Jason Zadrozny did not return to the meeting after the adjournment.

13. NOTICE OF MOTIONS

MOTION ONE

A motion as set out below was moved by Councillor Steve Carr and seconded by Councillor Richard Jackson:-

"This Council believes that residents along the NET Phase 2 tram route in the Divisions of Beeston North, Beeston South and Attenborough and Chilwell and Toton, should receive compensation for the inconvenience, disruption, loss of amenity, damage to property, noise and pollution caused by the works being undertaken on behalf of NET.

This council calls upon the City Council and NET to begin talks with this council in bringing about an equitable financial compensation package for affected residents."

Following a debate, the motion was put to the meeting and after a show of hands the Chairman declared it was lost.

The requisite number of Members requested a recorded vote and it was ascertained that the following 26 Members voted '**For**' the motion:-

Reg Adair
Chris Barnfather
Andrew Brown
Richard Butler
Steve Carr
Mrs Kay Cutts MBE
Maureen Dobson
Dr John Doddy
Boyd Elliott
John Handley
Stan Heptinstall MBE
Richard Jackson
Roger Jackson

Bruce Laughton
John Ogle
Philip Owen
Ken Rigby
Tony Roberts MBE
Mrs Sue Saddington
Martin Suthers OBE
Gail Turner
Keith Walker
Stuart Wallace
Gordon Wheeler
Jacky Williams
Liz Yates

The following 33 Members voted '**Against**' the motion:-

Pauline Allan
Roy Allan
John Allin
Alan Bell
Joyce Bosnjak
Nicki Brooks
Steve Calvert
Ian Campbell
Steve Carroll
John Clarke
Jim Creamer
Sybil Fielding
Kate Foale
Glynn Gilfoyle
Kevin Greaves
Alice Grice
Colleen Harwood

David Kirkham
John Knight
Darren Langton
Diana Meale
Michael Payne
John Peck JP
Sheila Place
Liz Plant
Darrell Pulk
Alan Rhodes
Pamela Skelding
Parry Tsimbirdis
Muriel Weisz
John Wilkinson
John Wilmott
Yvonne Woodhead

The Chairman declared that the motion was lost.

Councillor Ken Rigby left the meeting at 5.35pm at the end of this item and did not return.

MOTION TWO

A motion as set out below was moved by Councillor Richard Jackson and seconded by Councillor Steve Carr:-

"This Council:-

- a) Regrets turning down applications for compensation from businesses close to the tram route which were not covered by the original financial assistance package for traders, but whose owners were led to expect compensation by

the announcement recently made by the Council Leader in the Nottingham Post;

- b) Supports the principle that the original financial assistance package should be extended to all businesses that have suffered demonstrable losses due to NET Phase Two;
- c) Agrees to urgently review its decision to refuse compensation, made after the visit to Beeston and Chilwell by Councillors Rhodes, Greaves and Calvert;
- d) Will work with partners to put the appropriate compensation funding in place.”

The following amendment to the motion was moved by Councillor Steve Calvert and seconded by Councillor Kevin Greaves:-

“This Council:-

- ~~a) Regrets turning down applications for compensation from businesses close to the tram route which were not covered by the original financial assistance package for traders, but whose owners were led to expect compensation by the announcement recently made by the Council Leader in the Nottingham Post;~~
- ab) Supports the principle that the original financial assistance package should be extended to all businesses that have suffered demonstrable losses **due directly attributed** to NET Phase Two;
- ~~c) Agrees to urgently review its decision to refuse compensation, made after the visit to Beeston and Chilwell by Councillors Rhodes, Greaves and Calvert;~~
- bd) Will work with partners to put the appropriate ~~compensation funding~~ **financial assistance package** in place.”

Councillor Richard Jackson as mover of the original motion accepted the changes to the motion.

The motion as amended was put to the meeting and after a show of hands the Chairman declared it was carried.

RESOLVED 2014/028

“This Council:-

- a) Supports the principle that the original financial assistance package should be extended to all businesses that have suffered demonstrable losses directly attributed to NET Phase Two;

- b) Will work with partners to put the appropriate financial assistance package in place.”

MOTION THREE

A motion as set out below was moved by Councillor Dr John Doddy and seconded by Councillor Stuart Wallace:-

“This Council:-

- a) Agrees that business cases for any closures or significant reductions to Nottinghamshire County Council adult and children’s social care & health services and facilities should be referred to the Health & Wellbeing Board prior to the Council making a final decision, in order that key leaders in the health and care system can consider the proposals and comment;
- b) Recognises that such a procedure would improve scrutiny of the business cases and could provide an opportunity for the Health & Wellbeing Board to suggest ways in which closures or reductions could be mitigated or avoided.”

Following a debate, the motion was put to the meeting and after a show of hands the Chairman declared it was lost.

Councillor Stan Heptinstall MBE left the meeting 6.08pm during consideration of this item and did not return.

13. ADJOURNMENT DEBATE

The Chairman agreed that the adjournment debate relating to question three would be deferred to the next meeting.

The Chairman declared the meeting closed at 7.18 pm.

CHAIRMAN

APPENDIX A

COUNTY COUNCIL MEETING HELD ON 15TH MAY 2014 QUESTIONS TO COMMITTEE CHAIRMEN

Question to the Chairman of Transport and Highways Committee, from Councillor Jacky Williams

Would your committee please consider the installation of a puffin pedestrian crossing on Hickings Lane, Stapleford, in the vicinity of the Ryecroft Street junction. Hickings Lane is a main access road in and out of Stapleford and has particularly high levels of traffic in the early morning rush hour and late afternoons. This main road is too far from the local schools to benefit from the proposed 20mph limits, but is used by residents on the estates known as Little Australia and Ilkeston Road, for walking children to schools and nurseries in the area, as well as people of all ages gaining access to the medical centre on Hickings Lane which is run by my colleague Dr Doddy who I suspect will probably follow this up as well. We recently had a second crossing installed on Toton Lane in Stapleford. We have one near the George Spencer school and one's just being put in for the Fairfield school and this is proving very successful in assisting people to cross over the road and also in slowing down the traffic although I notice that the interactive speed sign has not been working this week.

Response from Councillor Kevin Greaves, Transport & Highways Committee

The County Council has an annual programme of transport schemes which includes pedestrian crossings. The programme is put together based on a number of factors and these factors include;

- Requests by the public and members,
- Evidence of need which includes technical analysis
- A delivery of the Council's transport objectives

With regard to your suggestion for a crossing, surveys have recently been carried out in this location. These surveys will now be analysed to see if there is any need for a crossing. If it is found that there is a need, further studies will be done to see if it is possible to install a crossing at this location. If the crossing is a possibility, it will be considered for inclusion in the Council's transport programme.

Question to the Chairman of the Transport & Highways Committee, from Councillor Bruce Laughton

Would the Chairman of the Transport and Highways Committee state whether there are any plans to increase the speed limit on the A614 from 50mph to 60mph?

Response from Councillor Kevin Greaves, Chairman of the Transport & Highways Committee

There are no plans to increase the current speed limit on the A614 to 60 mph. This is for safety reasons. Speed enforcement cameras were introduced alongside the 50 mph speed limits in order to make the road safer. This scheme has proved to be successful between the 1st January 2006 and 31st December 2010 the average number of road accident casualties on this road was 58 per year. During the same 4 year period there were 9 fatalities.

Following the introduction of a 50 mph speed limit and the cameras in early 2012 there has been almost half as many casualties per year. Of these casualties, those classed as seriously injured have reduced by 40%. Furthermore, touch wood, there have been no fatalities either – so that's good news. The figures speak for themselves.

An increase in the speed limit would reduce the effectiveness of the scheme and reduce safety on the A614. For this reason, the current 50 mph speed limit will stay in place for the foreseeable future.

Question to the Chairman of the Finance and Property Committee, from Councillor Reg Adair

Would the Chairman of the Finance and Property Committee inform Council how many shire county councils have set a higher Band B Council Tax for 2014/15 than Nottinghamshire's £946, and what is the current Band B average for shire counties?

Response from Councillor David Kirkham, Chairman of the Finance and Property Committee

Councillor Adair is either unable to grasp simple maths or he is deliberately trying to mislead members of the public into thinking that they are paying more Council tax in Nottinghamshire than they would be paying in other counties. I will give him the benefit of the doubt though, and assume he is not trying to mislead.

Therefore I will once again try and educate him on simple maths. Let's take a simple comparison between Nottinghamshire and Surrey. Nottinghamshire has 50% of its properties in Bands A and B. Surrey has only 5% of its properties in Bands A and B. Conversely Nottinghamshire has 18% of its properties in Bands E-G whilst Surrey has 60%.

So if both Counties were to set the same Council tax rate, bearing in mind that the higher bands pay proportionately more, it is obvious that Surrey would collect a far greater amount of tax from its citizens than Nottinghamshire. Therefore, to enable Nottinghamshire to collect a similar amount as Surrey, they would have to set a higher rate. In fact, the Council tax banding rates are meaningless when it comes to making these comparisons. The only fair way to calculate how much each County pays in Council tax from its citizens is to work out an average by dividing council tax collected by the number of Council taxpayers. When this fair method is used, Nottinghamshire is

placed 10th out of 27 Councils in terms of average Council tax paid with residents in Surrey paying the highest average. Clearly this is not a statistic that the opposition would like to put into their propaganda. So I suggest that they quickly get a grasp of the maths or stand accused of deliberately misleading the public.

Question to the Chairman of the Transport and Highways Committee, from Councillor Mrs Kay Cutts MBE

At Transport and Highways Committee on 21st March 2013, approval was given for Traffic Regulation Orders to be applied to 'School Keep Clear' markings across the County, in order to make them legally enforceable.

I attended the recent Annual Meeting of East Bridgford Parish Council, during which a resident expressed concern that no apparent changes had yet been made outside St. Peter's Church of England Primary School in the village.

Would the Chairman of the Transport and Highways Committee tell Council how many 'School Keep Clear' markings have been made legally enforceable so far, and how long it will take to complete those still outstanding?

Does he share my concern that careless and inconsiderate parking persists outside many schools and that any delay in this project will put schoolchildren at greater risk of injury?

Response from Councillor David Kirkham, Chairman of the Finance and Property Committee

Of course careless inconsiderate parking outside schools is an issue of concern and is no doubt shared by us all.

I'm pleased to be able to report, therefore that we are making good progress in our efforts to create a safer traffic environment outside our schools. We are fully committed to making the 'School Keep Clear' markings outside all of our 336 schools legally enforceable. To do this traffic regulation orders need to be processed for each site and lining and signing needs to be legally correct.

The project is being carried out in phases on a district by district basis. I am pleased to say that all our schools will have legally enforceable markings by the end of 2014.

In Bassetlaw 44 schools now have legally enforceable road markings. In Mansfield, Ashfield, Broxtowe all road markings outside schools have been surveyed and during March the road markings were repainted where required.

We are now to consult on the proposals of the traffic regulation order process. The traffic markings will become enforceable when the children go back to school in September.

For Newark, Sherwood and Rushcliffe and Gedling, consultation on the orders will begin over the school summer holidays and the lines will be enforceable by the end of 2014.

I'm sure you all agree that it is good we are dealing with this important issue which has been around for some years. We are putting the safety of Nottinghamshire's children high on our list of priorities and of that you can be assured.

Question to the Chairman of the Economic Development Committee, from Councillor Bruce Laughton

Is the Chairman of the Economic Development Committee aware that our contract partners, BT have written to residents of Norwell informing them that they will not receive fibre-based 'Superfast' broadband, prompting considerable disappointment and numerous calls to me as their local county councillor?

Could she explain why BT can circulate such information, when at a recent Economic Development Committee meeting our officers told me it was not yet possible to advise Members whether and when specific locations would receive fibre-based broadband?

Would she agree that as elected representatives of the local authority leading this project, Nottinghamshire County Councillors should be the first to receive clear information, so that we can respond accurately to enquiries from residents?

Would the Chairman ensure that Members receive precise information about the planned rollout and coverage of fibre broadband in their divisions as a priority?

Given that Nottinghamshire County Councils are contributing almost £4 million to this scheme (including capital of £2.15 million from this Council and £1 million from districts and boroughs) would she explain what she is doing to monitor progress and ensure that our taxpayers and residents receive a proper service and value for money?

Response from Councillor Diana Meale, Chairman of the Economic Development Committee

Neither I, the broadband team nor BT are aware of the BT letter to which you refer and without sight of it I can't really provide more detailed information about it.

However I can confirm that Norwell is not nor has it ever been covered by the Better Broadband for Nottinghamshire Programme. At this level, information on whether or not an area is in or out of our programme or covered by the commercial rollout is available from the broadband team or can be accessed through the County Council's link or actually BT's Openreach 'Where and When' postcode checking. I looked it up myself;

www.superfast-openreach.co.uk/where-and-when

You can actually type in a postcode and find out what the status of implementation of fibre-based or superfast broadband is. As members will know it's not possible under the current programme to achieve 100% coverage in the Nottinghamshire area. A report

however will be going to the next Policy Committee providing details of the next stage of the programme and while at this stage Norwell's exclusion is definite, I am hopeful that the second phase of the programme will include areas such as Norwell where it is technically difficult to provide fibre broadband coverage.

