

SUMMONS TO COUNCIL

date Thursday, 12 January 2017
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 24 November 2016 | 7 - 22 |
| | | |
| 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 | Chairman's Business
a) Presentation of Awards/Certificates (if any) | |
| 5 | Constituency Issues (see note 4) | |
| | | |
| 6 | Presentation of Petitions (if any) (see note 5 below) | |
| | | |
| 7 | Clarification of Committee Meeting Minutes published since the last meeting | 23 - 24 |
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| 8 | LGPS Central Asset Pooling - Governance Arrangements | 25 - 30 |

9	Appointment of Independent Remuneration Panel Members	31 - 34
10	Questions	
	a) Questions to Nottinghamshire and City of Nottingham Fire Authority	
	b) Questions to Committee Chairmen	

11 NOTICE OF MOTION

“This Council profoundly regrets the failure of governments to fund adult social care adequately.

The Audit Office and other Independent sources confirm that the funding of social care is now slipping to under 2% of the Gross Domestic Product.

The potential benefits of the Care Act – and now the efforts of the Sustainability and Transformation Plans - are being undermined by the damaging effects of the decision in the 2010 Spending Review which has left social care exposed to the impact of a 40% real terms fall in financial support to local government.

The integration of health services and local authority social care by 2020 continues to be a key policy driver from government. Such working together should strengthen preventative services in the community and achieve some savings and efficiencies. But there is little evidence to show that greater integration, to date, has realised significant financial savings.

Only adequate and sustainable funding will allow local authorities to be effective partners in such integration plans.

The King’s Fund has stated that the system needs £2.3 billion invested in the life of this parliament to protect statutory social care services.

Therefore, this Council calls upon the Government to:

Make available the £2.3billion required as a matter of urgency which, along with the Government’s social care precept, would help to support local authorities’ spend on social care and would prevent the need to further reduce vital social care services.

Establish a more sustainable national base for funding social care.

The Council further agrees to contact all Nottinghamshire Members of Parliament asking them to support Nottinghamshire County Council with this campaign to secure the funding required, both locally and nationally, in order to protect social care services.”

Councillor Muriel Weisz

Councillor Joyce Bosnjak

12 ADJOURNMENT DEBATE
(if any)

Notes:-

(A) For Councillors

(1) Members will be informed of the date 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 Democratic Services to record accurate information.

(4) At any Full Council meeting except the annual meeting, a special meeting and the budget meeting, Members are given an opportunity to speak for up to three minutes on any issues which specifically relates to their division and is relevant to the services provided by the County Council. These speeches must relate specifically to the area the Member represents and should not be of a general nature. They are constituency speeches and therefore must relate to constituency issues only. This is an opportunity simply to air these issues in a Council meeting. It will not give rise to a debate on the issues or a question or answer session. There is a maximum time limit of 30 minutes for this item.

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

Meeting COUNTY COUNCIL

Date Thursday, 24th November 2016 (10.30 am – 3.52 pm)

Membership

Persons absent are marked with 'A'

COUNCILLORS

Yvonne Woodhead (Chairman)

Mike Pringle (Vice-Chairman)

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

HONORARY ALDERMEN

Terence Butler
John Carter

OFFICERS IN ATTENDANCE

Anthony May	(Chief Executive)
Jayne Francis-Ward	(Resources)
David Pearson	(Adult Social Care & Health)
Colin Pettigrew	(Children, Families and Cultural Service)
Tim Gregory	(Place)
Barbara Brady	(Public Health)
Sara Allmond	(Resources)
Carl Bilbey	(Resources)
Martin Done	(Resources)
Catherine Munro	(Resources)
Anna O'Daly-Kardasinska	(Resources)
Nigel Stevenson	(Resources)
Michelle Welsh	(Resources)

OPENING PRAYER

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

MINUTE SILENCE

A minute silence was held in memory of former County Councillors John Hewitt and Alan Davison

1. MINUTES

RESOLVED: 2016/044

That the minutes of the last meeting of the County Council held on 15th September 2016 be agreed as a true record and signed by the Chairman.

2. APOLOGIES FOR ABSENCE

Apologies for absence were received from:-

Councillor Ian Campbell (medical/illness)

3. DECLARATIONS OF INTEREST

Councillor Pulk declared a disclosable pecuniary interest in item 8 – Submission of Minerals Local Plan for Independent Examination as he lived close to one of the sites referred to in the report.

4. CHAIRMAN'S BUSINESS

(a) FORMER COUNTY COUNCILLORS JOHN HEWITT AND ALAN DAVISON

The Chairman, Councillor Mrs Kay Cutts MBE, Councillor Alan Rhodes, Councillor Kevin Greaves, Councillor Stan Heptinstall MBE, Councillor Parry Tsimbiridis and Councillor Joyce Bosnjak spoke in memory of John Hewitt and Alan Davison who had both recently passed away.

(b) PRESENTATION OF AWARDS

Highly Commended – Collaboration Award – LAPF Investment Awards 2016

Councillor Reg Adair introduced the award won by the Council, which recognised the significant fee savings that have been achieved for the Pension Fund through collaboration between seven local authorities. The Chairman received the award from Councillor Adair and presented it to Nigel Stevenson, Service Director - Finance, Procurement and Improvement and Simon Cunningham, Senior Accountant.

5. CONSTITUENCY ISSUES

The following Members spoke for up to three minutes on issues which specifically related to their division and were relevant to the services provided by the County Council.

