

Meeting COUNTY COUNCIL

Date Thursday, 15th December 2011 (10.00 am – 7.02 pm)

Membership

Persons absent are marked with 'A'

COUNCILLORS

Keith Walker (Chairman)

Carol Pepper (Vice Chairman)

A Reg Adair
 John Allin
 Fiona Asbury
 Chris Barnfather
 Victor Bobo
 Joyce Bosnjak
 Richard Butler
 A Steve Carr
 Steve Carroll
 Allen Clarke
 Ged Clarke
 John Clarke
 L B Cooper
 John Cottee
 Michael J Cox
 Jim Creamer
 Bob Cross
 Mrs Kay Cutts
 V H Dobson
 Sybil Fielding
 Stephen Garner
 Michelle Gent
 Glynn Gilfoyle
 Keith Girling
 Kevin Greaves
 John M Hemsall
 Stan Heptinstall MBE
 Rev. Tom Irvine
 Richard Jackson
 A Rod Kempster
 Eric Kerry
 John Knight
 Bruce Laughton

Keith Longdon
 Rachel Madden
 Geoff Merry
 Mick Murphy
 Philip Owen
 A Thomas A J Pettengell
 Sheila Place
 Darrell Pulk
 Mike Quigley MBE
 Mrs Wendy Quigley
 Alan Rhodes
 Ken Rigby
 Kevin Rostance
 Mrs Sue Saddington
 Mel Shepherd MBE
 S Smedley MBE JP
 Mark Spencer MP
 June Stendall
 Andy Stewart
 Martin Suthers OBE
 Lynn Sykes
 David Taylor
 Parry Tsimbiridis
 Gail Turner
 Stuart Wallace
 Les Ward
 Gordon Wheeler
 Chris Winterton
 Brian Wombwell
 Martin Wright
 Liz Yates
 Jason Zadrozny

OTHERS IN ATTENDANCE

Hon. Alderman Martin Brandon-Bravo OBE

OFFICERS IN ATTENDANCE

Mick Burrows	(Chief Executive)
Jayne Francis-Ward	(Assistant Chief Executive & Monitoring Officer)
Caroline Baria (part)	(Adult Social Care, Health and Public Protection)
Paul McKay (part)	(Adult Social Care, Health and Public Protection)
Chris Kenny	(Adult Social Care, Health and Public Protection)
Anthony May	(Children, Families & Cultural Services)
Tim Gregory	(Environment & Resources)
Sara Allmond	(Policy, Planning and Corporate Services)
Carl Bilbey	(Policy, Planning and Corporate Services)
Claire Dixon	(Policy, Planning and Corporate Services)
Martin Done	(Policy, Planning and Corporate Services)
Chris Holmes	(Policy, Planning and Corporate Services)
Greg Michael	(Policy, Planning and Corporate Services)
Linda Smith	(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

1. MINUTES

RESOLVED: 2011/094

That the Minutes of the last meeting of the County Council held on 3rd November 2011 be agreed as a correct record and signed by the Chairman.

2. APOLOGIES FOR ABSENCE

The following apologies for absence were received:-

Other County Council Business

- Councillor Steve Carr

Medical/Illness

- Councillor Fiona Asbury
- Councillor Thomas A J Pettengell

3. DECLARATIONS OF INTEREST

There were no declarations of interest.

4. CHAIRMAN'S BUSINESS

(a) Presentation of Awards

Councillor Philip Owen introduced an award in relation to the National Youth Justice Innovation Award. The award, for outstanding innovation in the field of youth justice, was presented to the Targeted Support and Youth Justice Service at the Annual Youth Justice Convention in Brighton on 3rd November. Rachel Tunaley, Team Manager for Targeted Support (on behalf of the Targeted Support and Youth Justice Service) attended and was presented the award by the Chairman.

Councillor Richard Jackson introduced the award which was in relation to the Royal Commendation received by the Highways Safety Team for their Fatal 4 Campaign. Suzanne Heydon, representing the Highways Safety Team, attended and was presented the award by the Chairman.

(b) Constituency Issues

Set out in Appendix A to these minutes is a full note of the issues discussed by Councillors as follows:-

Councillor Joyce Bosnjak – Myths & Legends of Mansfield Woodhouse

Councillor S Smedley MBE JP – Traffic in Ollerton

Councillor Gail Turner – Lorries in Selston and Jacksdale

Councillor Rachel Madden – S106 monies for Schools in Ashfield

5. PETITIONS

(a) PRESENTATION OF PETITIONS

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

1. Councillor John Cottee – Petition regarding traffic issues on the A606, Upper Broughton.
2. Councillor Darrell Pulk – Petition opposing the proposed plans to install a zebra crossing on Burton Road, Carlton.
3. Councillor Keith Girling – Petition opposing the permanency of a bus/coach station on the Wharf, Newark.
4. Councillor Ged Clarke - Petition requesting the removal of Residents Parking Schemes in Arnold.

RESOLVED: 2011/095

That the petitions be referred to the appropriate Cabinet Members for consideration in accordance with Standing Orders.

(b) REPORT BACK ON PETITIONS

RESOLVED: 2011/096

That the contents and proposed actions in the report back on petitions received on 3rd November 2011 be noted and the petitioners be informed accordingly.