Now at this stage as explained at the Economic Development Committee it is only possible to give very high level information about where the programme will cover and when and that's the issue we raised at the last Economic Development Committee. It is however a requirement of Ofcom that all Internet Service Providers receive information about ability of broadband at the same time as the street cabinet is ready for retail service. In other words we know at a broad level in broad areas what the status of broadband delivery is, it's at cabinet level there is an issue that we raised at the Committee about knowing in a timely fashion.

Now the Programme Team continues to press BT for as much information as it is possible for them to provide under legal and contractual processes. As we discussed at the last Economic Development Committee I am very mindful of the need for members to be informed at the earliest opportunity of installations in their areas at that cabinet level.

Now obviously if Councillor Laughton would like additional information to reassure him that processes are in place then I do invite him to spend some time with the broadband team so that they can explain the process in more detail.

**REPORT OF THE CHAIRMAN OF TRANSPORT AND HIGHWAYS
COMMITTEE****RESPONSE TO PETITION PRESENTED TO THE CHAIRMAN OF THE
COUNTY COUNCIL ON 27TH MARCH 2014.****Purpose of the Report**

The purpose of this report is to inform Council of the decision of the Transport and Highways Committee on an issue raised in a petition presented to the Chairman of the County Council on 27th March. The petition was considered and agreed at the Transport and Highways Committee at their meeting on 21st May 2014.

**A. Petition Regarding a Residents' Parking Scheme – Earp Avenue, Newark
(Ref 2014/066)**

1. A petition was presented to the 27th March 2014 meeting of the County Council by Councillor Stuart Wallace on behalf of eight residents of Earp Avenue, Newark. The petition requested that a residents' parking scheme should be introduced on Earp Avenue.
2. Earp Avenue is a mainly residential street with no off-street parking for most properties, located near Newark hospital and the Magnus Academy school to the southeast of Newark town centre.
3. Residents state that its close proximity to the town and nearby traffic generators, combined with unrestricted on-highway parking, has led to an increase in vehicles parking, sometimes all day, which the residents believe to be teaching staff and hospital staff and visitors avoiding car parking charges.
4. Requests for residents' parking schemes are considered against the current policy which states that there should be:
 - a. significant levels of current requests from residents
 - b. non-resident parking which is detrimental to the vitality of the local centre or other Local Transport Plan objectives, and
 - c. a trip-attractor which causes non-resident intrusive parking.

5. It was agreed that the Earp Avenue area would be included within the next programme of schemes for preliminary investigation relating to the introduction of a residents' parking scheme.

Reason for Recommendation

6. To inform County Council of the response to issues raised in a petition presented to the County Council on 27th March 2014.

Statutory and Policy Implications

7. This report has been compiled after consideration of implications in respect of crime and disorder, finance, human resources, human rights, the NHS Constitution (Public Health only), the public sector equality duty, safeguarding of children and vulnerable adults, service users, sustainability and the environment and ways of working and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

RECOMMENDATION/S

It is RECOMMENDED that the contents and actions be noted.

Report of the Chairman of the Transport & Highways Committee

**For any enquiries about this report please contact:
Peter Barker, Business Support Manager**

Background Papers

None

Electoral Division(s)

Newark East

REPORT OF THE CHIEF EXECUTIVE

Clarification of Minutes of Committee Meetings published since the last meeting on 15th May 2014

Purpose of the Report

1. To provide Members the opportunity to raise any matters of clarification on the minutes of Committee meetings published since the last meeting of Full Council on 15th May 2014.

Information and Advice

2. The following minutes of Committees have been published since the last meeting of Full Council on 15th May 2014 and are accessible via the Council website:-
<http://www.nottinghamshire.gov.uk/dms/Meetings.aspx>

Committee meeting	Minutes of meeting
Adult Social Care and Health Committee	12 th May
Appeals Sub-Committee	None
Audit Committee	19 th March
Children & Young People's Committee	23 rd April, 19 th May
Community Safety Committee	29 th April
Corporate Parenting Sub-Committee	17 th March
Culture Committee	6 th May
Economic Development Committee	6 th May
Environment and Sustainability Committee	8 th May
Finance and Property Committee	28 th April, 19 th May
Grant Aid Sub-Committee	11 th March
Health Scrutiny Committee	28 th April
Health & Well Being Board	7 th May*
Joint City/County Health Scrutiny Committee	13 th May
Joint Committee on Strategic Planning and Transport	21 st March
Nottinghamshire Pensions Fund Committee	25 th March
Pensions Investment Sub-Committee	13 th March
Pensions Sub-Committee	None
Personnel Committee	12 th March 2014
Planning & Licensing Committee	22 nd April, 20 th May
Police & Crime Panel	28 th April
Policy Committee	7 th May, 4 th June
Public Health Committee	8 th May

Committee meeting	Minutes of meeting
Transport and Highways Committee	24 th April, 21 st May

* Minutes expected to be published before 26th June 2014, but not yet approved by the relevant Committee.

Mick Burrows
Chief Executive

REPORT OF THE CHAIRMAN OF FINANCE & PROPERTY COMMITTEE

MANAGEMENT ACCOUNTS 2013/14

Purpose of the Report

- 1.1 To inform Council of the 2013/14 year end position management accounts of the authority.
- 1.2 To request Council:
 - a) Approve the carry forward of £2.2m of savings into 2014/15
 - b) Approve the use of £13.0m of General Fund Balances.
- 1.3 To inform Council of the position on other reserves of the authority.
- 1.4 To inform Council of capital expenditure and financing in 2013/14.
- 1.5 To inform Council that capital expenditure and borrowing in 2013/14 were managed within the Council's prudential indicators.
- 1.6 To inform Council of Treasury Management activities during 2013/14.

Information and Advice

2. Background

- 2.1 The financial position of the County Council has been monitored throughout the financial year, with monthly reports to Corporate Leadership Team and Committee providing an update of progress, thus ensuring decision makers had access to financial information on a timely basis. Draft Management Accounts were reported at Finance and Property Committee 19 May 2014, this report is the final out-turn for 2013/14, and is in line with the forecasting position.
- 2.2 In addition to the regular reporting of financial information to aid decision making, the Council is also re-evaluating the underlying principles and assumptions that support its Medium Term Financial Strategy. This work will align the implementation of the Council's 'Redefining Your Council' Framework with a fundamental review of the Council's financial planning and the forecasts of its revenue streams, cost and inflationary pressures and the use and allocation of its reserves and balances.

3. Summary Financial Position

- 3.1 Through continued prudent financial management, Committee budgets have achieved a net underspend of £4.2m or 0.8% of net Committee budgets (corresponding figures for 2012/13 were £3.8m and 0.7%). Carry Forward requests totalling £2.2m have been submitted to support key areas as detailed in Appendix B (£1.4m in 2012/13).
- 3.2 The net total for restructuring costs is £10.1m (of which 0.9m relates to trading activity). In line with accounting practice, each year a provision is made for estimated costs that are due to fall in the following year based on published Section 188 notices. The provision that was released for 2012/13 into 2013/14 was £1.3m, the corresponding figure set aside for in 2013/14 is £6.6m.

- 3.3 The budget report to County Council in February included an assumption that a contribution to the Council's Capital Projects Reserve of £3m would be made. This will help to reduce future borrowing costs. Since the draft accounts were reported to Finance and Property Committee, an additional net underspend of £0.9m has been identified, this has been transferred to the Council's newly formed Strategic Development Fund.
- 3.4 The overall Schools Reserve has increased by £3.3m to £36.3m. Within the total, school balances have increased by £2.1m, the remaining £1.2m increase relates to non-individual schools balances. Further information is provided in section 5 and 7.2.
- 3.6 The level of County Fund balances, subject to approval, will reduce by £13.0m to £29.1m. This compares to the budget estimate to reduce balances by £15m.
- 3.7 Table 1 shows the summary revenue position of the County Council. Further detail, including the position on reserves and capital is provided in the appendices to this report.

Table 1 – Summary Financial Position

Committee	Final Budget £'000	Out-turn £'000	Variance £'000
Children & Young People	158,125	156,820	(1,305)
Adult Social Care & Health	215,199	214,992	(207)
Transport & Highways	64,038	64,726	688
Environment & Sustainability	29,287	29,172	(115)
Community Safety	4,070	4,138	68
Culture	15,589	15,343	(246)
Policy	32,477	29,726	(2,751)
Finance & Property	29,811	29,932	121
Personnel	3,152	2,876	(276)
Economic Development	1,724	1,592	(132)
Public Health *	-	-	-
Net Committee total	553,472	549,317	(4,155)
Schools Budgets	1,010	(2,324)	(3,334)
School Statutory Reserve	-	3,334	3,334
Net Schools total	1,010	1,010	-
Trading Services	(634)	(634)	-
Central Items	(12,591)	(22,774)	(10,183)
Net expenditure prior to Corporate reserves	541,257	526,919	(14,338)
Carry Forwards from 2012/13	(1,350)	(1,350)	-
Proposed Carry Fwds to 2014/15	-	2,218	2,218
Earmarked Reserves	(4,476)	(4,518)	(42)
PFI Reserves	872	496	(376)
Improvement Programme	(6,226)	(4,557)	1,669
Strategic Development Fund	-	890	890
Pay Review Reserve	(1,000)	(269)	731
Trading Activity Capital Adjustment	1,318	2,296	978
Capital Projects Reserve	-	3,000	3,000
Redundancy Reserve	(3,119)	-	3,119
Net transfer to/(from) Corporate reserves	(13,981)	(1,794)	12,187
Transfer to / (from) General Fund	(15,138)	(12,987)	2,151
Net County Council	512,138	512,138	-

*Public Health expenditure is funded in full by a ring-fenced grant of £35.1m. An underspend of £4.9m has been transferred to an earmarked reserve, to ensure the full grant is spent on Public Health priorities.

4. Committee & Corporate Items

The overall net underspend within the Committees is £4.2m, which is 0.8% of the net Committee budgets. The principal reasons for the variations are detailed below.

4.1 Children & Young People (£1.3m underspend, 0.8% of Committee budget)

The Committee has funded £3.2m of redundancy costs that had previously been reported under Central Items in the monthly budget monitoring forecasts. The net underspend consists of the following major variances:

- £4.8m on external placements for Looked After Children (LAC) due to a slower than anticipated growth in the LAC population, leading to fewer than expected children being placed with relatively expensive independent fostering agencies and residential care
- £0.5m on Children's Disability Service due to a less than expected take up of funding allocated for flexible short breaks and direct payments to parents/carers in support of their children
- £0.6m on Support to Schools due to vacancies in the School Improvement Service
- £0.4m on School Transport Policy due to less than anticipated take up of the preferred travel scheme
- £0.2m on Joint Use resulting from reduced demand, primarily due to academies
- £0.5m in Early Years and Early Years Intervention due to savings in pre-contract costs, transition budgets, Nottinghamshire Children's and Families Partnership (NCFP) pensions costs and Council staffing
- £0.4m in Targeted Support and Youth Justice predominantly due to vacancies

This is offset by the following significant overspends:

- £1.5m on social work fieldwork staffing, due to the need to use agency staff to cover vacancies, given the challenges involved in recruiting and retaining qualified social workers
- £0.8m Home to School Transport due to budgets not increasing in line with growth in the LAC population and additional Special Education Needs requirement
- £0.4m within Financial Support to Special Guardian budgets as the growth in these placements exceeded estimates
- A net overspend of £0.3m across all other areas of the division

4.2 Adult Social Care & Health (£0.2m underspend, 0.1% of Committee budget)

The Committee has funded £3.0m of redundancy costs that had previously been reported under Central Items in the monthly budget monitoring forecasts. The net underspend consists of the following major variances:

- The Corporate Director Division has reported an underspend of £0.5m due to additional Community Voices Reform grant.
- The Promoting Independence Division has reported a net underspend of £0.3m, due to an underspend on the National Welfare Assistance Fund. As this was a non ring-fenced grant, it was reinvested back into ASCHPP, primarily to offset statutory spend for vulnerable people, through Social Care and Supporting People. In addition £31,600 has been submitted as a carry forward request. This was offset by overspends elsewhere

within the division across the Adult Access Service, Reablement & Intermediate Care and Emergency Night Response Service.