Councillor Bruce Laughton – Cromwell Village Hall

Councillor John Wilmott – Problems in Hucknall Town Centre

Councillor Tony Roberts MBE – education in Newark

Councillor Stan Heptinstall MBE – constituency matters in Bramcote and Stapleford

Councillor Alice Grice – the inner relief road

Councillor Gordon Wheeler – latest progress on parking outside the Grand Care Home, West Bridgford

6a. PRESENTATION OF PETITIONS

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

- (1) Councillor John Knight requesting a reduction to the speed limit on Brookhill Lane, Pinxton

- (2) Councillor Stuart Wallace requesting a residents parking scheme on Southend Avenue, Newark
- (3) Councillor Kate Foale requesting a residents parking scheme on Hawthorne Grove, Beeston
- (4) Councillor Bruce Laughton requesting a 50mph speed limit on A616 at Caunton
- (5) Councillor Chris Barnfather requesting a reduction in the speed limit and a pedestrian crossing to be installed on Wighay Road, Linby
- (6) Councillor Gordon Wheeler requesting a pedestrian crossing on Rugby Road, West Bridgford
- (7) Councillor Steve Carroll requesting a speed limit reduction on A60 from Thieves Wood Lane past Portland College, and pavement from Portland College to Oak View Rise, Mansfield
- (8) Councillor Alice Grice request to resurface Rookwook Crescent, Beauvale and repair the potholes in the meantime
- (9) Councillor John Peck request to change the oversubscription criteria for Nottinghamshire schools
- (10) Councillor John Wilmott requesting a residents' parking scheme, Bencaunt Grove, Hucknall
- (11) Councillor Kevin Greaves requesting a residents' parking scheme for Harrington Street in Worksop
- (12) Councillor David Martin requesting a residents' parking scheme on Lilley Close, Selston

RESOLVED: 2016/045

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

6b. RESPONSE TO PETITION PRESENTED TO THE CHAIRMAN OF THE COUNTY COUNCIL

RESOLVED: 2016/046

That the contents and actions taken as set out in the report be noted.

7. CLARIFICATION OF MINUTES

The report provided Members with the opportunity to raise matters of clarification in the minutes of committee meetings published since the last meeting.

Having declared a disclosable pecuniary interest Councillor Darrell Pulk left the meeting during the consideration of the following item:-

8. SUBMISSION OF MINERALS LOCAL PLAN FOR INDEPENDENT EXAMINATION

Councillor Jim Creamer introduced the report and moved a motion in terms of resolution 2016/047 below.

The motion was seconded by Councillor Pam Skelding.

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

The requisite number of Members requested a recorded vote and it was ascertained that the following 37 Members voted '**For**' the motion:-

Pauline Allan	John Knight
Roy Allan	Darren Langton
John Allin	Keith Longdon
Joyce Bosnjak	Diana Meale
Nicki Brooks	Michael Payne
Steve Calvert	John Peck JP
Steve Carr	Sheila Place
Steve Carroll	Liz Plant
John Clarke	Mike Pringle
Jim Creamer	Alan Rhodes
Sybil Fielding	Ken Rigby
Kate Foale	Andy Sissons
Stephen Garner	Pam Skelding
Glynn Gilfoyle	Parry Tsimbiridis
Kevin Greaves	Muriel Weisz
Alice Grice	John Wilkinson
Colleen Harwood	Jacky Williams
Stan Heptinstall MBE	Yvonne Woodhead
David Kirkham	

The following four members voted '**Against**' the motion:-

Tom Hollis	David Martin
Rachel Madden	Jason Zadrozny

The following 23 members '**Abstained**' from the vote:-

Reg Adair	Bruce Laughton
Chris Barnfather	John Ogle
Andrew Brown	Philip Owen
Richard Butler	Francis Purdue-Horan
John Cottee	Tony Roberts MBE
Mrs Kay Cutts MBE	Sue Saddington
Maureen Dobsons	Keith Walker
Dr John Doddy	Stuart Wallace
Boyd Elliott	Gordon Wheeler
John Handley	John Wilmott
Richard Jackson	Liz Yates
Roger Jackson	

The Chairman declared that the motion was carried and it was:-

RESOLVED: 2016/047

- 1) That the Council notes the issues raised at the submission draft consultation stage and proposed modifications set out in Appendix A and B of the report.
- 2) That the Council approves the submission of the Submission Draft of the replacement Minerals Local Plan, the schedule of proposed modifications and the accompanying evidence base to the Secretary of State for an independent examination.
- 3) That the Corporate Director, Place, be authorised, in consultation with the Chairman of Environment and Sustainability Committee, to agree any minor editing changes prior to submission.
- 4) That the Corporate Director, Place be authorised, in consultation with the Chairman of Environment and Sustainability Committee and the Lead Opposition member of Environment and Sustainability Committee, to agree in principle any necessary amendments to the Minerals Local Plan Submission Draft during the Examination process, subject to adoption of the final plan by Full Council.

Councillor Alan Bell left the meeting during consideration of this item and did not return.

Council adjourned from 12.55pm to 1.58pm.

Councillors Tom Hollis, Rachel Madden and Jason Zadrozny did not return to the meeting after the adjournment.

9. REVISED FINANCIAL REGULATIONS

Councillor David Kirkham introduced the report and moved a motion in terms of resolution 2016/048 below.

The motion was seconded by Councillor Darren Langton.

RESOLVED: 2016/048

- 1) That the proposed revisions to the County Council's Financial Regulations be approved.
- 2) That the Council's Monitoring Officer be authorised to make any consequential amendments to the Council's Constitution in consultation with the Leader of the Council.

10. CHANGES TO THE ARRANGEMENTS FOR APPOINTING EXTERNAL AUDITORS

Councillor David Kirkham introduced the report and moved a motion in terms of resolution 2016/049 below.

