

SUMMONS TO COUNCIL

date Thursday, 25 May 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 Election of Chairman
- 2 Election of Vice-Chairman
- 3 County Council Elections 5 - 8
- 4 Recognition of Members and Officers of Groups 9 - 14
- 5 Minutes of the last meeting held on 23 March 2017 15 - 28
- 6 Apologies for Absence
- 7 Declarations of Interests by Members and Officers:- (see note below)
 - (a) Disclosable Pecuniary Interests
 - (b) Private Interests (pecuniary and non-pecuniary)
- 8 Chairman's Business
 - a) Presentation of Awards/Certificates (if any)

9	Presentation of Petitions (if any) (see note 4 below)	
10	Clarification of Committee Meeting Minutes published since the last meeting	29 - 30
11	Revised Committee System and Other Amendments to the Constitution	31 - 54
12	Appointment of Committees	55 - 62
13	Nottinghamshire Minerals Local Plan	63 - 68
14	Questions	
	a) Questions to Nottinghamshire and City of Nottingham Fire Authority	
	b) Questions to Committee Chairmen	
15	ADJOURNMENT DEBATE (if any)	

Notes:-

(A) For Councillors

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

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

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

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

(c) Declarations of interest will be recorded and included in the minutes of this meeting and it is therefore important that clear details are given by members and others in turn, to enable Democratic Services to record accurate information.

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

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

(6) Commonly used points of order

36 – Supplementary Questions must be on the same matter

50 – The Member has spoken for more than 10 minutes

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

55 – The Member has already spoken on the motion

60 – Points of Order and Personal Explanations

79 – Disorderly conduct

(7) Time limit of speeches

Motions

50 – no longer than 10 minutes (subject to any exceptions set out in the Constitution)

Petitions

27 – up to one minute allowed

REPORT OF THE CHIEF EXECUTIVE COUNTY COUNCIL ELECTIONS

Purpose of the Report

1. To report the outcome of the County Council Elections.

Information and Advice

2. The persons shown at Appendix A to this report were elected to the membership of the County Council at the elections held on 4th May 2017.

RECOMMENDATION

That the outcome of the elections report be noted.

Anthony May
Chief Executive

For any enquiries about this report please contact:

Keith Ford, Team Manager, Democratic Services, Tel: 0115 977 2590

Constitutional Comments

This report is for noting only

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.