6. QUESTIONS

(a) QUESTIONS UNDER STANDING ORDER 7.1

Four questions had been received as follows:-

1. from Councillor Chris Winterton about the Equality and Human Rights Commission Review of Home Care (Councillor Kevin Rostance replied)
2. from Councillor Keith Girling concerning Members Allowances (Councillor Andy Stewart replied)
3. from Councillor Parry Tsimbiridis regarding the cost of reorganising the National Health Service (Councillor Martin Suthers OBE replied on behalf of Councillor Kevin Rostance)
4. from Councillor S Smedley MBE JP about commissioning of Children's Centres (Councillor Philip Owen replied)

5. from Councillor John Allin concerning employment rights of staff at care homes being sold (Councillor Andy Stewart replied on behalf of Councillor Kevin Rostance)
6. from Councillor Alan Rhodes regarding arrangements with district councils to deal with possible poor weather conditions in winter (Councillor Richard Jackson replied)

The full responses to these questions under Standing Order 7.1 are set out in Appendix B to these Minutes.

(b) QUESTIONS UNDER STANDING ORDER 7.2

There were no questions submitted under Standing Order 7.2.

7. REPORTS FROM MEMBERS

(a) CABINET MEMBERS

Councillor Mrs Kay Cutts presented the reports. The reports were seconded by the Councillor Martin Suthers OBE.

RESOLVED 2011/97

That the reports from Cabinet Members be noted.

During consideration of these reports, Council adjourned from 12.32 pm until 1.55 pm for lunch.

(b) CHAIR OF OVERVIEW COMMITTEE

Councillor Joyce Bosnjak presented the report. The report was seconded by Councillor Ged Clarke.

RESOLVED 2011/098

That the report be noted.

8. FUTURE COMMISSIONING ARRANGEMENTS – CHILDREN'S CENTRES

Councillor Philip Owen introduced the report and moved a motion in terms of the resolution 2011/099 below.

The motion was seconded by Councillor Chris Barnfather.

Following a debate on the item, the following amendment to the motion was moved by Councillor Alan Rhodes and seconded by Councillor Jason Zadrozny.

“That this Council defers agenda item 8 and refers the report back for further information and redrafting.”

The amendment was put to the meeting and on a show of hands, the amendment was lost.

The original motion was put to the meeting and it was

RESOLVED: 2011/099

1. That the proposed revised core service offer for Nottinghamshire children’s centres be approved;
2. That the proposed future commissioning plans for children’s centre provision with provision focused upon an extended early intervention offer for children and families be approved;
3. That a further report be brought to Council on the outcome of the procurement exercise prior to the contract being awarded.

9. A CULTURAL STRATEGY FOR NOTTINGHAMSHIRE COUNTY COUNCIL

Councillor John Cottee introduced the report and moved a motion in terms of the resolution 2011/100 below.

The motion was seconded by Councillor Keith Girling.

RESOLVED: 2011/100

That the Cultural Strategy for Nottinghamshire County Council 2011-2021 be approved.

10. A STRATEGY FOR NOTTINGHAMSHIRE LIBRARIES

Councillor John Cottee introduced the report and moved a motion in terms of the resolution 2011/101 below.

The motion was seconded by Councillor Keith Girling.

RESOLVED: 2011/101

That the Libraries Strategy and its associated action plan be approved.

11. NOTTINGHAMSHIRE BROADBAND PLAN

Councillor John Cottee introduced the report and moved a motion in terms of the resolution 2011/102 below.

The motion was seconded by Councillor Reg Adair.

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

The requisite number of Members requested a recorded vote and it was ascertained that the following 43 Members voted '**For**' the motion.

'FOR'

Reg Adair
Chris Barnfather
Victor Bobo
Richard Butler
Allen Clarke
Ged Clarke
L B Cooper
John Cottee
Michael J Cox
Mrs Kay Cutts
V H Dobson
Stephen Garner
Michelle Gent
Keith Girling
John M Hemsall
Stan Heptinstall MBE
Richard Jackson
Eric Kerry
Bruce Laughton
Rachel Madden
Mick Murphy
Philip Owen

Carol Pepper
Mike Quigley MBE
Mrs Wendy Quigley
Ken Rigby
Kevin Rostance
Mrs Sue Saddington
Mel Shepherd MBE
Mark Spencer MP
June Stendall
Andy Stewart
Martin Suthers OBE
Lynn Sykes
David Taylor
Gail Turner
Keith Walker
Stuart Wallace
Les Ward
Gordon Wheeler
Brian Wombwell
Liz Yates
Jason Zadrozny

The following 10 Members voted '**Against**' the motion.

‘AGAINST’

John Allin
Joyce Bosnjak
Sybil Fielding
Glynn Gilfoyle
Kevin Greaves

Sheila Place
Alan Rhodes
S Smedley MBE JP
Parry Tsimbiridis
Chris Winterton

Councillors Geoff Merry and Martin Wright ‘abstained’ from the vote.