The motion was seconded by Councillor Darren Langton.

RESOLVED: 2016/049

That the Council opts into the LGA established sector-led body for the appointment of external auditors following the close of the 2017/18 accounts.

11. QUESTIONS

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

No questions were received.

(b) QUESTIONS TO COMMITTEE CHAIRMAN

Three questions had been received as follows:-

- 1) from Councillor Steve Carr regarding plans for the NHS (Councillor Joyce Bosnjak replied)
- 2) from Councillor John Ogle about traffic outside Tuxford Primary Academy (Councillor Kevin Greaves replied)
- 3) from Councillor John Wilmott concerning the homeless and refugees and empty properties across the County (Councillor Alan Rhodes replied)

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

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

12. NOTICE OF MOTIONS

MOTION ONE

Councillor John Wilkinson introduced and moved the motion in terms of resolution 2016/50 below.

The motion was seconded by Councillor Alan Rhodes.

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

The requisite number of Members requested a recorded vote and it was ascertained that the following 45 Members voted '**For**' the motion:-

Pauline Allan	Darren Langton
Roy Allan	David Martin
John Allin	Diana Meale
Joyce Bosnjak	Michael Payne
Nicki Brooks	John Peck JP
Steve Calvert	Sheila Place
Steve Carr	Liz Plant
Steve Carroll	Mike Pringle
John Clarke	Darrell Pulk
Jim Creamer	Alan Rhodes
Maureen Dobson	Ken Rigby
Sybil Fielding	Andy Sissons
Kate Foale	Pam Skelding
Stephen Garner	Parry Tsimbirdis
Glynn Gilfoyle	Muriel Weisz
Kevin Greaves	John Wilkinson
Alice Grice	Jacky Williams
Colleen Harwood	John Wilmott
David Kirkham	Yvonne Woodhead
John Knight	

No members voted '**Against**' the motion.

The following 21 members '**Abstained**' from the vote:-

Reg Adair	Dr John Doddy
Chris Barnfather	Boyd Elliott
Andrew Brown	John Handley
Richard Butler	Richard Jackson
John Cottee	Roger Jackson
Mrs Kay Cutts	Bruce Laughton

John Ogle
Philip Owen
Francis Purdue-Horan
Tony Roberts MBE
Sue Saddington

Keith Walker
Stuart Wallace
Gordon Wheeler
Liz Yates

The Chairman declared that the motion was carried and it was:-

RESOLVED: 2016/050

This Council deplores the planned central government cuts to funding for pharmacies which could lead to the closure of 3000 community pharmacies across the country.

The result, upon the people of Nottinghamshire, of such a short-sighted policy would be devastating in terms of access to medical care, social cohesion and community life. It would also result in an increasing, and unsupportable, pressure on both General Practitioner appointment, and Accident and Emergency waiting, times.

Therefore, this Council calls upon the Government not to implement the planned reductions in funding to pharmacies and, further,

- a) pledges our support for the campaign of the National Pharmacy Association (NPA) against the planned reductions;
- b) agrees to contact the Leaders of all District and Borough councils in Nottingham seeking their support, and that of their authorities, for the NPA campaign;
- c) agrees to contact all Nottinghamshire Members of Parliament seeking similar support.

Councillor Keith Longdon left the meeting during consideration of this item and did not return.

Motions Two and Three

Motions two and three as printed in the Council book were withdrawn by the respective movers because Clause 21, the subject matter of both motions had been withdrawn from the Bus Services Bill.

13. ADJOURNMENT DEBATE

None

14. URGENT ITEM - DISPENSATION

The meeting was informed that Councillor Ian Campbell was seriously ill and it was highly likely that he would be unable to attend any meetings for the foreseeable future. The meeting was informed of the provisions of Section 85(1) of the Local Government Act 1972 following which Councillor Woodhead moved a motion in terms of resolution 2016/051 below.

The motion was seconded by Councillor Mike Pringle.

RESOLVED: 2016/051

That this Council agree that a dispensation be granted to Ian Campbell, County Councillor for Retford West, to continue in his role as County Councillor for this area despite his non-attendance at any County Council meeting in the last six months.

This dispensation is agreed due to the tragic illness which Councillor Campbell has been diagnosed with and which is currently preventing his attendance.

The Motion was unanimously agreed.

The Chairman declared the meeting closed at 3.52 pm.

CHAIRMAN

APPENDIX A

COUNTY COUNCIL MEETING HELD ON 24TH NOVEMBER 2016 QUESTIONS TO COMMITTEE CHAIRMEN

Question to the Chairman of the Health and Wellbeing Board, from Councillor Steve Carr

Would the Chairman of the Health and Wellbeing Board join me in condemning the government's plan for dividing the NHS in England into 44 areas or 'footprints', each of which has a 'Sustainability and Transformation Plan' (STP)? Do you agree with me that these plans are intended to help the government to slash, trash and privatise our NHS - leaving local areas to deal with the crisis that follows?

Response from Councillor Joyce Bosnjak, Chairman of the Health and Wellbeing Board

For those people who are not aware, the development of the Sustainability and Transformation Plans (STPs) followed the publication of the 5 year Forward View in 2014 which identified a £30billion shortfall in the finances of the NHS by the end of this Parliament without additional funding or changing the way treatment and care is delivered.

The Chief Executive of the NHS, Simon Stevens said that it was possible to achieve greater levels of efficiency and better outcomes in the NHS by changing the way that the increasing need and demand was dealt with. This includes how an increasing number of older people who represent 70% of those in hospital at any one time are cared for. Also a genuine need to focus the attention on prevention, providing more integrated care at home and investing in technology and innovation.