- The Joint Commissioning Division has reported an overspend of £2.6m. This is comprised of a shortfall of £3.0m in Client Contribution Income, offset by underspends on Joint Commissioning and in Business Change and Support.
- The Younger Adults Division has reported a net underspend of £1.4m. This is primarily due to a £1.6m underspend in Day Services due to underspends on staffing and running costs, a £1.5m surplus on Continuing Health Care income due to a concerted effort to chase outstanding agreements, and a £0.6m underspend in the short break units due to underspends on staffing and increased income. This is offset by a £2.3m overspend on Community Care budgets for Disability Services, primarily Long Term Care and Direct Payments.
- The Older Adults Division has reported a net underspend of £0.2m. This is comprised of an underspend of £1.7m in the Care and Support Centres, a £0.3m surplus on Continuing Health Care income due to a concerted effort to chase outstanding agreements and a continued underspend of £0.5m across Day Care and Supported Accommodation. This has been offset by an overspend of £2.2m on Direct Payments and £0.1m on Short Term Care.

Earmarked Reserves

The budget contained a planned net use of £8.4m of earmarked reserves to fund specific projects and posts within the department. There has been some delay and slippage with these projects and posts, so the actual use of these reserves is £4.2m.

In addition the County Council received additional income of £10.1m from Health partners in the form of Section 256 agreements for specific purposes. This has been transferred into earmarked reserves, resulting in an overall net addition of £5.9m into earmarked reserves.

4.3 Transport & Highways (£0.7m overspend, 1.1% of Committee budget)

The Committee has funded £0.6m of redundancy costs that had previously been reported under Central Items in the monthly budget monitoring forecasts.

4.4 Environment & Sustainability (£0.1m underspend, 0.4% of Committee budget)

The Committee has funded £0.1m of redundancy costs that had previously been reported under Central Items in the monthly budget monitoring forecasts.

4.5 Community Safety (£0.1m overspend, 1.7% of Committee budget)

The Committee has funded £0.2m of redundancy costs that had previously been reported under Central Items in the monthly budget monitoring forecasts. Taking this into account, the net underspend remaining is mainly due Trading Standards staffing vacancies and reduced spend on books and subscriptions.

4.6 Culture (£0.2m underspend, 1.6% of Committee budget)

The Committee has funded £0.4m of redundancy costs that had previously been reported under Central Items in the monthly budget monitoring forecasts. The net underspend consists of the following major variances:

- £0.3m underspend in the Sports & Arts in the Community service, a carry forward request for Olympic Legacy funding has been submitted

- £0.3m underspend on Country Parks, largely due to increased income (resulting from good weather at key times of year) and a vacant Group Manager post.

4.7 Policy (£2.8m underspend, 8.5% of Committee budget)

The Committee has funded £0.7m of redundancy costs that had previously been reported under Central Items in the monthly budget monitoring forecasts. The net underspend consists of the following major variances:

- £0.7m due to staff vacancies in Business Support and Customer Services Centres
- £0.7m due to staff vacancies and reduced expenditure on publications and printing costs in Corporate Strategy and Communications & Marketing
- £0.2m underspend regarding members allowances and hospitality
- An underspend of £1.7m in the Improvement Programme relating to slippage in the Ways of Working programme and ICT spend being less than anticipated (£0.5m), together with underspends due to project delays and slippage on the Schools Phase 2, and some departmental transformation projects. The Improvement Programme has always been funded by an earmarked reserve and as such this slippage will be carried forward into 2014/15.

4.8 Finance & Property (£0.1m overspend, 0.4% of Committee budget)

The Committee has funded £0.9m of redundancy costs that had previously been reported under Central Items in the monthly budget monitoring forecasts. The net underspend is mainly due to staffing savings within Finance & Procurement, following the restructure.

4.9 Personnel (£0.3m underspend, 8.7% of Committee budget)

The Committee has funded £0.1m of redundancy costs that had previously been reported under Central Items in the monthly budget monitoring forecasts.

4.10 Economic Development (£0.1m underspend, 7.6% of Committee budget)

No redundancy costs have been incurred within this Committee. A report regarding the Youth Employment Strategy was considered by the Economic Development Committee on 17 October 2013. This recommended the re-programming of £0.5m to 2014/15 and 2015/16 and an earmarked reserve has been created. In addition, there has been some slippage on some projects and initiatives.

4.11 Public Health (net nil ring-fenced grant)

The responsibility for providing Public Health services transferred to the County Council from 1 April 2013. Expenditure in this area is met in full by a government grant of £35.1m, however an underspend against this funding of £4.9m has occurred. This has primarily arisen as the contingency that was set aside to provide for the transition was not required, and several of the proposed developments were put on hold whilst a review of the budget was completed. As previously reported, the balance will transfer to an earmarked reserve to ensure the full grant is spent on Public Health priorities.

4.12 Carry Forwards

The Council has a carry forward protocol which enables planned savings to be carried forward into the following financial year to support Committee priorities. This approach encourages rigorous financial management and budgetary control whilst at the same time

providing a degree of flexibility for budget managers. In accordance with this protocol, carry forwards of £2.2m have been requested to support priority areas within Committee budgets in 2014/15. The details are set out in Appendix B.

5. Schools Budgets (£3.3m surplus)

5.1 Schools have transferred a net £3.3m to the accumulated balances within the Schools Statutory Reserve. This is broken down as follows:

- £2.1m into Schools balances
- £1.2m into the Non-Individual Schools Budget (ISB) balances

6 Central Items (£10.2m underspend)

Central Items primarily consists of interest and payments on cash balances and borrowing, together with various grants and contingency. Key variances are outlined below.

6.1 Contingency (£6.2m underspend)

The 2013/14 contingency budget was originally set at £5.0m, split between redundancy (£3.0m) and general contingency (£2.0m). During the 2014/15 budget challenge process, one-off surplus budget was identified which related to previous years budget pressures that had not materialised. This was transferred to the general contingency. Requests of £0.5m received approval in year through the budget monitoring report. A full list of individual schemes is included at Appendix C. The costs of redundancy are included within the Committees in Table 1.

6.2 Interest (£1.9m underspend)

The underspend is partly caused by a net reduction in interest payable, due to a reduced need to undertake additional borrowing in the current year, as a result of delays in the phasing of the capital programme.

In addition, close monitoring of interest rates throughout the year has ensured borrowing was undertaken at appropriate points of interest rate fluctuations. Similarly, careful management of cash flow, has ensured that the Council has achieved an investment rate of 0.9%. This is above the benchmark 7 day LIBID rate of 0.4%.

6.3 Statutory Provision for Debt Redemption (£1.1m overspend)

The budget included an estimate of the Minimum Revenue Provision (MRP) that was based on the assumption that the mix of assets types on which capital expenditure would be incurred would be similar to that of previous years. This was not the case and as a result MRP was £1.1m more than had been forecast.

6.4 Government Grants (£2.1m underspend)

Several non-ring-fenced grants sit centrally, but values are not normally confirmed until after the budget is set in the February of each year.

Following the changes to Council Tax Benefit and the new Localised Council Tax Support scheme, a transition grant was awarded to authorities where the policy of the billing authorities met certain national criteria. As this was outside of the control of the County Council, no expectation was included in the budget report, and therefore the £0.9m grant has also contributed to the overall underspend reported.

The Local Services Support Grant is only confirmed on a year by year basis and is not anticipated when the budget is set. An additional £0.6m was received in year, contributing to the overall underspend reported.

As reported in the budget monitoring report, the establishment of the new Business Rates mechanism has led to additional one-off income in the current year of £1.0m. The Council's pooling arrangement with the District and Borough Councils has ensured that extra growth is retained locally and the Council's share of this is £0.2m. This will be held in an earmarked reserve to protect against future volatility in funding, given the level of appeals that have materialised.

On 27 March 2014, the Department for Communities and Local Government (DCLG) made a payment of £0.8m to the Council. This was a reallocation of money that had originally been topsliced from the national Revenue Support Grant, for authorities to bid for. Bids were not as high as DCLG had originally estimated, and therefore the balance has been redistributed. As this was announced late in the year this receipt has not been expected in the budget monitoring or reported to Members before now.

The Education Services Grant was a new funding stream in 2013/14, replacing the previous grant structure of Local Authority Central Spend Equivalent Grant (LACSEG). An estimated rate, per estimated pupil numbers, reduced by assumed academy conversions was included in the budget. However, the final funding received was a reduction of £1.2m from what had been anticipated. This has been reflected in the 2014/15 budget and the Council's Medium Term Financial Strategy (MTFS).

7 Movements on Balances and Reserves (for detail please refer to Appendix D)

7.1 General Fund Balances

The Council meeting on 28 February 2013 approved the use of £15.1m of General Fund Balances. Given the underspend that has been achieved, it is recommended that £13.0m is drawn down. Subject to Council approval, the closing balance of the Council's General Fund will reduce from £42.1m to £29.1m.

7.2 Schools Reserve

The Schools Reserve has increased by £3.3m, which brings the balance at the end of 2013/14 to £36.3m, analysed in Table 2 below.

Table 2 – Schools Statutory Reserve

Description	Balance £'000
Accumulated schools balances (held by Governors)	27,175
Adjustments:	
Non-Individual Schools Budget Balances	9,996
Internal borrowing against the Reserve (school loans scheme – repayable by schools)	(863)
Schools Statutory Reserve	<u>36,308</u>

The movement in school balances by sector is shown in Table 3.

Table 3 – School Balances by Sector

Sector	01/04/13 £'000	Movement £'000	31/03/14 £'000
Learning Centres	-	1,475	1,475
Primary	19,973	921	20,894
Secondary	3,159	(461)	2,698
Special	1,915	193	2,108
Total	25,047	2,128	27,175

The number of primary and secondary schools with budget deficits has increased, partly due to changes to the school funding formula. The total amount owed by schools in deficit is £0.712m and recovery plans have been put in place to address these deficits. Where schools have surpluses above a level regarded acceptable for contingency purposes (5% for secondary schools and 8% for all other schools and learning centres) these are also monitored and challenged.

7.3 Other Earmarked Reserves

At the end of 2013/14 the total of other 'earmarked' reserves stood at £141.8m, a reduction of £6.4m since 31 March 2013. This consists of the following:

- **PFI Reserves**

£32.3m of reserves are held for PFI schemes, this equates to 23% of other earmarked reserves. The arrangements for calculating PFI grant result in more grant being received in the early years of a PFI scheme than is needed to meet the payments to providers of the service. These surpluses need to be kept in an earmarked reserve to cover the corresponding deficits in later years. The amounts set aside at the end of 2013/14 are shown in Table 4 below.

Table 4 – PFI set aside as at 31/03/2014

PFI Scheme	£'000
East Leake Schools	3,079
Bassetlaw Schools	620
Waste	28,648
Total	32,347

- **Insurance Reserve**

The Authority operates a self-insurance scheme and covers risks up to an agreed amount. External insurers cover risks in excess of this figure. The Insurance Reserve is set aside to cover possible insurance claims losses that are not yet known about. The closing balance of this reserve is £10.8m.

- **Capital Projects Reserve**

The Capital Projects Reserve has been built up over a number of years to support current and future capital commitments, thereby reducing reliance on borrowing and the associated repayment costs. As identified in Table 1, a contribution of £3.0m has been made in line with the proposals contained in the Council's Budget report. £11.8m has been used to finance the current years capital programme. As at the 31 March 2014, the balance on the Capital Projects Reserve is therefore £21.3m.

- **Improvement Programme (including Ways of Working)**

When it was initially approved, the Improvement Programme had a revenue allocation of £21.3m over the five years between 2009/10 and 2013/14. Since then additional funding has been set aside for one off schemes, primarily Ways of Working, and the spending profile of the Programme was extended.

Expenditure for 2013/14 totalled £5.2m, an underspend against the budget of £1.7m. For this reason, there was a reduction in the use of the Improvement Programme reserve. The closing balance on the reserve for 2013/14 would therefore be £6.3m, made up of £3.3m for the Improvement Programme itself, and £3.0m for Ways of Working. However, the Budget Report (Council, 27 February 2014) approved the establishment of a Strategic Development Fund (SDF), funded in part by the remaining balance of this reserve. The £3.3m has therefore been transferred into the new SDF reserve, the £3.0m Ways of Working reserve will be utilised in 2014/15 and 2015/16.

- **Life Cycle Maintenance**

The Life Cycle Maintenance Reserve was created to spread the cost of maintaining new buildings. However, due to the Council's savings requirement, other priorities have taken precedence in subsequent budget setting processes. In the Budget Report (Council, 27 February 2014) approval was given to re-designate this reserve to support the newly established Strategic Development Fund. The balance of £4.2m was therefore transferred and this reserve is now closed.

- **Trading Activities**

The principal purpose of the Trading Activities Reserve is to accumulate funds for asset replacement, and after contributions to, and uses of the reserve during 2013/14, there was £2.7m in this reserve at the year end.

- **Pay Review Reserve**

The planned use of the Pay Review Reserve has only partly been required to meet the cost of claims made in year. Given the diminishing value of claims paid in year, the requirement for this reserve has been reviewed and the Council's element has transferred to the Corporate Redundancy Reserve. Should any future claims become payable, this will be met by resources in year. A balance of £0.8m remains for any future claims that relate to schools.