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

RESOLVED: 2011/102

1. That the superfast vision be approved and the approach to accelerating the rollout of superfast broadband be endorsed as set out in the report and the Local Broadband Plan
2. That it be noted that the Council has the responsibility for governance and partnership arrangements to realise the vision and strategy (once approved by Broadband Delivery UK)
3. That the Council agrees to make available, subject to final agreed capital contributions from the district, borough and city councils and other external funding, a ceiling of £2.15 million capital contribution. The final amount will be the subject of a further report to Cabinet when final details, including the procurement route and state aid approval process are known
4. That the proposed £400,000 (up to March 2016) covering the costs of managing the procurement process, project management of the delivery of the Local Broadband Plan and the demand stimulation programme, be agreed and would be met from within the Council's overall revenue budget and factored into the County Council's Medium Term Financial Strategy
5. That authority be delegated to the Assistant Chief Executive for minor alterations prior to finalisation and submission of the Local Broadband Plan to secure Nottinghamshire the £4.25 million Government funding allocation
6. That the superfast broadband vision be reflected in developing plans to transform the way the public sector in Nottinghamshire delivers its services

7. That authority be delegated to the Assistant Chief Executive to commence and complete any necessary procurement arrangements

12. NEW ARRANGEMENTS FOR TRAVEL

Councillor Mrs Kay Cutts introduced the report and moved a motion in terms of the resolution 2011/103 below.

The motion was seconded by Councillor Chris Barnfather.

RESOLVED: 2011/103

That the new arrangements for travel be approved, as set out in the report.

13. TREASURY MANAGEMENT

Councillor Reg Adair introduced the report and moved a motion in terms of the resolution 2011/104 below.

The motion was seconded by Councillor Sheila Place.

RESOLVED: 2011/104

That the report on Treasury Management activity in the first half of 2010/11 be noted.

14. REPORT TO THE TRUSTEES OF ROBIN HOOD THEATRE TRUST

Members were reminded that as current trustees of the Robin Hood Theatre Company, when considering the report, the decision taken should be in the best interests of the Trust.

Councillor Mrs Kay Cutts introduced the report and moved a motion in terms of the resolution 2011/105 below.

The motion was seconded by Councillor Martin Suthers OBE.

RESOLVED: 2011/105

That Nottinghamshire County Council, in its capacity as trustee of the Robin Hood Theatre Trust (charity number 251116), resolved to exercise powers under Section 74D of the Charities Act 1993 as amended by the Charities Act 2006 to amend the charity scheme dated 20th June 1980 as follows:

- a. Delete clauses 6 through to 27 of the Scheme;
- b. Amend clauses 28 through to 30 of the Scheme by changing the reference to “the Committee” to “the Trustees”;
- c. Amend clauses 31 and 32 of the Scheme by changing the reference to “the Committee” to “the Trustees” and by deleting the phrase “nevertheless to the consent of the Trustees and” from those clauses;
- d. Amend clause 33 of the Scheme by changing the references to “the Committee” to “the Trustees” and by deleting the phrase “with the consent of the Trustees”;
- e. Amend clause 34 of the Scheme by changing the reference to “the Committee” to “the Trustees”;
- f. Delete clause 35 of the Scheme;
- g. Replacing the Council as trustee of the Robin Hood Trust by amending clause 5 of the Scheme and replacing “The Nottinghamshire County Council” with “The Robin Hood Theatre Company Limited (charity number 1141210)”.

15. NOTICE OF MOTIONS

MOTION ONE

It was moved by Councillor Les Ward and seconded by Councillor Martin Wright:-

“That this Council congratulate both the town and the people of Royal Wootton Bassett, following Her Majesty the Queen’s decision to confer the title “Royal” on the town earlier this year.

That this Council extend its gratitude to the people of Royal Wootton Bassett for their dedication and commitment in honouring Nottinghamshire’s fallen servicemen.

That this Council resolves to write to the Mayor of Royal Wootton Bassett to formally thank the town and its people for their loyalty to all our fallen heroes.”

It was unanimously **RESOLVED: 2011/106**

“That this Council congratulate both the town and the people of Royal Wootton Bassett, following Her Majesty the Queen’s decision to confer the title “Royal” on the town earlier this year.

That this Council extend its gratitude to the people of Royal Wootton Bassett for their dedication and commitment in honouring Nottinghamshire's fallen servicemen.

That this Council resolves to write to the Mayor of Royal Wootton Bassett to formally thank the town and its people for their loyalty to all our fallen heroes."

After consideration of motion one, Council adjourned from 5.20pm to 5.30pm.

MOTION TWO

It was moved by Councillor Chris Winterton and seconded by Councillor S Smedley MBE JP:-

"The jobless total for 16 to 24 year olds hit a record of 1.02 million in the quarter nationally. Provisional data from the end of September/early October 2011 had 4.6% (1,187 young people) of young people in academic years 12-14 in Nottinghamshire County Not in Education Employment Training (*PM0001- 3rd October 2011*), in Ashfield it is 5.0%, Bassetlaw 6.2%, and Mansfield 6.3% which are all above the County average.

The Government has launched initiatives to help young people into work but what does the future hold for the young people of Nottinghamshire.

Youth unemployment is the highest it has been since records began nineteen years ago causing greater vulnerability within our young people not only across the country but across Nottinghamshire.