A recent Kings Fund report identifies a £1.9bn shortfall in adult social care funding by next year and £2.3billion by 2020. The Government then instructed every area to have a plan for integrating health and social care by 2020 in the hope that this might address that shortfall. This is why the process has included local authority services as well as the Health Service. I have never stopped, and people will have heard this many times, I have never stopped saying how under-funded both Adult Social Care and Health are, the funding cuts are unsustainable and put the very essence of our National Health Service at risk.

It is quite clear that our health and care services are under immense pressure with the overwhelming majority of acute trusts experiencing a deficit this year and similarly an increasing number of Clinical Commissioning Groups are heading toward a deficit.

From a survey of local authorities conducted in October, 72% were overspent by a total of £455million after the first six months of this financial year and that is even before the pressures associated with winter are piled on top.

There desperately needs to be national decisions and considerations about the amount of funding available for health and care, we cannot and should not ignore the health needs of this country and we continue to campaign on this.

So how do we make sense of all of that here in Nottinghamshire? At the same time it is our responsibility locally, here in Nottinghamshire to ensure that we are making the best use of the money available to us, limited though it is. STP's involve considering gaps in health and wellbeing in our local communities, care and quality in services and finances and having a plan to address all of these. These plans are a reality of a Conservative Government and the only way we can get the best for Nottinghamshire is if we get involved. I came reluctantly to the STPs because like other people I had misgivings also. However, rather than standing on the side lines saying its money that we need not plans, I decided in the best interests of Nottinghamshire, I would get involved.

Do I have concerns? You are dead right, of course I do. I am under no illusion about what this Government is trying to do to our health service and there is no one more angry and frustrated than me with the ongoing unnecessary cuts from Government to Adult Social Care.

In Nottinghamshire we are part of two footprints - Nottingham and Nottinghamshire and South Yorkshire and Bassetlaw. It is no secret that I, along with others would have liked to have had one County-wide approach to this, but Bassetlaw, in what they have deemed to be their best interests have gone with South Yorkshire. And that is fine, as far as I am concerned they are still Nottinghamshire people and I have duty of care, as we all do, to the people of Bassetlaw. So I intend to work as closely as possible with them to make sure that the quality services are maintained and I have also been asked by Bassetlaw and South Yorkshire STP to formally join their board, which bodes well for the future I think.

We are one of only four of the 44 authorities in this Country where a local authority officer is leading the STP as part of his responsibilities. David Pearson was asked by the Chief Executive of the NHS to lead the organisations in Nottinghamshire in the development of the plan. We agreed to David taking on this role given his local and national experience and in my view he is doing a cracking job, so thank you. The national guidance by Government to the NHS has been to develop the plan and then to share it with the public. I understand the concerns people have, and I do remain very sceptical about the process nationally but I think here in Nottinghamshire there has been some real plans to involve different organisations and plans for further involvement as well, particularly from the voluntary sector and also Healthwatch, and to a large extent the plan is based on engagement and involvement that has been carried out with communities as part of the ongoing improvement of services.

David has given six presentations to the public session in the Health and Wellbeing Board, and given radio and press interviews. Given the national requirements there have been attempts to make the process as open as possible, I think we have done that. Nottinghamshire has a national reputation for innovation through the vanguards and local people have been heavily involved in the development of the changed services. A summary of the plan, with a link to the full plan is being published today. We are reassured that the plan is not final and feedback on the plan will be received

until mid-January. After this each organisation will be asked to formally consider the plan including the County Council.

The purpose of the plan is to achieve the best health and wellbeing outcomes and I am pleased that there is a strong focus on prevention and increasing the healthy life expectancy of our population by three years during the life of the plan improve care and quality, particularly in primary, community and social care services.

It is going to be difficult because we are responsible for public health now as a County Council and the public health grant is diminishing as well. So on all fronts we are trying to wrestle the best we can with reduced resources and it is difficult.

We can work in different ways that's true, but that should not be at the detriment of public services. For fear of repetition I will say again – a plan for change of our key health and social care services is only going to work effectively if there is appropriate funding available, and that is what we must continue to fight for.

Rest assured that Health and Social Care Practitioners will continue to wrestle with the challenges of providing good, quality services with ever depleting resources.

Now that the plan is published I think we should actively engage with our constituents, as members we should scrutinise the details and take every opportunity to constructively challenge where needed and we should make it very clear that the people of Nottinghamshire deserve a health service that meets their needs.

We should all examine fully the plans to understand its implications for local people. I am committed to high quality, public services, I am committed to a National Health Service that is free at the point of need and I will continue to campaign for fair funding of our services.

Unfortunately, listening to Phillip Hammond yesterday as he delivered his Autumn Statement said absolutely nothing about investment in health and social care. So, I am always optimistic and I am hoping that these things might change, but I am not holding my breath and I actually think it is about time the rhetoric stopped and they put their hand in their pocket.

On the 26th November the Labour Party has a national campaign day for our health services and adult social care. This is not just a political thing, because I know that people on my right here feel just as passionately about the Health Service as I do. So all I would ask for wherever possible if you can bang a drum for increasing investment in health and social care please do so.

Question to the Chairman of the Transport and Highways Committee, from Councillor John Ogle

At Full Council on 26th November 2015, I presented a 483-signature petition requesting a pedestrian crossing on Newark Road outside the Tuxford Primary Academy.

Petitioners were subsequently informed by the County Council that pedestrian and traffic surveys had been undertaken and the criteria for a crossing had not been met, but the letter concluded:-

‘We will... keep the request for a formal crossing at this location on file. Should the traffic conditions outside the school change significantly in the future... we will reconsider the scheme request.’