- **Redundancy Reserve**

A Redundancy Reserve of £3.1m was created in 2009/10, and a further contribution of £2.8m was made from underspends in 2012/13. In addition a redundancy contingency was provided in each budget to help meet the costs of restructuring. Prudent financial management has ensured that the reserve has not yet been required although future years contingency allocation has reduced. As reported above, pay review reserves have been reviewed and surplus balances have transferred into this reserve. The closing balance for 2013/14 is therefore £10.0m.

- **Departmental Reserves**

All departments have reserves for identified purposes. This includes unspent grant income which has been earmarked where there are restrictions contained within the grant. During the year, these departmental balances increased by a net £9.5m to £48.2m. This is primarily due to £10.1m being received from Health partners in the form of Section 256 agreements for specific purposes.

8 Capital Expenditure

- 8.1 Capital Expenditure in 2013/14 totalled £106.283m. Table 5 shows the final 2013/14 Capital Programme broken down by Committee.

Table 5 – 2013/14 Capital Expenditure

Committee	Original Budget £'000	Revised Budget £'000	Total Out-turn £'000	Variance £'000
Children & Young People's Services	54,294	61,227	43,651	(17,576)
Adult Social Care & Health	6,104	373	127	(246)
Transport & Highways	43,324	40,956	41,411	455
Environment & Sustainability	4,853	4,473	5,091	618
Culture	6,930	4,000	2,933	(1,067)
Policy	5,075	5,785	4,031	(1,754)
Finance & Property	11,180	10,420	8,619	(1,801)
Community Safety	297	289	369	80
Personnel & Performance	70	145	52	(93)
Contingency	829	-	-	-
Total	132,956	127,668	106,283	(21,385)

Note: These figures exclude any expenditure incurred directly by schools.

- 8.2 The major areas of investment in 2013/14 are listed in Table 6 below.

Table 6 – Major investment areas 2013/14

Committee	Scheme	2013/14 Capital Expenditure £'000
Children & Young People	School Capital Refurbishment Programme	24,357
	School Basic Need Programme	13,754
	Beardall Street Primary	1,569
Transport & Highways	Road Maintenance & Renewals	15,639
	A453 Widening	10,000
	Local Transport Plan	6,402
	Street Lighting Renewal	2,139
	Highways Vehicles and Plant	1,033
Environment & Sustainability	Local Improvement Schemes	3,805
Culture	National Watersports Centre	1,723
Policy	Ways of Working Programme	3,712
Finance & Property	Building Works	4,841
	Various IT Capital Projects	1,920

Capital Programme Variations

8.3 The changes in the gross Capital Programme for 2013/14, since its approval at Council (28/02/13) are summarised in Table 7 below.

Table 7 2013/14 Capital Programme

	2012/13	
	£'000	£'000
Approved per Council (Budget Book 2013/14)		132,956
Incorporated in Budget report (Council 27/02/14)		
Net slippage from 2012/13 and financing adjustments	12,632	
Approved variations to February Council	(16,119)	
Variation approved at F&P Committee (April 2014)	(1,801)	
Subsequent to Budget Report (Council 27/02/14)		
Net re-phasing/slippage from 2013/14 to future years	(21,385)	
		(26,673)
Final revised gross Capital Programme		<u>106,283</u>

8.4 The following variations to the Capital Programme require approval by Finance & Property Committee.

- It is proposed that the 2013/14 Capital Programme for Transport & Highways is varied to reflect that:-
 - Additional works at both the Highways Depot Rationalisation Programme (£0.053m) and the Gamston Depot Salt Barn (£0.078m) have been funded from capital allocations that were originally approved against the Termination of MOPs project.
- It is proposed that the 2013/14 Capital Programme for Environment and Sustainability is varied to reflect that:-
 - Revenue funding required to fund expenditure on the Eastcroft Incinerator was £0.117m less than estimated.
 - £0.446m more external funding than forecast was received for Environment and Highways scheme.
- It is proposed that the 2013/14 Capital Programme for Finance and Property Committee is varied to reflect that:-
 - £0.198m revenue funding was used to part fund costs associated with the planned maintenance programme.

- £0.164m revenue funding was used to part fund costs associated with the Business Management System programme.
- £0.079m Departmental reserves were used to fund increased costs associated with the County Supplies project.
- It is proposed that the 2013/14 Capital Programme for Children and Young People's Committee is varied to reflect a £0.034m revenue contribution to fund final costs associated with the Samworth Academy project.

Maximising the use of grants in 2013/14

- 8.5 Sometimes when there is slippage on a scheme funded by grant, rather than slipping the grant funding for use in the next year, it is possible to use the grant to finance the expenditure on a different scheme in the current year. This does not affect the total expenditure on individual schemes, nor their phasing, but delays the use of prudential borrowing and the consequent impact on the revenue budget of having to set aside a minimum revenue provision (MRP).
- 8.6 Grant funding unapplied totalling £1.9m has been used to fund capital expenditure on the School Capital Refurbishment Programme in 2013/14 that would otherwise have been funded from borrowing.

Slippage/re-phasing of Capital Schemes

- 8.7 In addition to the slippage and re-phasing of schemes incorporated into the Budget Report 2013/14 there has been £21.4m of further net slippage/re-phasing on a number of schemes, of which £15.4m relates to schemes funded by capital allocations (borrowing). The main areas of this further slippage/re-phasing are:

Slippage

- Schools Capital Refurbishment Programme (£8.0m slippage)
- School Places Programme (£4.2m)
- Edwinstowe Respite Centre (1.3m)
- Ways of Working Programme (£1.7m)
- Business Management System (£1.5m)

The main reasons for slippage on the Schools Capital Programme are:-

- Contributions to condition works at Academies have not been made as the works have not completed.
- Schools increasingly are insisting that works are undertaken in holidays or out of school hours.
- Difficulty in gaining access for asbestos related works has had a knock on effect on start dates for the main works.
- Further delays with regard to surveys, design and accommodating complementary projects.

- 8.8 Despite slippage on the main schools capital programmes it is still expected that the programmes will be delivered as agreed and within approved budgets.

Acceleration

- 8.9 Acceleration of £1.8m in the main Transport and Highways programmes has followed the planned over-programming of schemes. This has been partially offset by minor slippage in other areas of the Transport and Highways capital programme.

Capital Financing

- 8.10 The following table outlines how the 2013/14 capital expenditure has been financed.

Table 8 - 2013/14 Capital Financing

	Original Budget £'000	Revised Budget £'000	Total Out- turn £'000	Variance £'000
Funding Source:				
Prudential Borrowing	72,444	63,732	48,261	(15,471)
Capital Grants	44,351	47,247	42,674	(4,573)
Revenue/Reserves	16,161	16,689	15,348	(1,341)
Gross Capital Programme	132,956	127,668	106,283	(21,385)

- 8.11 Capital receipts for 2013/14 totalled £2.8m, which exceeds the £2.0m receipts anticipated in the 2014/15 budget report. These capital receipts have been set against the principal of borrowing in previous years. Analysis has determined that this application of funding sources is optimum in terms of reducing the impact of the Capital Programme on the revenue account.
- 8.12 Total borrowing for the year is £48.3m, which is £15.4m less than the revised borrowing for 2013/14 of £63.7m. This is primarily as a result of the slippage/re-phasing of capital expenditure to be funded from prudential borrowing. The corresponding funding (capital allocations) will be carried forward and incorporated into the Capital Programme for 2014/15.
- 8.13 The Capital Programme for 2014/15 will be monitored to ensure that borrowing for 2014/15 is managed within the prudential limits for the year. Funding by borrowing in 2014/15 is now projected to be £61.2m. Although this is £17.8m more than the budgeted borrowing figure in the Budget Report 2014/15, any new capital expenditure slippage in 2014/15 will offset this and the Council's overall level of indebtedness is not expected to exceed previous forecasts. The size of the revised Capital Programme for 2014/15 is £137.1m.

9 Treasury Management Activities

- 9.1 All treasury management activities during 2013/14 were carried out within approved limits and adhered to approved policies and practices. Appendix F provides a full report on these activities.

10 Statement of Accounts

10.1 The pre-audited Statement of Accounts will be certified by the S151 Officer before 30 June to meet the statutory requirements, and be published on the Council's website. The external audit will take place over the summer months and therefore figures will be provisional, pending the completion of the audit. In line with statutory requirements the audited Statement of Accounts will be completed by 30 September. This will be reported to Council 18 September and be published on the Council's web site.

Statutory and Policy Implications

This report has been compiled after consideration of implications in respect of crime and disorder, finance, human resources, human rights, the NHS Constitution (Public Health only), the public sector equality duty, safeguarding of children and vulnerable adults, service users, sustainability and the environment and ways of working and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

RECOMMENDATIONS

- 1.) To note the 2013/14 year end revenue position.
- 2.) To approve the year-end carry forwards set out in section 4.12 and Appendix B.
- 3.) To approve the level of General Fund Balances set out in section 7.1 and Appendix A.
- 4.) To note the movements in reserves as detailed in section 7 and Appendix D.
- 5.) To note the Capital Programme and its financing.
- 6.) To note that the Council's Prudential Indicators were not breached in 2013/14 as detailed in Appendix E.
- 7.) To note the treasury management outturn report in Appendix F.

Paul Simpson
Service Director – Finance & Procurement

For any enquiries about this report please contact:

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Simon Cunnington – Senior Accountant, Pensions & Treasury Management

Constitutional Comments (KK 13/06/2014)

The proposals in this report are within the remit of Full Council.

Financial Comments (PM 20/05/2014)

The financial implications are set out in the report.

Background Papers

None

Electoral Division(s) and Member(s) Affected

All

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MANAGEMENT ACCOUNTS SUMMARY 2013/14

	2013/14 Final Budget £'000	2013/14 Draft Out-turn £'000	Variance £'000
Committee			
Children & Young People	158,125	156,820	(1,305)
Adult Social Care & Health	215,199	214,992	(207)
Transport & Highways	64,038	64,726	688
Environment & Sustainability	29,287	29,172	(115)
Community Safety	4,070	4,138	68
Culture	15,589	15,343	(246)
Policy	32,477	29,726	(2,751)
Finance & Property	29,811	29,932	121
Personnel	3,152	2,876	(276)
Economic Development	1,724	1,592	(132)
Public Health	-	-	-
Net Committee Total	553,472	549,317	(4,155)
Schools Budget (after Dedicated Schools Grant)	1,010	(2,324)	(3,334)
Schools' Statutory Reserve	-	3,334	3,334
Net Schools total	1,010	1,010	-
Trading Services	(634)	(634)	-
Central Items Managed through Finance & Property Committee			
Capital Charges included in Committees	(41,077)	(41,499)	(422)
Statutory Provision for Debt Redemption	18,708	19,816	1,108
Interest	18,019	16,135	(1,884)
Contingency	6,196	-	(6,196)
Flood Defence Levies	273	272	(1)
Pension Enhancements	1,842	2,194	352
Write Offs	(100)	(644)	(544)
New Homes Bonus	(2,438)	(2,461)	(23)
Education Services Grant	(10,907)	(9,754)	1,153
Council Tax Freeze Grant	(3,107)	(3,124)	(17)
Reallocated RSG	-	(754)	(754)
Localised Council Tax Support Transition Grant	-	(891)	(891)
Local Services Support Grant	-	(585)	(585)
Small Business Rate Relief	-	(456)	(456)
Additional business Rate Growth due to pooling	-	(1,023)	(1,023)
Expenditure before Use of Reserves	541,257	526,919	(14,338)

Reserves and Balances

Carry Forwards from 2012/13	(1,350)	(1,350)	-
Proposed Carry Forwards to 2014/15	-	2,218	2,218
Earmarked Underspendings	(4,476)	(4,518)	(42)
PFI Reserves:			
East Leake PFI	267	183	(84)
Bassetlaw PFI	383	2	(381)
Waste PFI	222	311	89
Improvement Programme	(6,226)	(4,557)	1,669
Strategic Development Fund	-	890	890
Pay Review	(1,000)	(269)	731
Capital adjustment with Trading Activities	1,318	2,296	978
Capital Projects Reserve	-	3,000	3,000
Corporate Redundancy	(3,119)	-	3,119

Transfer to/(from) County Fund	(15,138)	(12,987)	2,151
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Funding Required	512,138	512,138	-
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Funding

Council Tax/Surplus on Collection	(274,009)	(274,009)	-
Revenue Support Grant/Business Rates	(238,129)	(238,129)	-

Total Funding	(512,138)	(512,138)	-
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PROPOSED BUDGET CARRY FORWARDS BY COMMITTEE 2013/14