- None

Electoral Division(s) and Member(s) Affected

- All

APPENDIX A

NOTTINGHAMSHIRE COUNTY COUNCIL ELECTED MEMBERS May 2017

NAME	ELECTORAL DIVISION	DESCRIPTION
Councillor Reg Adair	Leake and Ruddington	Conservative
Councillor Pauline Allan	Arnold North	Labour
Councillor Chris Barnfather	Newstead	Conservative
Councillor Joyce Bosnjak	Mansfield North	Labour
Councillor Ben Bradley	Hucknall North	Conservative
Councillor Nicki Brooks	Carlton East	Labour and Co-operative
Councillor Andrew Brown	Leake and Ruddington	Conservative
Councillor Richard Butler	Cotgrave	Conservative
Councillor Steve Carr	Bramcote and Beeston North	Liberal Democrat
Councillor John Clarke	Arnold South	Labour
Councillor Neil Clarke MBE	Bingham West	Conservative
Councillor John Cottee	Keyworth	Conservative
Councillor Jim Creamer	Carlton West	Labour
Councillor Kay Cutts MBE	Radcliffe on Trent	Conservative
Councillor Samantha Deakin	Sutton Central and East	Ashfield Independents
Councillor Maureen Dobson	Collingham	Independent
Councillor Dr John Doddy	Stapleford and Broxtowe Central	Conservative
Councillor Boyd Elliott	Calverton	Conservative
Councillor Sybil Fielding	Worksop West	Labour
Councillor Kate Foale	Beeston Central and Rylands	Labour
Councillor Stephen Garner	Mansfield South	Mansfield Independent Forum
Councillor Glynn Gilfoyle	Worksop East	Labour
Councillor Keith Girling	Newark West	Conservative
Councillor Kevin Greaves	Worksop South	Labour
Councillor John Handley	Greasley and Brinsley	Conservative
Councillor Tony Harper	Eastwood	Conservative
Councillor Errol Henry JP	Carlton West	Labour
Councillor Paul Henshaw	Mansfield West	Labour
Councillor Tom Hollis	Sutton West	Ashfield Independents
Councillor Vaughan Hopewell	Mansfield East	Mansfield Independent Forum
Councillor Richard Jackson	Toton, Chilwell and Attenborough	Conservative
Councillor Roger Jackson	Southwell	Conservative
Councillor Eric Kerry	Toton, Chilwell and Attenborough	Conservative
Councillor John Knight	Kirkby North	Labour
Councillor Bruce Laughton	Muskham and Farnsfield	Conservative
Councillor John Longdon	Stapleford and Broxtowe Central	Conservative
Councillor Rachel Madden	Kirkby South	Ashfield Independents
Councillor David Martin	Selson	Selston Parish Independents
Councillor Diana Meale	Mansfield West	Labour
Councillor John Ogle	Tuxford	Conservative
Councillor Philip Owen	Nuthall and Kimberley	Conservative
Councillor Michael Payne	Arnold North	Labour
Councillor John Peck JP	Sherwood Forest	Labour
Councillor Sheila Place	Blyth and Harworth	Labour
Councillor Liz Plant	West Bridgford North	Labour
Councillor Mike Pringle	Ollerton	Labour
Councillor Francis Purdue-Horan	Bingham East	Conservative
Councillor Mike Quigley MBE	Retford West	Conservative
Councillor Alan Rhodes	Worksop North	Labour

NAME	ELECTORAL DIVISION	DISCRIPTION
Councillor Kevin Rostance	Hucknall West	Conservative
Councillor Phil Rostance	Hucknall South	Conservative
Councillor Sue Saddington	Farndon and Trent	Conservative
Councillor Andy Sissons	Mansfield South	Mansfield Independent Forum
Councillor Helen-Ann Smith	Sutton North	Ashfield Independents
Councillor Tracey Taylor	Misterton	Conservative
Councillor Parry Tsimbiridis	Mansfield North	Labour
Councillor Steve Vickers	Retford East	Conservative
Councillor Keith Walker	Balderton	Conservative
Councillor Stuart Wallace	Newark East	Conservative
Councillor Muriel Weisz	Arnold South	Labour
Councillor Andy Wetton	Warsop	Labour
Councillor Jonathan Wheeler	West Bridgford South	Conservative
Councillor Gordon Wheeler	West Bridgford West	Conservative
Councillor Yvonne Woodhead	Blidworth	Labour
Councillor Martin Wright	Mansfield East	Mansfield Independent Forum
Councillor Jason Zadrozny	Ashfields	Ashfield Independents

REPORT OF THE CHIEF EXECUTIVE

RECOGNITION OF MEMBERS AND OFFICERS OF GROUPS

Purpose of the Report

1. To report details of the membership of the political groups, together with the names of officers appointed within the Groups.

Information and Advice

2. The Committees and Political Groups Regulations made under the Local Government and Housing Act 1989 provide for Members to be treated as divided into different political groups when there is a notice delivered which states:-

- that the Members who have signed it wish to be treated as a political group.
- the name of the group and
- the name of one Member of the group who has signed the notice and who is to act as its leader.

The notice may also specify the name of one other member of the group who has signed the notice and who is authorised to act in the place of the leader when s/he is unable to act (the deputy leader).