This Council calls for the Government to ensure young people receive impartial information and guidance relating to further and higher education, apprenticeships, vocational training and full time employment and access to resources which will enable young people to reach their full potential.

This will ensure all young people of Nottinghamshire receive the high quality support and guidance they deserve."

Following a debate, the following amendment to the motion was moved by Councillor Philip Owen and seconded by Councillor Keith Girling.

"This Council:-

(a) Notes the recent, widely report observation of former Labour Minister David Miliband that youth unemployment problems started to be an issue under the previous Labour Government from 2005;

(b) Notes that ~~t~~The jobless total for 16 to 24 year olds hit a record of 1.027 million **for August to October** ~~in the quarter~~ nationally. Provisional data from the end of September/early October 2011 had 4.6% (1,187 ~~young people~~) of young people in academic years 12-14 in ~~the~~ Nottinghamshire **LA area County** Not in Education, Employment **or Training (NEET)**; ~~(PM0001—3rd October 2011)~~, in Ashfield it is 5.0%, Bassetlaw 6.2%, and Mansfield 6.3% which are all above the County average.

(c) Welcomes the fact that Nottinghamshire has a lower percentage of young people NEET than all of its statistical neighbours except Lincolnshire, but recognises the need for continued efforts to reduce the number of young people NEET in Ashfield, Bassetlaw and Mansfield, which remains above the County average;

(d) Welcomes ~~the~~ Government's ~~has launched~~ **of** initiatives to help young people into work ~~but what does the future hold for the young people of Nottinghamshire.~~

~~Youth employment is the highest it has been since records began nineteen years ago causing greater vulnerability within our young people not only across the country but across Nottinghamshire.~~

~~This Council~~ **and** calls for the Government to ensure **they** young people receive impartial information and guidance relating to further and higher education, apprenticeships, vocational training and full time employment and access to resources which will enable **them** ~~young people~~ to reach their full potential;

(e) Believes ~~this~~ will **help** ensure all young people of Nottinghamshire receive the high quality support and guidance they deserve."

Council adjourned from 5.40pm to 5.45pm to allow Members time to consider the amendment to the motion.

The amendment to the motion was not accepted by the mover of the motion so, following a debate, the amendment to the motion was put to the meeting and carried on a show of hands.

The following amendment to the motion was moved by Councillor Stan Heptinstall MBE and seconded by Councillor Gail Turner.

- Paragraph (a) be deleted
- Paragraph (b) to become paragraph (a)
- Paragraph (c) to become paragraph (b)

- In paragraph (b) delete “Welcomes the fact that Nottinghamshire has a lower percentage of young people NEET than all of its statistical neighbours except Lincolnshire, but”. Start the first sentence at “Recognises”.
- In paragraph (b) after “...young people NEET” add in “especially”.
- Paragraph (d) becomes (c)
- At the end of paragraph (c) add “; and will ask the Government to ensure that Nottinghamshire receives its fair share of resources.”
- Paragraph (e) becomes (d)

The amendment was accepted by the mover of the motion, so the motion as amended was put to the meeting and carried on a show of hands.

RESOLVED: 2011/107

“That this Council:-

- (a) Notes that the jobless total for 16 to 24 year olds hit a record of 1.027 million for August to October nationally. Provisional data from the end of September/early October 2011 had 4.6% (1,187) of young people in academic years 12-14 in the Nottinghamshire LA area Not in Education, Employment or Training (NEET);
- (b) Recognises the need for continued efforts to reduce the number of young people NEET especially in Ashfield, Bassetlaw, and Mansfield, which remains above the County average.
- (c) Welcomes the Government’s launch of initiatives to help young people into work and calls for the Government to ensure they receive impartial information and guidance relating to further and higher education, apprenticeships, vocational training and full time employment and access to resources which will enable them to reach their full potential; and will ask the Government to ensure that Nottinghamshire receives its fair share of resources.
- (d) Believes this will help ensure all young people of Nottinghamshire receive the high quality support and guidance they deserve.”

The Chairman declared the meeting closed at 7.02 pm

CHAIRMAN

M_15DEC11

APPENDIX A

COUNTY COUNCIL MEETING HELD ON 15TH DECEMBER 2011

3-MINUTE SPEECHES

Councillor Joyce Bosnjak

“Normally when we stand up here and have our three minutes, it’s usually just to get on to Richard and moan and groan about something isn’t it? Well, this isn’t about moaning and groaning, this is talking about how fantastic the EDI, the old EDI, now the CDF is. How important it is to us as Councillors and how inventive we can be when we’re spending it. So I want to tell you about a project that I spent my money on, and Parry’s money as well, because we do these things together. I’ve got a really good area that I represent, it’s steeped in history in Mansfield Woodhouse and I feel as passionately about it as Parry does. But I’m also really keen to raise the aspirations of the young people in Mansfield Woodhouse and it’s not just what happens within the classroom, it’s the other things that happen as well.