Is the Chairman of the Transport & Highways Committee aware that since those surveys were completed, there have been further developments at the school which impact upon pedestrian and vehicular traffic:-

- there is a school breakfast club, meaning children arrive especially early;
- there are new after-school activities where children and parents leave the school late (in darkness at this time of year); and,
- the school library has moved from Darlton Road to the school premises on Newark Road?

In view of these changes and ongoing local concerns about traffic near the school, would he agree to a new traffic assessment, to measure the risk now posed to child and adult pedestrians at this location?

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

A number of traffic surveys have been undertaken outside Tuxford primary Academy to determine if the site meets the criteria for a school crossing patrol or a formal pedestrian crossing.

These surveys count the traffic passing through the site to determine if there are sufficient gaps in the traffic to enable people to cross. The survey also counts the numbers of pedestrians crossing in the vicinity of a request, and typically formal crossings are provided where there are significant numbers of pedestrians crossing throughout the day.

The surveys undertaken show that traffic volumes on the A6075 Newark Road outside the school were low and that the majority of the vehicles travelling past the school at the peak times were in fact parents picking up or dropping off their children. As the traffic volumes were low it meant that pedestrians of all ages had sufficient opportunity to cross the road.

Therefore for this location to be prioritised for a pedestrian crossing the numbers of pedestrians crossing the road throughout the day in the vicinity of the school, and the numbers of vehicles travelling along the road, would both need to have significantly increased.

The most recent survey undertaken to determine if the site meets the criteria for the provision of a school crossing patrol was undertaken only last week (on 14th November 2016) and the site still does not meet the criteria.

Officers have also already considered whether a formal crossing would be required following the expansion of the school as part of the planning process. It is also worth noting that it is not only the County Council that has determined that a formal crossing is not required outside the school. Consultants carried out a transport assessment on behalf of Tuxford Primary Academy in relation to the planning application for the expansion of the school. Tuxford Primary Academy's consultants also concluded that a pedestrian crossing outside the school was not required, and would not be required as a result of the proposed expansion of the school.

I will, however, ask officers to undertake the necessary traffic surveys to determine if the changes highlighted by Councillor Ogle mean that the site now meets the criteria for the provision of a formal crossing.

Question to the Chairman of the Policy Committee, from Councillor John Wilmott

Can the Chairman of the Policy Committee agree with me that it is a scandal to hear that there are almost 9,000 empty and derelict properties within Nottinghamshire?

Homelessness and the refugees are constantly in our local papers so, as Leader of the Council, could the Chairman, on behalf of the County Council, write and influence all our district and borough councils to bring back their long-term empty properties as a priority?

Would the Chairman agree with me that in bringing these empty properties to life it would make Nottinghamshire a vibrant and desirable place to live with less homeless people on our streets and a place to call home for our refugees?

Response from Councillor Alan Rhodes, Chairman of the Policy Committee

Firstly, it is only right that I remind Councillor Willmott that we are not a housing authority, however both issues he raises are important.

It's alarming that across England, since 2010, the number of homeless people sleeping rough on the streets has doubled and headline or 'statutory' homelessness has increased by 44%.

Under the Labour Government from 1997-2010 which I know Councillor Willmott supported, rough sleeping fell by 75 per cent and statutory homelessness was reduced by nearly two-thirds.

There are a number of often complex reasons as to why people become homeless and that is why as a Local Authority we provide many preventative services and support from our health teams, from adult social care and our community safety teams.

Our grant aid funding has consistently supported the most vulnerable in our communities. In fact it is our policy to put the most vulnerable first.

Here at Nottinghamshire County Council, we can make a difference by ensuring that there are preventative and support services for people with the aim, to ensure, that they do not become homeless.

I believe that as a country we should be doing all we can to ensure everyone has a safe place to live, free from harm and prejudice. As a county we are playing our part in the refugee programme alongside our partner agencies.

You are probably aware that there is a Homelessness Reduction Bill going through Parliament at the moment, which is now at the committee stage. The bill has cross political support.

The Homelessness Reduction Bill aims to bring down high levels of homelessness by placing stronger duties on councils to help people who are homeless or threatened with homelessness at an earlier stage.

The obvious proviso with this bill is that there should be sufficient funding in public services and local communities if we are serious about resolving the very real issues and are able to deliver what the bill expects us to. The bill should be fully funded by Government.

We will continue to work with our districts, partners, stakeholders and voluntary sector to protect the most vulnerable in our communities.

REPORT OF THE CHIEF EXECUTIVE

Clarification of Minutes of Committee Meetings published since the last meeting on 24th November 2016

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 24th November 2016.

Information and Advice

2. The following minutes of Committees have been published since the last meeting of Full Council on 24th November 2016 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	14 th November, 12 th December
Appeals Sub-Committee	None
Audit Committee	7 th September
Children & Young People's Committee	21 st November, 19 th December*
Community Safety Committee	8 th November
Corporate Parenting Sub-Committee	12 th September
Culture Committee	1 st November*
Economic Development Committee	4 th October, 6 th December
Environment and Sustainability Committee	3 rd November
Finance and Property Committee	21 st November, 19 th December*
Grant Aid Sub-Committee	None
Health Scrutiny Committee	11 th July
Health & Wellbeing Board	9 th November, 7 th December
Joint City/County Health Scrutiny Committee	8 th November, 13 th December
Joint Committee on Strategic Planning and Transport	16 th September
Nottinghamshire Local Pensions Board	None
Nottinghamshire Pensions Fund Committee	20 th September
Nottinghamshire Police & Crime Panel	7 th November
Pensions Investment Sub-Committee	29 th September
Pensions Sub-Committee	None
Personnel Committee	28 th September
Planning & Licensing Committee	15 th November, 20 th December*
Policy Committee	16 th November, 14 th December*

Committee meeting	Minutes of meeting
Public Health Committee	29 th September
The City of Nottingham and Nottinghamshire Economic Prosperity Committee	23 rd September, 25 th November
Transport and Highways Committee	17 th November, 15 th December*

* Minutes expected to be published before 12th January 2017, but not yet approved by the relevant Committee.