	£'000	£'000
Adult Social Care and Health		
Homecare Smartcards and Market Development	195.0	
National Welfare Assistance Fund	31.6	
Care & Support Centres	400.0	
Business Support	151.0	
Social Care Adult Access Service	29.7	
Subtotal Adult Social Care and Health		807.3
Transport & Highways		
Lengthmans Scheme	38.0	
Street Lighting works	600.0	
Subtotal Transport & Highways		638.0
Culture		
Olympic Legacy Funding		277.7
Policy		
Business Support Centre - System Developments	63.1	
Customer Service Centre - Face to Face work	26.0	
Apprentices Scheme	62.6	
Publications - County Life	24.4	
Members Divisional Fund	13.3	
Subtotal Policy		189.4
Finance and Property		
Property Contingency Allocation		109.4
Personnel		
Leadership Development Programme	150.0	
Corporate HR - Occupational Health & Safety Assessment Standard	16.8	
Subtotal Personnel		166.8
Economic Development		
Economic Development Projects		29.0
Total proposed budget carry forward		<u><u>2,218</u></u>

ALLOCATIONS FROM CONTINGENCY

	2013/14	
	£000	£000
Redundancy Contingency Budget	3,000	
General Contingency Budget	2,040	
Net Contingency Budget	<u>5,040</u>	
Add on departmental transfers:		
Budget Challenge process	1,635	
Subtotal additional transfers	<u>1,635</u>	
Total contingency budget		<u><u>6,675</u></u>
Less approved requests:		
Rufford Country Park	(60)	
Funding of Development Sites	(97)	
Lindhurst Scheme	(250)	
Lord Lieutenant	(10)	
Records Management System	(62)	
Subtotal contingency schemes approved in year		<u><u>(479)</u></u>
Reported underspend on contingency		<u><u>6,196</u></u>

SUMMARY OF REVENUE RESERVES

	Brought Forward 01/04/2013 £'000	Movement 2013/14 £'000	Carry Forward 31/03/2014 £'000
County Fund Balances	42,118	(12,987)	29,131
Schools Reserves	32,973	3,335	36,308
Other Earmarked Reserves			
2012/13 Carry Forwards	1,350	(1,350)	-
2013/14 Carry Forwards	-	2,218	2,218
Earmarked for Services	3,642	(2,467)	1,175
Corporate Pay Review	6,744	(5,942)	802
Departmental	38,679	9,493	48,172
PFI Reserves:			
East Leake	2,983	96	3,079
Bassetlaw Schools	860	(240)	620
Waste	28,337	311	28,648
Capital Projects	30,127	(8,820)	21,307
Improvement Programme	11,450	(8,404)	3,046
Life Cycle Maintenance	4,205	(4,205)	-
Strategic Development Fund	-	8,942	8,942
Trading Activities	3,526	(797)	2,729
Corporate Redundancy Reserve	5,919	4,135	10,054
Insurance	10,361	470	10,831
NNDR Pooling Reserve	-	202	202
Subtotal Other Earmarked Reserves	148,183	(6,358)	141,825
Total Usable Revenue Reserves	223,274	(16,010)	207,264

DEPARTMENTAL RESERVES DETAIL

	Brought Forward 01/04/2013 £'000	Movement 2013/14 £'000	Carry Forward 31/03/2014 £'000
Adult Social Care and Health & Public Protection			
Earmarked Reserves	20,085	7,665	27,750
Revenue Grants	2,901	(1,847)	1,054
Children, Families & Cultural Services			
Earmarked Reserves	4,411	1,126	5,537
Revenue Grants	3,919	(1,749)	2,170
Environment & Resources			
Earmarked Reserves	3,091	(654)	2,437
Revenue Grants	244	(143)	101
Policy, Planning & Corporate Services			
Earmarked Reserves	599	522	1,121
Revenue Grants	226	52	278
Public Health			
Earmarked Reserves	3,203	4,521	7,724
Total Departmental Reserves	38,679	9,493	48,172

REPORT OF THE SERVICE DIRECTOR – FINANCE AND PROCUREMENT

MONITORING OF 2013/14 PRUDENTIAL INDICATORS

To provide an update the County Council's current position in terms of capital expenditure, external debt, financing costs as a percentage of net revenue stream and the capital financing requirement relative to the Prudential Code indicators identified in the 2013/14 budget report.

Background

The Prudential Code for Capital Finance in Local Authorities was developed by CIPFA as a professional code of practice to support local authorities in determining their programmes for capital investment. Local authorities are required by Regulation to have regard to the Prudential Code under Part 1 of the Local Government Act 2003. Individual local authorities are responsible for deciding the level of their affordable borrowing, having regard to the Prudential Code. The Executive Summary of the Code states that “The objectives of the Prudential Code are to ensure, within a clear framework, that the capital investment plans of local authorities are affordable, prudent and sustainable, and that treasury management decisions are taken in accordance with good professional practice.”

In particular, the Prudential Code requires the Council to be aware of the impact of financing capital expenditure on its overall revenue expenditure position. The costs of financing additional capital expenditure are the interest payable to external lenders and the amounts set aside to reduce the level of borrowing. In deciding whether or not borrowing is affordable, prudent and sustainable, the most important consideration is whether, over the term of the borrowing, these costs can be met from the revenue budget without unacceptable consequences.

Prudential Indicators

Monitoring Requirements

Under the Prudential Code, an authority is required to establish indicators that are sufficiently robust and credible for it to be able to use them to form a judgement as to whether its proposed capital investment is affordable, prudent and sustainable. The Prudential Code requires that the prudential indicators are monitored regularly throughout the year and that the actual values of some of them are reported at year end.

This report is concerned only with prudential indicators relating to capital investment indicators.

Overview of Prudential Indicators

The following prudential indicators, whose actual values must be reported at year end, relate to affordability and prudence.

Estimate of capital expenditure

In any year, the level of capital expenditure is likely to deviate from the estimate in the budget report as a result of new additions to the Capital Programme, cancellations of schemes, and slippage, acceleration and changing specifications of projects. The Capital Programme is monitored on a monthly basis and variations to the Capital Programme are reported to Finance and Property Committee on a regular basis.

Estimate of the capital financing requirement (CFR)

The capital financing requirement is a measure of the Authority's underlying need to borrow for capital purposes. This relates to capital expenditure which has not yet been financed by capital receipts, capital grants or contributions from revenue income. This is not the same as external debt since the Authority manages its position in terms of borrowings and investments in accordance with its integrated treasury management strategy and practices. For example, rather than borrowing from an external body, the Authority may judge it prudent to make use of cash that it has already invested for long-term purposes, such as reserves, for 'internal borrowing'. This means that there is no immediate link between the need to borrow to pay for capital spending and the level of external borrowing.

In order to ensure that, over the medium term, net borrowing will only be for a capital purpose, the local authority should ensure that net debt does not, except in the short term, exceed the total of the capital financing requirement for the current and next two financial years. This is a key indicator of prudence.

External debt

External debt includes gross borrowing and other long-term liabilities.

Operational boundary for external debt

The operational boundary is the estimated maximum level of external debt in the most likely (i.e. prudent, but not worst-case) scenario. The operational boundary is a key management tool for in-year monitoring. It will probably not be significant if the external debt temporarily breaches the operational boundary on occasions due to variations in cash flow. However, a sustained or regular trend above the operational boundary would be significant and would require investigation and possible action (e.g. to ensure that borrowing, other than temporary borrowing, is not undertaken for purposes other than funding approved capital expenditure).

Authorised limit for external debt

The authorised limit is the intended absolute limit for external debt and exceeds the operational boundary by an amount that provides sufficient headroom for events such as unusual cash movements. If it appears that the authorised limit might be breached, the Service Director – Finance and Procurement has a duty to report this to the County Council for appropriate action to be taken.

Financing costs as a percentage of net revenue stream

The Prudential Code requires the Council to be aware of the impact of financing capital expenditure on its overall revenue expenditure position. The relevant indicator is the financing costs of capital expenditure expressed as a percentage of the net revenue stream, where:

- the costs of financing capital expenditure are interest payable to external lenders less interest earned on investments plus amounts set aside to reduce the level of borrowing; and

- the net revenue stream is the amount of the revenue budget to be met from government grants and local taxpayers.

Prudential Indicators: Monitoring against 2013/14 Budget

The following table shows monitoring against those indicators that were approved for 2013/14 in the Budget Report to Council February 2013.

Indicator	Comments														
Estimated capital expenditure (excluding Schools Devolved Formula Capital and schools' capital expenditure funded from their own revenue budget) 2013/14 Budget: £132.956m 2013/14 Actual: £106.283m No breach of Prudential Indicator	Current capital programme is £26.673m less than anticipated, as explained in the table: <table> <tr> <th>Reason</th><th>£m</th></tr> <tr> <td>Slippage from 2012/13 to 2013/14</td><td>12.632</td></tr> <tr> <td>Re-phasing/slippage approved in-year</td><td>(17.920)</td></tr> <tr> <td>Other net variations</td><td>(21.385)</td></tr> <tr> <td>TOTAL</td><td>(26.673)</td></tr> </table>	Reason	£m	Slippage from 2012/13 to 2013/14	12.632	Re-phasing/slippage approved in-year	(17.920)	Other net variations	(21.385)	TOTAL	(26.673)				
Reason	£m														
Slippage from 2012/13 to 2013/14	12.632														
Re-phasing/slippage approved in-year	(17.920)														
Other net variations	(21.385)														
TOTAL	(26.673)														
Estimated capital financing requirement (taking into account PFI Finance Lease Liabilities) 2013/14 Budget: £756m 2013/14 Actual: £717m	The actual level of the capital financing requirement was £39m less than the indicator, as explained in the table: <table> <tr> <th>Reason</th><th>£m</th></tr> <tr> <td>Borrowing below budgeted level in 2012/13 (primarily due to slippage of expenditure funded by borrowing)</td><td>(14)</td></tr> <tr> <td>MRP repayments and voluntary contributions in 2012/13 (from capital receipts, revenue and reserves) lower than forecast</td><td>1</td></tr> <tr> <td>Additional PFI / Finance Lease liabilities below budgeted level</td><td>(6)</td></tr> <tr> <td>Capital receipts set against previous borrowing lower than forecast in 2013/14</td><td>3</td></tr> <tr> <td>Borrowing below budgeted level in 2013/14 (primarily due to slippage of expenditure funded by borrowing)</td><td>(23)</td></tr> <tr> <td>TOTAL</td><td>(39)</td></tr> </table>	Reason	£m	Borrowing below budgeted level in 2012/13 (primarily due to slippage of expenditure funded by borrowing)	(14)	MRP repayments and voluntary contributions in 2012/13 (from capital receipts, revenue and reserves) lower than forecast	1	Additional PFI / Finance Lease liabilities below budgeted level	(6)	Capital receipts set against previous borrowing lower than forecast in 2013/14	3	Borrowing below budgeted level in 2013/14 (primarily due to slippage of expenditure funded by borrowing)	(23)	TOTAL	(39)
Reason	£m														
Borrowing below budgeted level in 2012/13 (primarily due to slippage of expenditure funded by borrowing)	(14)														
MRP repayments and voluntary contributions in 2012/13 (from capital receipts, revenue and reserves) lower than forecast	1														
Additional PFI / Finance Lease liabilities below budgeted level	(6)														
Capital receipts set against previous borrowing lower than forecast in 2013/14	3														
Borrowing below budgeted level in 2013/14 (primarily due to slippage of expenditure funded by borrowing)	(23)														
TOTAL	(39)														

Indicator	Comments
<p>External debt (incl. PFI Finance Lease Liabilities)</p> <p>Authorised limit for borrowing: £409m Authorised limit for other long-term liabilities: £130m Authorised limit for external debt: £539m</p> <p>Operational boundary for borrowing: £384m Operational boundary for other long-term liabilities: £130m Operational boundary for external debt: £514m</p> <p>Actual borrowing: £352m Actual other long-term liabilities: £127m Total actual debt at 31/03/14: £479m</p>	<p>The actual level of external debt was below both the authorised limit of £539m and the operational boundary of £514m throughout 2013/14.</p>
<p>Financing costs as a percentage of net revenue stream (incl. impact of PFI Finance Lease Liabilities)</p> <p>2013/14 Budget: 11.2% 2013/14 Actual: 10.2%</p>	<p>The total of actual financing costs as a percentage of net revenue stream was below the budgeted figure as a result of lower than expected capital receipts in 2013/14. Also, costs associated with interest payable were lower as a result of reduced borrowing requirements</p>

Summary

The Prudential Code indicators will continue to be monitored and reported against budgeted figures.

REPORT OF THE SERVICE DIRECTOR – FINANCE AND PROCUREMENT

TREASURY MANAGEMENT OUTTURN REPORT 2013-14

1. Purpose

To provide a review of the Council's treasury management activities for the year to 31 March 2014.

Information and Advice**2. Background**

2.1 Treasury management is defined as “the management of the council's investments and cashflows; its banking, money market and capital market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks”.