So I decided to incorporate both of those elements into an idea that I’d got about writing a book of short stories, getting young people from Mansfield Woodhouse to write stories and then publish the books so these individuals would see their names in print. Well I think that would be really aspirational and more importantly I suppose, to talk about the area in which they live so they start to develop a real sense of place and cohesion and actually speak to grandparents and parents to find out the history of Mansfield Woodhouse. We called it Myths and Legends; the Myths and Legends of Mansfield Woodhouse - because that sounded quite magical and mysterious really. If I’d called it history, then nobody would have come along.

So we had four Saturday mornings in September and we held workshops at Mansfield Woodhouse library. The staff were fantastic, I think we really tried their patience on occasions but they were wonderful. These workshops were being run by the New Writers UK, which is a group of volunteers who get involved with all these types of schemes and do bigger and better things than what happened at Mansfield Woodhouse.

So, eight of those volunteers worked with us as well as loads of other people from the community. Over 60 children took part and the end result whilst they were there at this workshop they were listening to the stories and looking at maps and drawings of the old village. What it used to look like and where the extent of the fire was, because there was a fire in Mansfield Woodhouse that completely destroyed it, they were really keen on that. They found out about the labyrinth of tunnels that weave underneath the streets of Mansfield Woodhouse; they were fascinated by all of these things. Things that they heard about the caves, they saw the strange gargoyle in one of the walls in Mansfield Woodhouse as well. It

was really about stimulating their imaginations and I ended up with about 30 stories in total that bore a lot of resemblance to the Harry Potter kind of ideas but it was based on fact, based on the history of Mansfield Woodhouse

We also looked at old bones because children like the gory bits don't they, so we looked at the old bones that our own archaeologist had dug up in Mansfield Woodhouse. So they were fascinated by all of that and incidentally there is a ghost in the library apparently, I didn't know that until a few weeks ago. They heard stories from the local police officer talking about crime and punishment and apparently stocks were never ever banned in England, they were in Scotland and Wales but never ever in England. 22 young children are having their stories printed with their names underneath and the book will be on shelves and they can buy it, just imagine how wonderful that would be? A big thank you for all the staff at County Hall for making it happen, and it only cost £1500 between us."

Councillor S Smedley MBE JP

"It is Christmas Chairman and before we begin I'd like to wish you all a very Merry Christmas and a happy new year and every blessing for you and your families. But Scrooge is alive and well in Ollerton in the shape of Tesco. Tesco a multinational company who Ollerton Town Council asked for a contribution towards their Christmas toy appeal for children and they gave us a magnificent donation of a £10 voucher to be spent in Tesco and they refused to cooperate with us on giving us about 3 feet of land to put up a memorial to commemorate the men who died at Ollerton pit.

It shows that sometimes folks like Tesco take from their customers and forget that there are things to put back and I would hope this County Council could put some pressure on Tesco about that memorial. That land is useless to them, it's a grass verge and they have been stringing us along for four years saying yes you can, you only have got to ask, but when we ask we don't get it, then they say yes you can you've only got to ask, when we do ask we don't get it. So patience has run thin.

The other thing I would like to talk about in Ollerton and it won't surprise you, is traffic, not only the roundabout. Ollerton had full employment into the middle 1980's and the reason it had full employment was because 90% of male workforce worked at one institution and that was the pit. When the pit went, we had to diversify. We had to try and find alternative employment but what that brought with it was huge numbers of cars and traffic. Ollerton wasn't built with traffic in mind. It was built in 1923; that was the point when its sole reason for being was for the pit being sunk and the streets weren't built with traffic in mind. So lots of the streets do not have parking and it is a major problem. I've already quoted the figures of cars going through Ollerton, not that really a very large village, 17,500 down the main street, grid locking the side roads; the roundabout is still a problem, it is a major problem,. I'm asking Richard if we will look at it and do a traffic survey on the whole of Ollerton."

Councillor Gail Turner

“My division, at two points actually, at Selston and Jacksdale does border with Derbyshire and the consequence of this is when Derbyshire County Council sometimes makes decisions, it does effect my division. Just over the border at Ironville and Riddings, Derbyshire County Council authorised the weight limit on the roads in those villages. The effect of that decision is that large numbers of heavy vehicles including all the lorries from JB Transport which is located just over the border, passes through Jacksdale. This is really quite unfair on my constituents, they are bearing the full force of this change and it has been quite a radical change and made by people who Jacksdale people had no say in electing. The types of houses on Main Road which is the road most affected in Jacksdale, some are set back from the road but there are terraced properties which front immediately on to the road, but all of the houses have faced some sort of impact.

The roads in Jacksdale are no more suitable for these heavy vehicles than those roads in Ironville or Riddings. Maybe the real problem is where JB Transport is located; perhaps that's the unsuitable position. I spent a whole day talking individually to residents on Main Road, Jacksdale and every single person complained about these vehicles. They told me that there were streams of lorries relentlessly day and night. They spoke of the noise that each lorry makes, particularly the empty lorries. Residents also spoke of the extra pollution and the fears of accidents. But they did say that they didn't mind taking their fair share of the lorries through Jacksdale but they find it very very very unfair indeed that they are taking everything. I too have concerns that this decision made by Derbyshire County Council has brought. I am convinced that it is having a detrimental impact on highway maintenance in Jacksdale whilst Ironville and Riddings will be able to keep their roads in good order, I doubt very much that this will be the case in Jacksdale but of course, it will not be Derbyshire County Council footing the bill for this but the taxpayers of Nottinghamshire.”