Anthony May
Chief Executive

**REPORT OF CHAIRMAN OF NOTTINGHAMSHIRE PENSION FUND
COMMITTEE****LGPS CENTRAL ASSET POOLING – GOVERNANCE ARRANGEMENTS****Purpose of the Report**

1. To make recommendations in respect of changes that will be required to the operational and governance arrangements for the Nottinghamshire Pension Fund following recent amendment of the Local Government Pension Scheme (LGPS) Investment Regulations. The revised regulations require all administering authorities in England and Wales to enter into joint (pooled) arrangements for the management of their investment assets, with effect from 1 April 2018, in order to meet criteria set by the government.

Information and Advice

2. The LGPS is one of the largest funded pension schemes in the world with combined assets of around £200 billion. These are managed by 89 local administering authorities, who historically have maintained separate arrangements for the management of scheme assets, overseen by their respective Pension Fund Committees.
3. Between them it is estimated that administering authorities incur total administrative and management costs of around £500 million per year, a significant proportion of which relates to investment management fees paid to external fund managers. Funds often use the same managers, offering the same or similar services but appointed under separate agreements and on different fee terms.
4. Funds also vary significantly in scale; large funds enjoy direct access to a wide range of investment markets and products and can often negotiate more competitive fees, whilst smaller funds have more restricted options due to lower levels of investment resources and expertise and less negotiating power in the market.
5. Over the past two and half years the government has explored a number of options for improving the efficiency and sustainability of the scheme, and has undertaken extensive consultation on the potential to deliver savings through greater collaboration. A national cost benefit exercise, co-ordinated by Hymans Robertson concluded that significant savings could be achieved through greater use of collective investment approaches, provided that certain regulatory restrictions were removed.

6. Subsequently, the government announced its intention to introduce a new regulatory framework which would facilitate collective investing and issued guidance and criteria to help administering authorities to develop proposals for pooling aimed at reducing costs and improving efficiency. Initial proposals were required by February 2016, followed by more detailed business case submissions in July 2016, with a target implementation date of 1 April 2018.
7. The new Local Government Pension Scheme (Management and Investment of Funds) Regulations 2016 came into force on 1 November 2016. These include the requirement to approve an Investment Strategy Statement in accordance with guidance issued by the Secretary of State and also includes the power for the Secretary of State to make a direction if satisfied that the guidance is not being followed. This power may be used where authorities fail to bring forward sufficiently ambitious proposals for asset pooling.

LGPS Central

8. Reports to the Nottinghamshire Pension Fund Committee and the Pensions Sub-Committee have informed Members of the proposal to create a multi asset investment pool called LGPS Central in conjunction with the administering authorities of Cheshire, Derbyshire, Leicestershire, Shropshire, Staffordshire, West Midlands and Worcestershire. The pool will have combined assets of around £35 billion.
9. The detailed business case for LGPS Central, agreed by the Pension Fund Committee at its meeting on 21 June 2016, demonstrated how the proposal will meet the four key assessment criteria laid down by the government:
 - Asset pool(s) that achieve the benefits of scale (>£25billion)
 - Strong governance and decision making
 - Reduced costs and value for money
 - Improved capacity and capability to invest in infrastructure
10. The business case outlined the proposed governance, oversight and management structure of the pool based on advice from Eversheds, the legal advisers appointed by the pool.
11. The structure will allow participating funds to exercise control (both individually, and collectively) over the new arrangements, not only as investors in the pooled funds, but also as shareholders of the operator company, LGPS Central Ltd.
12. Whilst assets will be managed on a pooled basis, each fund will be able to exercise their investor rights independently, although benefits of scale will be most effectively harnessed where parties work together in a co-ordinated way to align their decision making. An important example of this is responsible investment and voting policies where cross-voting between funds within the same pool would be both costly to administer and counter-productive.
13. The Shareholders Forum, governed by a Shareholders Agreement and operating under company law, will have formal decision making powers. Nottinghamshire County Council will have equal voting rights alongside the other participating funds, and unanimous decisions will be required on key strategic matters. These are specified in the Shareholders Agreement and Articles of Association and include the appointment and dismissal of the company's senior executives, approval of the company's strategic plan and any significant financial transactions, such as major acquisitions, lending or borrowing.