2.2 The Council's Treasury Management Strategy is approved annually by Full Council and there will also be a mid-year report which will go to Full Council. Responsibility for the implementation, scrutiny and monitoring of treasury management policies and practices is delegated to the *Treasury Management Group*, comprising the Service Director (Finance & Procurement), the Group Manager (Financial Strategy & Compliance), the Senior Accountant (Pensions & Treasury Management) and the Senior Finance Business Partner (Capital & External Funding).

2.3 In 2013/14, borrowing and investment activities have been in accordance with the approved limits as set out in the Council's Treasury Management Policy and Strategy. The main points from this report are:

- All treasury management activities were effected by authorised officers within the limits agreed by the Council
- All investments were made to counterparties on the Council's approved lending list
- £30m of long-term borrowing was raised in 2013/14
- The Council earned 0.9% on its cash investments, outperforming the average 7-day London Interbank BID (LIBID) rate, which was 0.4%.
- Reports have been submitted to Council and the Finance and Property committee as required.

3. Outturn Treasury Position

3.1 The Council's treasury management strategy and associated policies and practices for 2013/14 were approved in February 2013 by Full Council. The Service Director (Finance & Procurement) complied with the strategy throughout the financial year 2013/14. The Council's treasury portfolio position at 31 March 2014 is shown in Table 1 below.

Table 1. Treasury Position at 31 March 2014		£m	£m	Average Interest Rate
EXTERNAL BORROWING				
Long-term				
Fixed Rate	PWLB	229.0		5.72%
	LOBOs	100.0		3.85%
	Other	10.0	339.0	0.78%
Short-term				
Fixed Rate	Other	13.0	13.0	
Total			352.0	5.02%
Other Long-Term Liabilities			127.4	
Total Gross Debt			479.4	
Less: Investments			23.0	1.13%
Total Net Debt			456.4	

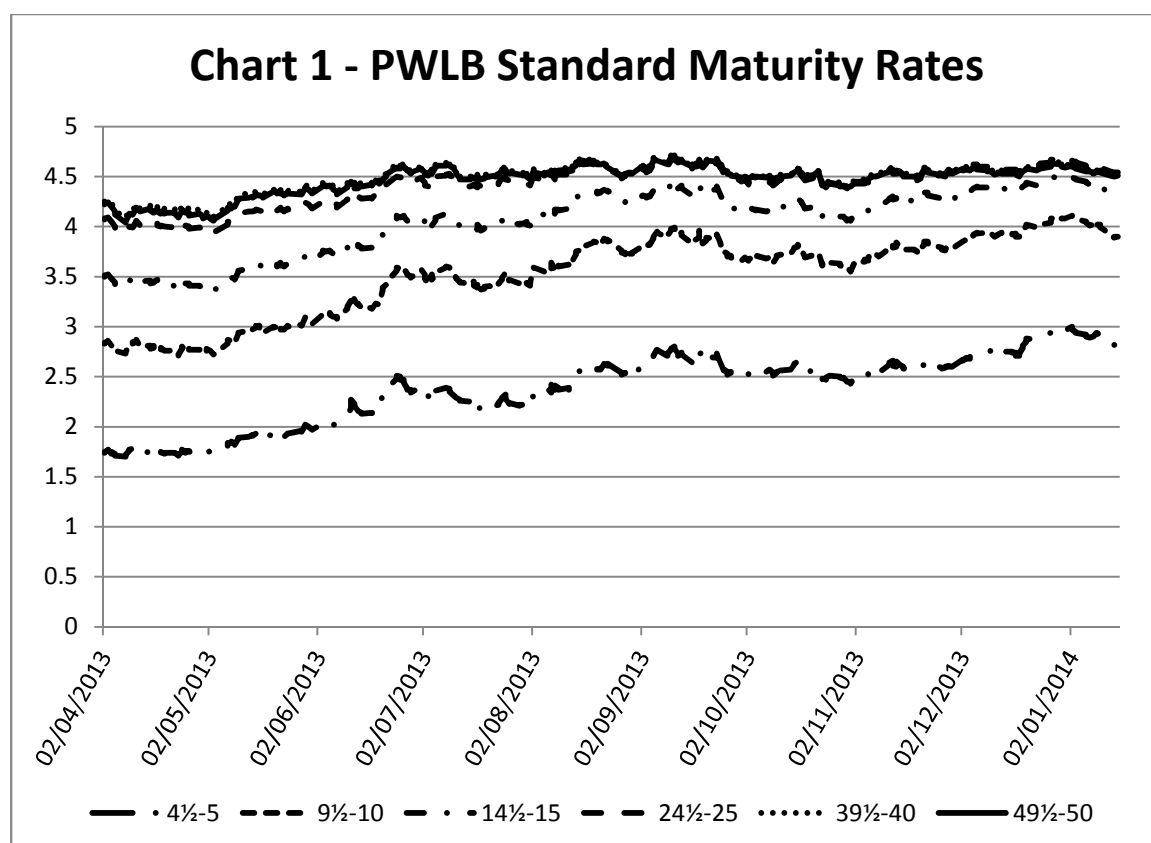
Notes: PWLB = Public Works Loans Board

LOBOs = Lenders' Option, Borrowers' Option loans

Other = market loans taken directly from banks or via brokers

4. Economic Background

- 4.1** UK economic activity recovered during 2013, contrary to expectations at the start of the year. GDP growth accelerated to a year-on-year rate of 3.1% in the final quarter and official forecasts shifted to a more optimistic footing. CPI inflation fell to the government's 2% target rate in December, the first time in more than four years.
- 4.2** Short-term interest rates remained close to the low point that has featured since the early days of the financial crisis. Longer-term rates, on the other hand, rose during the first half of the year and by the close of 2013, 10-year yields were more than a percentage point above the low point reached in March.
- 4.3** Market sentiment altered markedly in late spring, partly on the back of reduced concerns over the Eurozone and in reaction to suggestions by the US Federal Reserve that it might start to reduce its quantitative easing (QE) programme. In addition the revival of the domestic economy prompted investors to start discounting a rise in official rates well before the time implied by the monetary authorities (2016). Yields rose in reaction to these influences.
- 4.4** The movement in PWLB standard maturity rates over 2013/14 is shown in chart 1 below.



- 4.5** Long-term rates are likely to move higher still. This is due to strengthening growth in the developed world and the removal of official support for the markets from QE. This adds to the risk that interest rates on the Council's future borrowing will be higher than current rates.

5. Treasury Management Activities 2013/14

- 5.1** The Council actively manages its cash flows through borrowing and lending activities on the wholesale money markets. The Council has an approved list of counterparties for investment and aims to achieve the optimum return on investments commensurate with the proper levels of security and liquidity. Temporary borrowing is utilised to cover cash shortfalls. The Council's temporary (for periods less than 365 days) borrowing and lending activity over the year is summarised in Table 2 below. In addition, there is a total of £4.5m invested for periods of 5 years as part of the Council's commitment to the Local Authority Mortgage Scheme.

Table 2 Temporary Borrowing and Lending	Borrowing £m	Lending £m	Net Position £m
Outstanding 31 March 2013	0.0	(39.6)	(39.6)
Raised/ (lent) during period	449.2	(755.8)	(306.6)
Repayments during period	(436.2)	776.9	340.7
Outstanding 31 March 2014	13.0	(18.5)	(5.5)

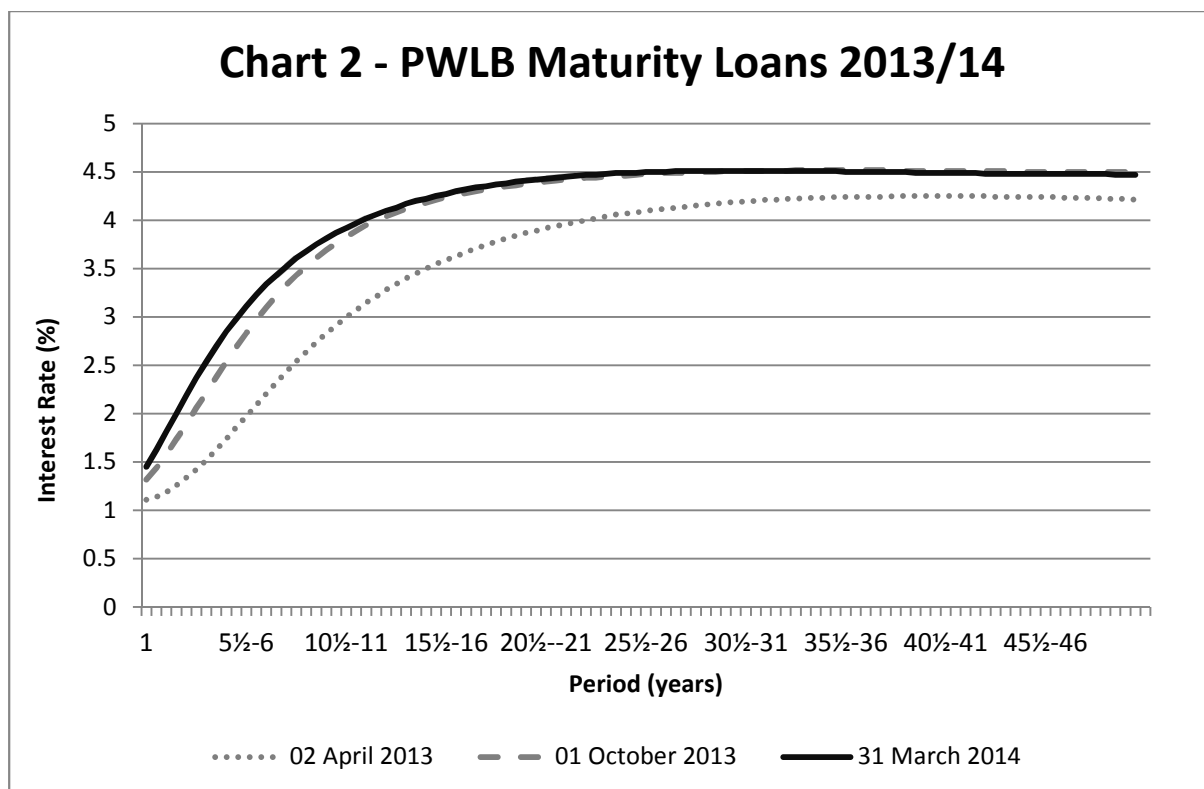
- 5.2** The Council's average investment level over 2013/14 was £60.5m. This was an 18% increase on the previous year (when the average balance was £51.2m) purely because of a more favourable cash flow position stemming from earlier receipt of central government grants during the course of the year.
- 5.3** The Council achieved investment returns of 0.9% for the year against the benchmark (7-day LIBID) which averaged 0.4%, an outperformance of 0.5%. Investment rates available in the market remain at historical lows due to the additional liquidity being pumped into the economy via QE from the central banks.
- 5.4** Table 3 shows the returns achieved by type of deposit. The table shows that the use of fixed term investments does allow a higher return to be achieved but this must always be weighed against the key concerns of security and liquidity. Cash tied up for longer periods is more exposed to credit risk but this is managed through a robust policy for approved counterparties.

Table 3 Returns on Investments	Average Balance £m	Interest Earned £k	Average Return %
Fixed Term Investments (under 364 days)	31.9	301.3	0.94%
Fixed Term Investments (over 364 days)	2.6	61.1	2.37%
Call Accounts / Money Market Funds	26.0	183.8	0.71%
Total	60.5	546.2	0.90%

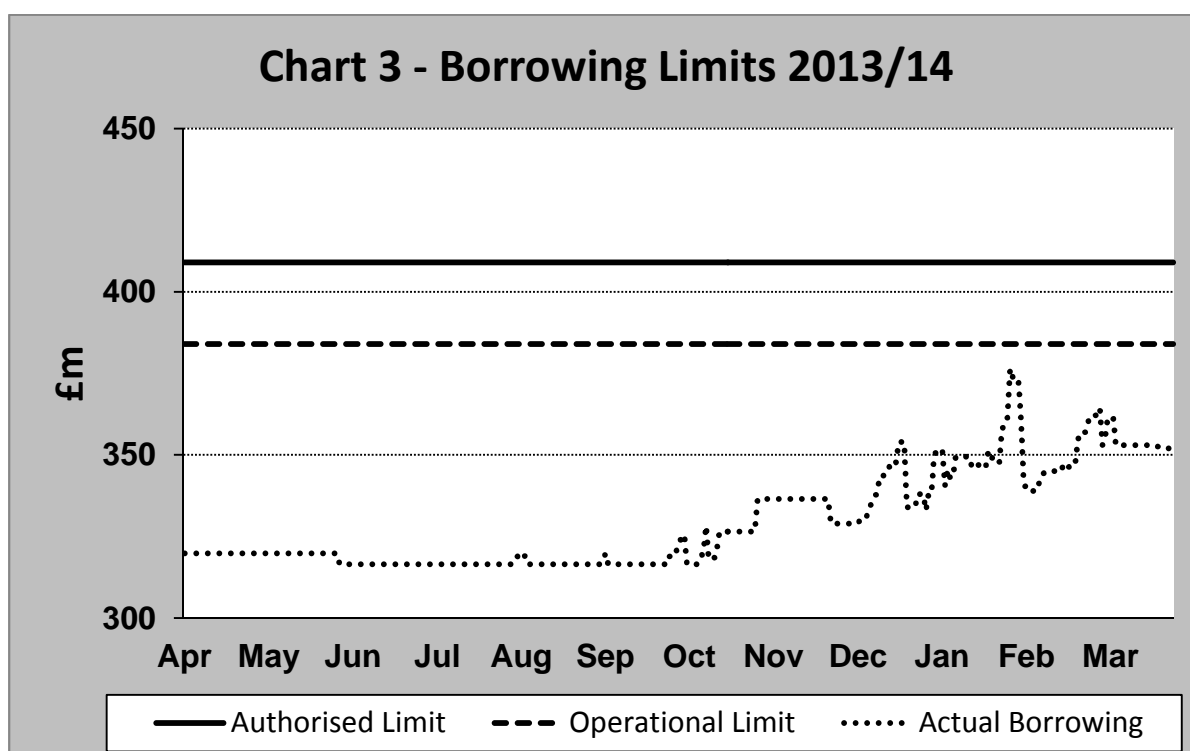
- 5.5** Temporary borrowing was undertaken to cover cash flow shortfalls and to delay longer term borrowing to minimise interest cost for the year. The temporary borrowing was undertaken by the Council at an average rate of 0.43% (before brokerage fees).