Councillor Rachel Madden

“I wish to address today a problem that could affect thousands over the future.

Over the years there has been hundreds of new homes built within Ashfield and the District is expected to provide space for thousands more in the next 20 years or so. These developments have been the subject of Section 106 Agreements covering such areas as open space improvements, local transport and, in some cases, contributions towards better educational facilities.

The educational aspect has been difficult to negotiate. Several years ago, when the development was starting on the Lindleys Lane site in Kirkby, Councillors felt that some help was needed towards the local primary school. The developer was okay to add this into the total so officers at the County Council were contacted regarding an appropriate sum but we had great difficulty in even getting them to think about it, never mind sitting down at the negotiating table.

Recently the latest large development was granted permission but, again, discussion with the County Council regarding the contribution towards education was muddled – with district councillors being told by our officers that a substantial sum was mentioned but dismissed by County officers as “if they couldn’t have the full amount they weren’t interested” - with the consequence that no monies were agreed for the educational provision. We need to get our house in order.

We have high aspirations for the children in Ashfield and would like them to stay in the District throughout their working lives especially in high tech jobs but are they to be penalised by an apparent lack of interest by the County Council in providing good education?

I know this is being looked at under the new CIL system as this was touched on at the recent Planning and Licensing Committee meeting but I ask that a policy covering the provision of educational enhancements be drawn up as soon as possible so we can take advantage of all sources of income in this time of belt-tightening so that the children of Ashfield are not left behind in this ever more competitive world.”

APPENDIX B

COUNTY COUNCIL MEETING HELD ON 15TH DECEMBER 2011

QUESTIONS UNDER STANDING ORDER 7.1

Question to the Cabinet Member for Adult Social Care and Health from Councillor Chris Winterton

“Is the cabinet member aware of the review to home care carried out by the Equality and Human Rights Commission that highlighted a great number of recipients of home care are having their basic human rights breached, common complaints about the services provided included no support in order for them to eat and drink, financial abuse, a disregard for privacy, patronising behaviour and physical abuse.

What action will this council be taking in order to ensure that human rights are not being breached across the County and will he reconsider the proposed budget cuts publicised for this year?”

Response by Councillor Kevin Rostance, Cabinet Member for Adult Social Care and Health

“In Nottinghamshire we undertake a great deal of monitoring to ensure that home care providers are delivering the services commissioned and that these services are of good quality and appropriate to the needs of the service user. We have a standard Service Specification for use with all home care providers which includes a clear requirement in relation to how service users should be treated. I would like to read it for you:

‘Where it is agreed as appropriate to meet the agreed outcomes for service users, the care task should include staff spending time talking to, relating with, and understanding the lives of service users.

The way in which the service is provided should respect the ethnic and cultural background of the service user, their individuality and personal preferences.’

The highlight there is on respect. Where we provide home care services, we install InfoCare boxes in service users’ homes in order to ensure that the commissioned services are delivered and care staff are required to use the box to identify when the service starts and ends.

We undertake regular monitoring of our contracts with home care providers, and as part of this we investigate complaints about home care services and look to implement lessons learned. As part of the tendering process that we undertake every three years, we request evidence of a good track record from the providers

under consideration. We will continue to take this issue very seriously as you would expect.

All staff training is funded and provided by the County Council to its own staff and independent sector and home care agencies to ensure that staff can and are able to respond to any concerns about individuals in their own homes. The authority has clear safeguarding processes in place where individuals can be referred for a safeguarding assessment as required.

District Nurses/Home Care Nurses also have similar training in partnership with health colleagues. The staff will know what to do if they have a concern and there are clear policies and procedures for staff to follow.

Also there are clear proactive annual Quality Audit processes for checking the training Providers give to their staff, including CRB Checks and recruitment. The Providers understand the reporting of safeguarding issues and concerns. The audit is the authority's ability to process and make contact with service users to ensure that they are experiencing a good quality services.

Should there be a concern regarding a Provider, the authority would then suspend the contact and put in place an Action Plan. In monitoring the Action Plan the authority will help the Provider to resolve the issues and if this is carried out, the suspension would be lifted. However, the authority has been known to terminate a contact with a Provider who did not meet the full standards.

The Care Quality Commission is responsible for the regulation of social care services, which includes registered care settings, care agencies and local authorities and it is also the regulator of healthcare provided by and on behalf of the NHS.

The Care Quality Commission's role in safeguarding adults is with regulated services. Therefore it is a requirement that they are notified of all safeguarding referrals received by the Adult Social Care & Health Department that relate to a regulated service.

Investment funding in Home Care services is being increased to help and support more people to live at home longer. Budget cuts will not have a negative impact but will be more cost effective and streamline processes to expand home-based support services.

We have largely protected the home care spend as we are seeking to keep more people at home through a variety of services. We have reviewed individual needs to ensure that all the people can go onto personal budgets and they are getting the services they require.

Just to add, I would like to pass my congratulations to the team in Gedling, our Social Services Team in Gedling. This is a comment made about them. It says:- 'older people living in the Gedling area are being looked after by one of the best

social work teams in the Country and as so they have been recognised and they are down at the House of Lords tomorrow representing Nottinghamshire on that, so I wish them the best there.”