3. Appropriate notices have been received in respect of the formation of three political groups. The groups are:-
 - the Nottinghamshire County Council Conservatives & Mansfield Independent Forum Group
 - the Nottinghamshire County Labour Group
 - the Ashfield Independents Group
4. The memberships of the groups are shown in the Appendix to this report. The Appendix also gives details of the officers elected by the Groups. This means that the overall political balance of the Council is as follows:-

	<u>Number</u>	<u>%</u>
Conservative and Mansfield		
Independent Forum Group	35	53.03
Labour Group	23	34.85
Ashfield Independents Group	6	9.09
Liberal Democrat	1	1.52
Independent	1	1.52

Regulations made under the Local Government and Housing Act 1989 require that seats on Committees and Sub-Committees are allocated to the political groups in a way which reflects the overall balance of the Council. Details of these are dealt with elsewhere in the agenda.

Reason for Recommendations

5. It is necessary for Council to recognise the political Groups on the Council and their Officers.

Statutory and Policy Implications

6. 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.

RECOMMENDATION/S

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

Anthony May
Chief Executive

For any enquiries about this report please contact:

Jayne Francis-Ward, Director of Resources, 0115 977 3478, jayne.francis-ward@nottsc.gov.uk

Constitutional Comments (SLB 15/05/2017)

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

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.

- None

Electoral Division(s) and Member(s) Affected

- All

MEMBERS AND OFFICERS OF GROUPS

(A) Nottinghamshire County Council Conservatives & Mansfield Independent Forum Group

35 Members

Reg Adair	Bruce Laughton
Chris Barnfather	John Longdon
Ben Bradley	John Ogle
Andrew Brown	Philip Owen
Richard Butler	Francis Purdue-Horan
Neil Clarke MBE	Mike Quigley MBE
John Cottee	Kevin Rostance
Mrs Kay Cutts MBE	Phil Rostance
Dr John Doddy	Mrs Sue Saddington
Boyd Elliott	Andy Sissons
Stephen Garner	Tracey Taylor
Keith Girling	Steve Vickers
John Handley	Keith Walker
Tony Harper	Stuart Wallace
Vaughan Hopewell	Gordon Wheeler
Richard Jackson	Jonathan Wheeler
Roger Jackson	Martin Wright
Eric Kerry	

Officers

Leader:	Councillor Mrs Kay Cutts MBE
Deputy Leader:	Councillor Reg Adair
Business Manager:	Councillor Richard Butler

(B) Nottinghamshire County Council Labour Group

23 Members

Pauline Allan	Diana Meale
Joyce Bosnjak	Michael Payne
Nicki Brooks	John Peck JP
John Clarke	Sheila Place
Jim Creamer	Liz Plant
Sybil Fielding	Mike Pringle
Kate Foale	Alan Rhodes
Glynn Gilfoyle	Parry Tsimbiridis
Kevin Greaves	Muriel Weisz
Errol Henry	Andy Wetton
Paul Henshaw	Yvonne Woodhead
John Knight	

Officers

Leader:	Councillor Alan Rhodes
Deputy Leader:	Councillor Kate Foale
Business Manager:	Councillor Nicki Brooks

(C) Ashfield Independents Group

6 Members

Samantha Deakin
Tom Hollis
Rachel Madden

David Martin
Helen-Ann Smith
Jason Zadrozny

Officers

Leader:	Councillor Jason Zadrozny
Deputy Leader:	Councillor Tom Hollis
Business Manager:	Councillor Helen-Ann Smith

(D) Other Members

Councillor Steve Carr (Liberal Democrats)
Councillor Maureen Dobson (Independent)

Meeting COUNTY COUNCIL

Date Thursday, 23rd March 2017 (10.30 am – 12.25 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	A	Keith Longdon
	Alan Bell	A	Rachel Madden
	Joyce Bosnjak	A	David Martin
	Nicki Brooks		Diana Meale
	Andrew Brown		John Ogle
	Richard Butler		Philip Owen
	Steve Calvert		Michael Payne
A	Ian Campbell		John Peck JP
A	Steve Carr		Sheila Place
	Steve Carroll		Liz Plant
	John Clarke		Darrell Pulk
	John Cottey		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
A	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
A	Tom Hollis		Liz Yates
	Richard Jackson	A	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)
Adrian Smith	(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)
Marjorie Toward	(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 the victims of the attack on Westminster Bridge and the Houses of Parliament on 22nd March 2017.