14. The degree of control to be exercised by the Shareholders through their reserve powers will be greater than is generally the case, in order to satisfy the Teckal exemption criteria and allow the company to undertake services on behalf of the investor funds without a formal procurement process.
15. The Joint Committee, established by an Inter-Authority Agreement which includes terms of reference, will be the forum for dealing with common investor issues, and for collective monitoring of the performance of the pool against the agreed objectives of LGPS Central. It will however, have no formal decision making powers and recommendations will require the approval of individual authorities, in accordance with their local constitutional arrangements. The role of the Joint Committee will be reviewed after an appropriate period of operation.
16. The government has made clear their expectation that pooled entities should be regulated by the Financial Conduct Authority (FCA) to ensure appropriate safeguards over the management of client monies. As such, LGPS Central Ltd will be subject to on-going oversight by the FCA and key management positions, including the company directors, will need to be 'approved persons', able to demonstrate appropriate knowledge, expertise and track record in investment management. These positions also carry significant personal liability for their actions and decisions.
17. The relative merits of buying or renting an established operator to manage the day to day running of the pool have been carefully considered against the benefits of setting up a jointly owned company with associated shareholder rights. The constituent funds unanimously agreed that the latter option, whilst more expensive in the short term, offers significant advantages in terms of greater flexibility and control, as well as longer term cost savings, and this is the basis upon which the business case has been developed.
18. Staff who are currently employed by the participating Funds to manage their investments are likely to transfer under the Transfer of Undertakings (Protection of Employment) regulations (TUPE) to the new company. The implications for Nottinghamshire County Council staff will be considered as part of the overall project.
19. The detailed business case has been reviewed by a joint DCLG/HM Treasury Review Panel, and Ministerial consent to proceed has been received.
20. Comprehensive programme governance arrangements are in place to ensure that the statutory deadline for the implementation of pooling is achieved and that costs and savings are managed in accordance with the agreed business case. The s151 officers of each of the participating funds sit on the LGPS Central Programme Board and regular joint meetings are held between the Chairs and Vice-Chairs of the respective Pension Fund Committees to ensure effective member oversight of progress and delivery. The Nottinghamshire Pension Fund Committee, the Pensions Sub-Committee and the Local Pensions Board are also being updated regularly on key developments and decisions.
21. Expert advisers have been appointed to provide support on legal matters, FCA registration, taxation and overall programme management. Professional recruitment consultants have been appointed to assist and advise on executive recruitment and remuneration.

22. Eversheds provided initial drafts of the Shareholders Agreement, Articles of Association and Inter-Authority Agreement (the various agreements that are needed to establish LGPS Central and to ensure appropriate governance arrangements are in place) and these have been reviewed by Browne Jacobson on behalf of all the participating funds. After a number of iterations the final draft documents were presented to a joint meeting of Chairs, Vice-Chairs and s151 officers on 4 November 2016. Comments made at this meeting have been incorporated to produce the final versions. It is intended that these agreements are approved by each participating authority in early 2017 in accordance with the programme timeline.

Impact on the role of the Nottinghamshire Pension Fund Committee

23. The terms of reference for the Nottinghamshire Pension Fund Committee and its Sub-Committees are within the Council's constitution. A large part of the role of the Committees will be unaffected by the implementation of pooling and the creation of LGPS Central. The Committees will continue to be responsible for monitoring the overall management, performance and administration of the fund, and for setting investment strategy, including the overall allocation of assets, which is the critical factor in determining investment performance.
24. Importantly, they will also continue to be responsible for communicating with individual scheme members, whose benefits are guaranteed in law, and are therefore not affected by the new pooling arrangements or investment performance.
25. Responsibility for appointing investment managers and overseeing their performance, including any decision to dismiss, will however transfer to the pool, as will tactical decisions on the implementation of the overall investment strategy and the choice of specific investment vehicles.
26. The role of the Investment Sub-Committee will therefore be more fundamentally impacted by the pooling proposals, as its remit is focussed specifically on the review of investment manager performance. The roles of the various Committees will be reviewed in light of the new asset pool. It should be noted that the transition of assets into the pool is likely to be phased over a number of years and the Committees will have an important role in the interim in making sure that good governance is maintained over both transferred and non-transferred assets.

Other Options Considered

27. The requirement to pool assets is set out in the LGPS governing regulations and the Secretary of State has power to intervene in the Fund's investment strategy if guidance on pooling is not followed.
28. Advice was received on the options for the structure of the pool and this recommended the creation of an operating company authorised and regulated by the FCA. This is also the government's preferred option. Other potential structures were rejected on the basis of the advice and also because of the risk of possible criminal liability resulting from operating an unregulated collective investment scheme.
29. The option to buy or rent an operator for the pool was considered but rejected as it would be more costly in the medium to long term and gives less control and flexibility over the set up and ongoing operations.

Reason/s for Recommendation/s

30. The recommendations will allow the Council to comply with updated LGPS Investment Regulations which came into effect in November 2016, requiring all administering authorities to commit to an investment pooling arrangement which meets the criteria and guidance laid down by the Secretary of State in November 2015. Where authorities fail to comply with the criteria and guidance, the Secretary of State has powers to intervene, and to issue a Direction requiring changes to investment strategies and investment management arrangements, or the transfer of the investment functions of an administering authority, either to himself or a nominated party.
31. The proposal to establish LGPS Central is supported by a comprehensive business case, which demonstrates the potential for significant savings in investment costs and management fees over the longer term, without detriment to investment performance and local accountability.

Statutory and Policy Implications

32. 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 Council approve the following:

- a) To enter into joint agreements with Cheshire West and Chester Council, Derbyshire County Council, Leicestershire County Council, Shropshire Council, Staffordshire County Council, Wolverhampton City Council and Worcestershire County Council to establish a joint pension fund investment pool and to establish a Joint Committee under s102 of the Local Government Act 1972.
- b) To become a joint shareholder of LGPS Central Ltd, incorporated for investment management purposes and regulated under the Financial Services and Markets Act 2000.
- c) To appoint the Chairman of the Nottinghamshire Pension Fund Committee, or his nominated representative, to act as the Council's representative on the Joint Committee and Shareholders Forum and to exercise the Council's voting rights as a shareholder of LGPS Central Ltd.
- d) To appoint the Service Director (Finance, Procurement & Improvement) to represent the Council on a Practitioners Advisory Forum.
- e) To authorise the Corporate Director Resources to enter into all necessary legal agreements to establish a joint asset pool and investment management company as outlined in this report, after consultation with:
 - Chairman and Vice-Chairman of the Pension Fund Committee;

- Service Director (Finance, Procurement & Improvement); and
- Group Manager for Legal Services.