Question to the Cabinet Member for Personnel and Performance from Councillor Keith Girling

“If Nottinghamshire county councillors join or at least refuse to cross picket lines outside County Council premises during industrial action, meaning they cannot attend public and private meetings inside those premises on behalf of their constituents, do those councillors join their union comrades in forfeiting the appropriate share of their allowance for that day?”

Response by Councillor Andy Stewart, Cabinet Member for Personnel and Performance

“There is no provision in the council’s Member Allowance Scheme to reduce the annual allowance payable to any elected member of the County Council who does not attend scheduled meetings for any reason.

The Local Authorities (Members' Allowances) Regulations 2003 require all local authorities to make a scheme "for the payment of an allowance in respect of each year to each member of an authority, and the amount of such an allowance shall be the same for each member". As required by the regulations the County Council's scheme is based on recommendations of the Independent Remuneration Panel.

The scheme is explicit that no attendance allowance shall be payable either for Council duties per se, or in respect of appointments to outside bodies. There is no provision in the constitution for sanctions for non-attendance at meetings other than the general provision in the 1972 Local Government Act that a member who fails to attend any meeting of the authority within six months will have vacated their office. The only provision in the scheme to withhold payment from a councillor is by decision of the Standards Committee where a member is suspended wholly or partially from their duties.”

Question to the Cabinet Member for Adult Social Care and Health from Councillor Parry Tsimbiridis

“The nationwide cost of the reorganisation of National Health Service is already above previous estimates of £2-3bn, with Primary Care Trusts being told to hold back £3.44bn over two years. Reports are showing that nursing posts are being cut and patients are waiting longer than 18 weeks for care.

With this in mind please could the Cabinet Member inform the council of the overall cost of the reorganisation of the Primary Care Trust in Nottinghamshire

and also as to why this is taking place before the clinical groups have been established and before parliament has passed the plan?”

Response by Councillor Martin Suthers, Chairman of the Health and Wellbeing Board on behalf of Councillor Kevin Rostance, Cabinet Member for Adult Social Care and Health

“This question is addressed to the Cabinet Member for Adult Social Care and Health and I suppose it may be because although I do as Deputy Leader have responsibility for quite a number of County Council concerns I am seldom asked questions about them and maybe that’s why I’ve been asked to reply to a question which neither Councillor Rostance nor myself, nor any of my colleagues have responsibility for. Never the less, it being the season of good will although this question should be properly directed either to the Department of Health or to the Nottinghamshire Primary Care Trust we have sought advice from the Primary Care Trust and they have sent us a reply which I will read out:

Over the coming years, the NHS faces a £15-£20 billion financial challenge. The response to this has been built around the Quality, Innovation, Productivity and Prevention Initiative (QIPP) to ensure patient safety and standards of care are maintained and to ensure the majority of resources are redirected to frontline services. This has already seen services move into the community and allows patients to be discharged quicker to their own home, something that has been welcomed by all. This is best demonstrated by the recent changes made at Ling’s Bar Hospital.

To support QIPP, as well as redirecting funds, Primary Care Trusts are legally required to set aside 2% of their overall budget, in order to fund transformational change by creating a source of funding to support change and development.

We continue to develop a full transition plan for Nottinghamshire in line with national guidance and the reforms to the NHS. A total of six Clinical Commissioning Groups have been set up in shadow form, along with the transfer of Public Health to the City and County Councils. The phased transition from the Primary Care Trust to Clinical Commissioning Groups is already underway to ensure that patients continue to receive high quality services, and that the local NHS is flexible to meet the national agenda moving forward. It is important that the local NHS is ready and prepared for the planned changes to ensure standards remain high and acceptable to all patients. The six Clinical Commissioning Groups in Nottinghamshire and the City are preparing for the process of ‘authorisation’ to become statutory bodies in 2013, when it is proposed that the Primary Care Trusts will be abolished.

Across the Cluster (which is both NHS Nottingham City and Nottinghamshire County) we have also looked to reduce our management costs during the past two years and the six Clinical Commissioning Groups will be within the running cost ceiling of £25 per head, in line with national requirements.

Any further questions can be directed to the PCT Board, who next meet on 26th January 2012 or by email to Karlie.thompson@nottspct.nhs.uk."

Question to the Cabinet Member for Children and Young People's Services from Councillor S Smedley MBE JP

"With regards to the commissioning of Children's Centres the contract value will be well in excess of £1m (£5million according to the council report), please could the cabinet member inform the council as to why this information did not feature in the original cabinet report and could he please outline the reasons as to why this information did not feature on a forward plan?"

Response by Councillor Philip Owen, Cabinet Member for Children and Young People's Services

"Councillors will recall from the paper presented to Cabinet's 6th July meeting concerning the issuing of Notice to current Commissioned Accountable Body providers for children's centres that it was our original intention to bring forward our future commissioning proposals to a full meeting of the County Council. You will be aware that proposals for the consideration of full Council do not require placing on the forward plan.