6. Long Term Borrowing

- 6.1** The Treasury Management Strategy for 2013/14 presented to Council in February 2013 outlined the Council's long term borrowing strategy for the year. Long-term borrowing is sourced from either the market or from the PWLB. The borrowing rates available from the PWLB reflect gilt yields which increased by around 0.25% in the first half of the year as shown in Chart 2 below.
- 6.2** The Council's revenue budget for 2013/14 assumed up to £40m of new long-term borrowing. Actual new long-term borrowing was £30m, taken at an average rate of 4.19%. Short-term borrowing was also undertaken as described above to take advantage of the very low rates available and minimise interest costs.



- 6.3** Total external borrowing stood at £352.0m on the 31 March 2014 which is within the authorised limit agreed by the Council. Chart 3 below shows that the level of external debt throughout the year was below the key treasury indicators of the authorised limit and the operational boundary, demonstrating that borrowing was within plan during the year. Further details on these treasury prudential indicators are provided in Appendix E.

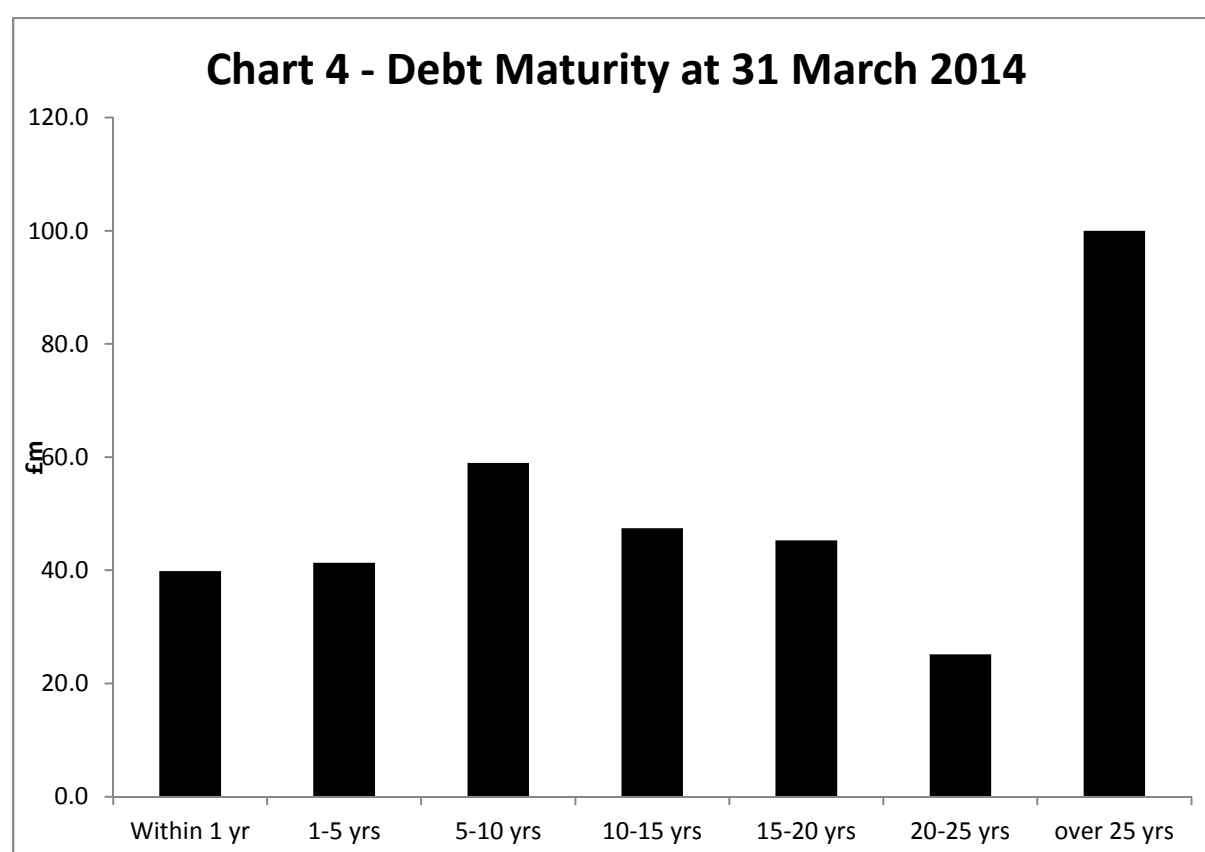


- 6.4** Table 4 shows the movement in long-term borrowing during 2013/14. The loan portfolio still includes 10 LOBOs of £10m each. Two of these had call options in 2013/14 (whereby the lender can opt to increase the interest rate payable and the borrower can opt to repay the loan in full) but these were not exercised. Future call options on these loans constitute a level of interest rate risk for the Council and these will be monitored carefully to ensure the Council is not adversely affected.

Table 4 Movements in Long-term Borrowing 2013/14

Lender	B/fwd 31/03/13 £m	Advances 2013/14 £m	Normal Repayments 2013/14 £m	Premature Repayments 2013/14 £m	C/fwd 31/03/14 £m
PWLB	209.8	30.0	10.8	0.0	229.0
LOBO	100.0	0.0	0.0	0.0	100.0
Other	10.0	0.0	0.0	0.0	10.0
Total	319.8	30.0	10.8	0.0	339.0

- 6.5** The chart below shows that the debt maturity profile is fairly evenly spread over the next 25 years with a maximum duration of 25 years for PWLB debt. The £100m shown in the over 25 year category comprises of LOBOs, which are assumed in this chart to run to maturity, and not called at an earlier date. The average rate on external debt was 5.04% compared to 5.44% in the previous year, reflecting changes both in the rates available to the Council and in the Council's maturity profile.



- 6.6** The Council always has the option of rescheduling its existing PWLB debt should market conditions indicate opportunities for savings. This is achieved by redeeming fixed rate debt and raising new debt at a lower rate of interest, although current PWLB redemption rates usually result in a prohibitive premium being charged. No financially attractive opportunities for debt rescheduling arose over the reporting period.

7. Prudential Indicators for Treasury Management

- 7.1** Table 6 below shows how the treasury management indicators compare with the outturn position. The objective of these indicators is to manage treasury management risks effectively. No indicators were breached during the year.

Table 6 TREASURY MANAGEMENT INDICATORS 2013/14	Approved limits	Outturn
Authorised Limit for external debt	£409m	£352m
Operational Boundary for external debt	£384m	£352m
Upper limit for Rate Exposure		
Fixed Rate	100%	100%
Variable Rate	75%	0%
Upper limit for principal sums invested for over 364 days	Higher of £20m and 15%	£4.5m

Maturity structure of fixed rate borrowing	Approved Lower limit	Approved Upper limit	Outturn
Under 12 months	0%	25%	11.1%
12 months and within 24 months	0%	25%	3.1%
24 months and within 5 years	0%	75%	8.5%
5 years and within 10 years	0%	100%	16.5%
10 years and above	0%	100%	60.9%
Adoption of CIPFA's Treasury Management in the Public Services Code of Practice and Cross Sectoral Guidance Notes – Adopted			

REPORT OF THE LEADER**ROLLS-ROYCE SITE HUCKNALL****Purpose of the Report**

1. To consider proposals for the early development of the primary school provision required and agreed under the Section 106 Agreement for the development scheme at the Rolls-Royce site Hucknall, following the approval of planning permission in March 2014.

Background

2. Proposals for a mixed use housing, community and employment scheme on land adjacent the Rolls-Royce facility at Hucknall have been the subject of previous reports to various Committees including a Full Council meeting on 25th April 2013. This approved an increase in the Council's Capital Programme by £3.154M to fund a new access road and roundabout on the A611 in connection with the development and the undertaking of associated highway engineering design work. Since that time, discussions with Rolls-Royce and their development partner directly and with Ashfield District Council (ADC) as the Planning Authority have continued. This resulted in a decision by ADC to grant planning permission at a meeting in March of this year.
3. Lengthy discussions over this period were required to secure an agreement to the mitigation requirements under a Section 106 Agreement, to be signed with all relevant parties. The County Council's primary concerns were to ensure a package of measures were agreed which mitigated the highways and transport issues arising from the development as well as securing appropriate provision of both primary and secondary school places generated by the housing development. These measures have now been agreed in principle with the developer and the necessary legal agreements are in the course of being finalised.

Primary School Provision

4. Primary school capacity in the Hucknall area is a significant concern. The wider Hucknall area has a predicted shortage of places within the next 3/4 years for the existing population, excluding any future growth proposals. It was recognised early in the discussions that development on the Rolls-Royce site would create a further strain on primary school places, potentially leaving the Council with no scope to meet the demand. As matters stand, there are no surplus places in Hucknall that can be used to accommodate the children generated by occupation of the new development.

5. Therefore, in light of the situation outlined above, the Corporate Director, Children, Families and Cultural Services, has requested that the primary school provision is brought forward earlier in the stages of the development than would ordinarily be the case.
6. As referenced above, the section 106 agreement makes provision for a primary school at a build cost of £3M (at quarter 4 2013 costs) which assumes a fully serviced site being provided by the developer plus, in addition, the fitting-out costs. Ordinarily, this would be triggered at the occupation of a set number of houses (320 in this case). However, given the Council requires the school to be built before this point, options to achieve this need to be considered.

Other Options considered

7. Two options have been reviewed. Firstly, the Developer undertakes to build the primary school over timelines agreed between the parties. In the event there is a need for the Council to provide cash flow assistance to the project up to the 320th trigger, it will be based on appropriate commercial terms. A number of assurances would be required with this approach, including suitable triggers for the re-payment of any advances and, were the housing development to fail, assurances that repayments of any advances are made and that the school is completed.
8. Secondly, the Council could initially fund, design and build the school. This requires an inclusion of the scheme to the Capital Programme for £3M. Under this scenario, the Developer would contract (via the S106 Agreement) to pay a sum representing the programmed cost of the entire school from occupation of the 320th housing unit on site, but would need to meet the Council's borrowing costs in the interim. This is CFCS' favoured solution and the parties are now working on this as the preferred scenario.
9. Irrespective of which option may progress, any necessary due diligence exercises will be undertaken; the Developer has indicated informally that it is willing to enter into an appropriate agreement with the Council. It will be noted that the secondary provision remains as negotiated within the Section 106 Agreement is not affected by this issue.
10. It will also be noted that wider options designed to avoid this requirement were explored, including the provision of temporary accommodation at other school sites. This option was discounted on the basis of expense and with a proliferation of temporary accommodation likely being unattractive / unacceptable propositions to prospective purchasers and local families as well as the potential disruption to the schools directly affected and schooling generally as a consequence.
11. The Council may choose not to provide funding support for the early development of the primary school however this will create an immediate problem with regard to lack of school places in the areas unless alternative options can be found.