Councillor Reg Adair
Chairman of Nottinghamshire Pension Fund Committee

For any enquiries about this report please contact:
 Keith Palframan, Group Manager (Financial Strategy & Compliance)

Constitutional Comments (SLB 29/12/16)

33. County Council is the appropriate body to consider the content of this report.

Financial Comments (SRC 29/12/16)

34. Costs associated with the set up and operation of the asset pool will be recharged to the pension fund in accordance with governing regulations.

Background Papers and Published Documents

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

Reports to Nottinghamshire Pension Fund Committee

6 December 2016 – LGPS CENTRAL GOVERNANCE ARRANGEMENTS (Published)

21 June 2016 – LGPS CENTRAL BUSINESS CASE (Published)

15 March 2016 – ASSET POOLING AND CONSULTATION ON REVISED INVESTMENT REGULATIONS (Published)

8 September 2015 – LOCAL GOVERNMENT PENSION SCHEME POOLED INVESTMENTS (Published)

Reports to Pensions Sub-Committee

10 November 2016 – LGPS CENTRAL ASSET POOL (Published)

14 July 2016 – LGPS CENTRAL SUBMISSION (Published)

5 May 2016 – LGPS ASSET POOLING (Published)

4 February 2016 – ASSET POOLING AND CONSULTATION ON REVISED INVESTMENT REGULATIONS (Published)

Electoral Division(s) and Member(s) Affected

- All

REPORT OF THE CHIEF EXECUTIVE**APPOINTMENT OF INDEPENDENT REMUNERATION PANEL MEMBERS****Purpose of the Report**

1. To approve the recommended appointments of Members to the Independent Remuneration Panel.

Information and Advice

2. It is a legal requirement for the County Council to have regard to a report from an Independent Remuneration Panel (IRP) before making or revising its Members Allowances Scheme. The Council's current Scheme was agreed by the County Council in May 2012 when the committee system was implemented.
3. The members of the IRP were selected in 2009 following a selection process undertaken by Councillors and Officers. The term of appointment for the IRP has now expired and therefore new appointments are required.
4. As agreed by Council on 4 July 2016, a recruitment panel of three County Councillors was convened to undertake the selection process, in conjunction with the Monitoring Officer. Councillor Steve Carroll, Councillor Nicki Brooks and Councillor Chris Barnfather were the Members who formed this panel.

The IRP positions were advertised through a number of sources, including local newspapers and online. 16 applications were received and the recruitment panel shortlisted 7 applicants. Interviews were held on the 2nd and 7th November 2016. The recruitment panel members felt that it would be sensible to appoint four Members. The IRP has to consist of a minimum of three members but having four available within a pool reduces the risk of being unable to put together a properly constituted panel in the event that one member is unavailable.

5. The Panel's recommendations for appointment are as follows:-

a) Sir Rodney Brooke CBE, DL - Chair

Sir Rodney has a wide experience of local government as a former Chief Executive and has chaired a number of IRPs for various Councils including previous panels for this Council. He has also chaired a number of other public sector bodies.

b) Madi Sharma - Member

Madi has previously served on IRPs for Nottinghamshire, Ashfield and Mansfield. She is an international entrepreneur and ambassador for Nottingham.

c) Stephen Bray – Member

Stephen is a former Corporate Director of Gedling Borough Council. He has first-hand experience of the work of an IRP and a detailed understanding of its role and function.

d) Charles Daybell – Member

Charles is a former Chief Executive at Braintree District Council. He previously chaired Nottinghamshire County Council's Standards Committee.

6. The Nottinghamshire IRP has previously met on a 'task and finish' basis and it is proposed to continue with that approach to keep costs to a minimum. The new Panel will need to be convened to carry out a review of the Members Allowances Scheme before the end of June 2017

Other Options Considered

7. It is a legal requirement for the Council to appoint an IRP in order to review the Members' Allowances Scheme.

Reason/s for Recommendation/s

8. To enable appropriate appointments to be made ahead of the IRP meeting required in 2017.

Statutory and Policy Implications

9. 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 services), the public sector equality duty, safeguarding of children and adults at risk, 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.

Financial Implications

10. The levels of payment for Chair and Panel members remain unchanged at £850 and £650 per day. It is expected that a review of the Members Allowances Scheme will take approximately 2-3 days to complete.

RECOMMENDATION/S

That the following people be appointed to the Independent Remuneration panel until the Annual General Meeting in May 2018 when continued membership of the panel will be considered:-

Sir Rodney Brooke, CBE, DL – Chair
Madi Sharma
Stephen Bray
Charles Daybell.

Anthony May
Chief Executive

For any enquiries about this report please contact:

Keith Ford

Email keith.ford@nottscc.gov.uk, Tel 0115 9772590

Constitutional Comments (SLB – 10/12/16)

11. The proposals set out in this report fall within the remit of Full Council.

Financial Comments (SES 23/12/16)

12. The financial implications are set out in the report.

Background Papers and Published Documents

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

- The Local Authorities (Members' Allowances) (England) Regulations 2003 are published
- Report to County Council dated 17 May 2012 is (published)
- Report to Standards Committee dated 30 October 2007 (published)
- Report to County Council dated 4 July 2016 (published)

Electoral Division(s) and Member(s) Affected

- All