The placing of the report on last week's Cabinet agenda was an oversight that was picked up shortly before the meeting, hence our decision to withdraw the report. With the transfer of the report from Cabinet to Council, it was thought appropriate to include additional financial information to support the effective consideration of the issues contained within the report by the Council."

Question to the Cabinet Member for Adult Social Care and Health from Councillor John Allin

"This Council intends to sell the six care homes to a private company.

Could the Cabinet Member please inform this Chamber of employment rights for the staff currently working at the care homes as their role is transferred over to the private company – including pay protection and their entitlement to a pension?

If these are not protected, then will they have the opportunity of redeployment – for example within 3 months of transfer?"

Response by Councillor Andy Stewart, Cabinet Member for Personnel and Performance on behalf of Councillor Kevin Rostance, Cabinet Member for Adult Social Care and Health

“Since it is a matter for Personnel, it has been asked that this department reply to you John. All of the staff at the homes will transfer to Runwood Homes under TUPE Regulations (Transfer Undertakings Protection Employment). This legislation is intended to ensure that employees’ rights are protected when a business or undertaking, or any part of one, is transferred from one employer to another.

This means that all current staff will transfer on their existing terms and conditions. There will not be any opportunity for redeployment as the homes will need all of the staff to maintain the smooth running of the home and also maintain continuity of care staff to all of the residents. This is one of the ways that the Council is protecting the residents. All of the staff will also have access to a broadly comparable pension scheme.

There are no formal timescales with regards to TUPE but Runwood Homes have transferred homes from local authorities before and first did so 14 years ago. Also, all of the staff that they have transferred in the past have remained with the company on the same terms and conditions and they have not had any redundancies. Runwood have also given similar re-assurances to staff and intend to retain staff for as long as they can as they recognise the high level of expertise, qualifications and commitment amongst our staff.”

Question to the Cabinet Member for Transport and Highways from Councillor Alan Rhodes

“Will the cabinet member inform the council what reciprocal arrangements are in place with district councils to deal with any possible poor weather conditions during the winter months?”

Response by Councillor Richard Jackson, Cabinet Member for Transport and Highways

“Can I thank Councillor Rhodes for his question and for giving me the opportunity again to remind members of the considerable improvements we have been able to make to the winter maintenance programme following substantial revenue and capital investment by this Council over the last two years.

Nottinghamshire County Council has entered into a Memorandum of Understanding with District and Borough Councils.

The purpose of this memorandum is to formalise the arrangements with the District and Borough Councils to salt and clear snow from the highway and important off-highway locations during periods of severe weather.

In summary the key points are:

- The Borough and District Councils are permitted to clear snow or salt locations on the highway without requiring prior authority from this Council
- The Borough and District Councils will contact the relevant County Managers when they commence work on the highway to allow their works to be co-ordinated with the County's own arrangements
- The memorandum places no obligation upon the Borough and District Councils to treat locations within the Highway
- Borough and District Councils are being supplied with salt to undertake this task
- The employees of the participating Authorities will continue to be employed by their own Borough and District Councils even when they are working in the Highway.

And just so Members know where we are with this across the County, in Ashfield the memorandum has been agreed in principle. In Broxtowe and Gedling verbal agreements so far have been received. In Mansfield, Rushcliffe and Bassetlaw emails formally indicating agreement have been received. In addition to this, I can report that 88 Parish and Town Councils have so far agreed to appoint people to act as Snow Wardens and to assist us by reporting local conditions, clearing snow and using equipment supplied by this Council. And for the first time in many years this year there will be at least 65 farmers and contractors helping out with snow clearance in their local area as and when required."

Question to the Cabinet Member for Adult Social Care and Health from Councillor Chris Winterton

"At the recent Health and Adult Care Conference the pressures in the adult care sector were announced at £1.2 billion nationally.

Will the cabinet member tell us if this has been assessed locally and what will be this administration's response to the shortfall?"

Response by Councillor Kevin Rostance, Cabinet Member for Adult Social Care and Health

"Thank you Councillor Winterton, I'm sure your leader and Councillor Collins from the Police Authority welcome your renewed focus on myself and I will answer this question myself.

We all know that the need and cost in Adult Social Care are rising nationally and locally and I was pleased that we had a constructive debate in the last Council meeting and we unanimously approved a motion that we included in the councillor's response to the governments consultation exercise on Adult Social Care for caring for our future.

We've carefully assessed the financial impact of the increase in the number of adults and older people with disabilities in Nottinghamshire. As part of our

medium term financial strategy, we are investing over £40 million in meeting these additional needs over 4 years. We estimate that the additional cost of £10 million per annum, this has been based on looking in detail at projected growth in the population and the cost of care. We know for instance that there are around 550 older people over the age of 85 in Nottinghamshire each year. Although it is very good news that we're all living longer, some people require more care as they get older. We know that 25% of older people over 85 have dementia and may require social care services. There are also many younger adults with physical or learning disabilities who are living longer many of whom have complex needs.

The work we have done to assess the future need and the cost is consistent with the work undertaken by Sir Andrew Dilnot who is part of the commission on the future funding of Adult Social Care. We review this assessment on a regular basis. The additional funding that we are putting into Adult Social Care shows that we are determined to make sure that we fund the needs of people who need social care services in Nottinghamshire."