Information

12. In principle, the benefits of supporting this early development proposal (regardless of which specific option is taken forward) may be summarised as follows:

- a. the early provision of a primary school offers some redress to the shortage of primary school places in Hucknall and there is an urgent requirement to facilitate a conclusion of this issue now that the wider proposal has secured planning permission;
 - b. overall, the wider development is strategic in sub-regional terms and is championed by this Council and the Local Enterprise Partnership as a key site with significant economic impact and job creation potential. Independent assessments have to date confirmed the site's potential to attract the commercial employment market and the links with Rolls-Royce (and the associated supply chain) offer a unique opportunity to facilitate stable, quality employment growth.
13. The request to facilitate the development of the primary school has been raised by the Council in response to the specific issue facing school places in the Hucknall area. The Developer is willing and able to meet the finance requirements as referenced in the section 106 agreement but it is the specific request from the Council to bring the spend forward which requires additional funding provision. As such, the ability to find a solution rests with the Council.
14. Of the specific options referenced above, the CFCS would prefer the second approach referenced in paragraph 8 above. This would afford the Council the ability to maintain a high degree of control over the specification, the design and the delivery. Once a suitable approach for funding the early provision has been agreed, any necessary due diligence exercises will be carried out and any legal, commercial and financial risks will be reviewed and reported to the Chief Executive in consultation with the relevant members in accordance with the recommendations.
15. One other factor relates to this proposal, whichever option is pursued. At a future meeting of the Children and Young People's Committee, members will be required to consider and agree the process by which bids to manage the primary school will be undertaken. The authority is required to facilitate the process which will see a set of bids being brought forward with comments from the Council for submission to the Secretary of State and it will be desirable that the successful bidder be involved in the design, planning and delivery of the primary school, if possible, dependent on the timing constraints. It is therefore suggested that this may best be coherently managed in tandem with the building contract, being a further reason to support the second option.

Property and Highways Issues

16. In addition to the primary school development issues raised above, the site involves development of a new access road and roundabout on the A611 and associated highway design work, which was approved at a meeting of the Full Council on 25 April 2013. This requires the Council to enter into various highway related agreements with the developer and other landowners and authority to enter into the necessary agreements is sought to enable this work to proceed.

Reason for Recommendation

17. To ensure the Council's requirement to facilitate the earlier provision of the primary school places is addressed.

Statutory and Policy Implications

18. This report has been compiled after consideration of implications in respect of finance, equal opportunities, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Financial Implications

19. The financial considerations are reflected throughout the report, noting the State aid considerations and the requirement for a suitable agreement with the developer. To confirm, the costs of a 210 place primary school are currently estimated at £3M (4th quarter 2013 costs) plus the provision of a fully serviced and de-contaminated site – ie all services, including power, energy and drainage with highways provision to the school entrance. If the site were provided but not fully decontaminated and serviced, an additional £0.5M would be levied. Given that build costs are estimated at today's prices, consideration will be given to ensure that the appropriate prices are confirmed nearer the time.

RECOMMENDATIONS

20. That the County Council agrees the need to bring forward the development of the primary school associated with this development and approves in principle for the Council to undertake the design and construction of the required primary school provision at the Rolls-Royce site Hucknall, subject to the considerations as referenced within the report.
21. That the capital programme be amended by the addition of £3m to support the build of a 210 place primary school in Hucknall subject to further consideration of the most appropriate funding arrangements to bring forward the development.
22. That in consultation with the Leader, the Chairman of Children and Young People's Committee and the Chairman of Finance and Property Committee, the Chief Executive be authorised to finalise and approve the detailed terms for all necessary legal agreements to bring forward the development including the revised S106 Agreement, the funding arrangements associated with commencing works early, and if appropriate the build programme for the school and associated documentation, and any necessary highways and land related agreements.

Report of the Leader of the Council

For any enquiries about this report please contact Geoff George (0115) 977 2046

Constitutional Comments

The recommendations set out in this report may be approved by Full Council [SSR 17.06.2014]

Financial Comments

The financial implications are set out in the report [GB 18.6.14]

Background Papers and Published Documents

None

Electoral Division(s) and Member(s) Affected

Hucknall

REPORT OF THE CHAIRMAN OF CULTURE COMMITTEE**ADOPTION OF BYELAWS FOR BESTWOOD COUNTRY PARK****Purpose of the Report**

1. To seek approval for the adoption of a set of byelaws for Bestwood Country Park.

Information and Advice

2. The majority of Bestwood Country Park is managed by Nottinghamshire County Council's Country Parks Service. A smaller section is now managed by Gedling Borough Council, following their withdrawal from a joint management agreement two years ago. There are currently no byelaws in force at the park.
3. Park byelaws are traditionally a means of discouraging nuisance behaviours and minor anti-social behaviour. This assists park managers, park rangers and local police in their job. Though the penalties for breaking byelaws are not high, they do provide a deterrent, increasing the authority of park staff to tackle minor nuisances such as unauthorised fishing, fires and camping. Other country parks and Local Nature Reserves under the Council's control have byelaws in place for this reason.
4. The subject of byelaws has been discussed with park users and stakeholders at meetings of Bestwood Development Group, which is an informal group of local park users and stakeholders. Not all local people present believed byelaws were necessary. Some suggested adopting a voluntary code of behaviour. However, on the evidence of their past experience, park managers feel that a voluntary code is insufficient, and gives them little tangible power to counter nuisance behaviour.
5. The procedure for introducing byelaws is as follows:
 - Draft byelaws must first be approved by Full Council before being 'sealed.'
 - An advertisement is then placed in a local newspaper giving notice of the Authority's intention to apply to the Government for confirmation of the byelaws.
 - Any objections raised should be resolved locally if possible, before the byelaws are forwarded for confirmation. If unresolved objections remain at the end of the deposit period, a further report must be put before Full Council before proceeding. If no objections received, the byelaws are forwarded to the Secretary of State for confirmation.

6. It is therefore recommended that a set of byelaws for Bestwood Country Park - drawn up in consultation with the Authority's Legal team - are approved and sealed by Council. The proposed byelaws are set out in **Appendix 1**.

Other Options Considered

7. The option of asking park users to abide by a voluntary code of conduct was rejected, as it gives no power of enforcement to park officers to tackle nuisance behaviour.

Reason/s for Recommendation/s

8. Though byelaws are unlikely to deter serious anti-social behaviour they are a useful tool in managing minor infringements and deterring actions which inconvenience other park users. A well-advertised set of byelaws removes any uncertainty on what is acceptable and unacceptable behaviour, and gives law abiding park users more confidence to report problems.

Statutory and Policy Implications

9. This report has been compiled after consideration of implications in respect of finance, public sector equality duty, human resources, crime and disorder, human rights, the safeguarding of children, sustainability and the environment and those using the service and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Implications for Service Users

10. The byelaws will be reassuring for park users and may reduce the incidence of petty anti-social behaviour.

RECOMMENDATION/S

That:

- 1) the proposed byelaws be adopted by the Council and placed on deposit for public inspection, following an advertisement in a local newspaper, as detailed in paragraph 6 above.
- 2) if no objections are raised, the byelaws be forwarded to the Secretary of State for confirmation.

Councillor John Knight
Chairman of Culture Committee

For any enquiries about this report please contact:

Gareth Broome
Service Manager, Country Parks Service.
T: 01623 821313
E: gareth.broome@nottsc.gov.uk

Constitutional Comments (LM 10/04/14)

11. Approval for the making of byelaws falls within the remit of the Full Council.

Financial Comments (KLA 10/04/14)

12. There are no financial implications arising directly from the report.

Background Papers and Published Documents

None.

Electoral Division(s) and Member(s) Affected

All.

C0407

BYELAWS

NOTTINGHAMSHIRE COUNTY COUNCIL

Bestwood Country Park



**Nottinghamshire
County Council**

Made under the Countryside Act 1968

1. Aircraft

No person shall, except in case of emergency or with the consent of the byelaw-making authority, take off from or land upon the land in an aircraft, helicopter, hang-glider or hot-air balloon.

2. Bathing

No person shall, without reasonable excuse, bathe or swim in any waterway comprised in the land, except in an area where a notice exhibited by the byelaw-making authority permits bathing and swimming.

3. Camping

No person shall on the land, without the consent of the byelaw-making authority, erect a tent or use any vehicle, including a caravan, or any other structure for the purpose of camping, except on any area which may be set apart and indicated by notice as a place where camping is permitted.

4. Erection of structures

No person shall on the land, without the consent of the byelaw-making authority, erect any post, rail, fence, pole, tent, booth, stand, building or other structure.

5. Fires

- 5.1 No person shall on the land intentionally light a fire, or place, throw or let fall a lighted match or any other thing so as to be likely to cause a fire.
- 5.2 This byelaw shall not prevent the lighting or use of a properly constructed camping stove or cooker in any area set aside for the purpose, in such a manner as not to cause danger of or damage by fire.

6. Games

- 6.1 Where the byelaw-making authority has, by a notice placed in a conspicuous position on the land, set apart an area on the land for the playing of such games as may be specified in the notice, no person shall:
 - (a) play in such an area any game other than the game for which it has been set apart;
 - (b) use any such area so as to give reasonable grounds for annoyance to any person already using that area for any purpose for which it has been set apart; or
 - (c) play any game so specified in any other part of the land in such a manner as to exclude any person not playing the game from the use of that part.
- 6.2 No person shall, in any area of the land which may have been set apart by the byelaw-making authority for any game, play any game when the state of the land or other cause makes it unfit for use and a notice is placed in a conspicuous position prohibiting play in that area of the land.
- 6.3
 - (i) No person shall on the land play any game:
 - (a) so as to give reasonable grounds for annoyance to any other person on the land; or
 - (b) which is likely to cause damage to any tree, shrub or plant on the land.
 - (ii) This byelaw shall not extend to any area set apart by the byelaw-making authority for the playing of any game.

7. Golf

No person shall on the land drive, chip or pitch a hard golf ball [except on land set aside by the byelaw-making authority for use as a golf course, golf driving range, golf practice area or putting course].

8. Interpretation

In these byelaws:

“the byelaw-making authority” means Nottinghamshire County Council

“the land” means Bestwood Country Park

9. Kites

No person shall on the land fly or cause or permit to be flown any kite in such a manner as to cause a danger or annoyance to any other person on the land.

10. Metal detectors

No person shall on the land, without the consent of the byelaw-making authority, use any device designed or adapted for detecting or locating any metal or mineral in the ground.

11. Missiles

No person shall on the land, to the danger or annoyance of any other person on the land, throw or discharge any missile

12. Noise

(i) No person on the land shall, after being requested to desist by an officer of the byelaw-making authority, or by any person annoyed or disturbed, or by any person acting on his behalf:

- (a) by shouting or singing;
 - (b) by playing on a musical instrument; or
 - (c) by operating or permitting to be operated any radio, CD player or other device capable of emitting sound; cause or permit to be made any noise which is so loud or so continuous or repeated as to give reasonable cause for annoyance to other persons on the land.
- (ii) This byelaw shall not apply to any person holding or taking part in any entertainment held with the consent of the byelaw-making authority.

14. Obstruction/Annoyance

No person shall on the land:

- (a) intentionally obstruct any officer of the byelaw-making authority in the proper execution of his duties; or
- (b) intentionally obstruct any person carrying out an act which is necessary to the proper execution of any contract with the byelaw-making authority; or of the land.

15. Penalty

Any person offending against any of these byelaws shall be liable on summary conviction to a fine not exceeding level 2 on the standard scale.

16. Pollution of waterways

No person shall intentionally, carelessly or negligently foul or pollute any waterway comprised in the land.

17. Protection of Wildlife

- (i) No person shall on the land intentionally kill, injure, take or disturb any animal or fish, or engage in hunting, shooting or fishing, or the setting of traps or nets, or the laying of snares.
- (ii) This byelaw shall not prohibit any fishing which may be authorised by the byelaw-making authority.

18. Public shows, exhibitions and structures

No person shall on the land, without the consent of the byelaw-making authority, place or take part in any show or exhibition, or set up any swing, roundabout or other like thing.

19. Removal of structures

No person shall, without reasonable excuse, remove from or displace on the land any barrier, railing, sign, post or seat, or any part of any structure or ornament, or any implement provided for use in the laying out or maintenance of the land.

20. Removal of substances

No person shall remove from or displace on the land any stone, soil or turf, or the whole or any part of any plant, shrub or tree.

22. Savings

- (i) An act necessary to the proper execution of his duty on the land by an officer of the byelaw-making authority, or any act which is necessary to the proper execution of any contract with the byelaw-making authority, shall not be an offence under these byelaws.
- (ii) Nothing in or done under any of the provisions of these byelaws shall in any respect prejudice or injuriously affect any public right of way through the land, or the rights of any person acting legally by virtue of some estate, right or interest in, over or affecting the land or any part thereof.

23. Trading

No person shall on the land, without the consent of the byelaw-making authority, sell, or offer or expose for sale, or let to hire, or offer or expose for letting to hire, any service, commodity or article.

24. Watercourses

No person shall knowingly cause or permit the flow of any drain or watercourse on the land to be obstructed or diverted, or open, shut or otherwise work or operate any sluice or similar apparatus on the land.

THE COMMON SEAL of THE)
NOTTINGHAMSHIRE COUNTY)
COUNCIL was hereunto)
Affixed on the -----day)
of -----two thousand)
and fourteen in the presence of:-)

DRAFT

The foregoing byelaws are hereby confirmed by the Secretary of State and shall come into operation
on -----