1. MINUTES

RESOLVED: 2017/011

That the minutes of the last meeting of the County Council held on 23rd February 2017 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)
Councillor Steve Carr (other reasons)
Councillor Stephen Garner (other reasons)
Councillor Tom Hollis (other reasons)
Councillor Keith Longdon (other reasons)
Councillor Rachel Madden (other reasons)
Councillor David Martin (other reasons)
Councillor Jason Zadrozny (other reasons)

3. DECLARATIONS OF INTEREST

None

4. CHAIRMAN'S BUSINESS

PRESENTATION OF AWARDS

None

STATEMENT FROM THE LEADER OF THE COUNCIL

The Leader of the Council addressed the Council regarding the attacks that had taken place the previous day on Westminster Bridge and the Houses of Parliament.

STATEMENT FROM THE CHIEF EXECUTIVE

The Chief Executive made a statement regarding an allegation made at the previous meeting.

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 Roger Jackson – problems at Lowdham roundabout and parking issues around Lowdham railway station.

Councillor Michael Payne – regarding schools funding in Arnold North.

Councillor Bruce Laughton – regarding funding for Busy Bees pre-school in Sutton on Trent

6. PRESENTATION OF PETITIONS

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

- (1) Councillor Tony Roberts MBE requesting a residents' parking scheme on Lovers Lane and Meyrick Road, Newark
- (2) Councillor Maureen Dobson requesting a residents parking scheme for Newstead Street, Newark
- (3) Councillor John Handley regarding residents' parking in Newthorpe

- (4) Councillor Darren Langton regarding a road resurfacing request from residents of Bagshaw Street, Pleasley, West Mansfield
- (5) Councillor Jim Creamer requesting the adoption of a footpath between Blackhill Drive and Burton Road, Carlton West
- (6) Councillor Stan Heptinstall MBE regarding traffic restrictions on Ilkeston Road/Melbourne Road, Stapleford
- (7) Councillor John Wilmott requesting a residents parking scheme for Magdalene Way, Hucknall
- (8) Councillor Richard Butler requesting a pedestrian crossing on Bingham Road, Cotgrave
- (9) Councillor Gordon Wheeler requesting double yellow lines at the junction of Northwold Avenue and Loughborough Road, West Bridgford
- (10) Councillor Glynn Gilfoyle requesting that Bassetlaw Hospital Children's Ward remain open

RESOLVED: 2017/012

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.

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.

8. NOTTINGHAMSHIRE COUNTY COUNCIL'S PAY POLICY STATEMENT 2017-2018

Councillor Alan Rhodes introduced the report and moved a motion in terms of resolution 2017/013 below.

The motion was seconded by Councillor Joyce Bosnjak.

RESOLVED: 2017/013

That the Pay Policy Statement 2017-2018 be approved for publication on the Council's website by 1st April 2017

9. QUESTIONS

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

One question has been received as follows:-

- 1) from Councillor Maureen Dobson regarding collaboration between the Fire Service and the East Midlands Ambulance Service (Councillor Darren Pulk replied)

The full response to this question is set out in Appendix A to these minutes

(b) QUESTIONS TO COMMITTEE CHAIRMAN

Three questions had been received as follows:-

- 1) from Councillor Jacky Williams concerning pothole repairs (Councillor Kevin Greaves replied)
- 2) from Councillor Michael Payne regarding the school funding formula (Councillor John Peck JP replied)
- 3) from Councillor Darrell Pulk about the work of the administration of the last four years (Councillor Alan Rhodes replied)

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

10. ADJOURNMENT DEBATE

None

The Chairman declared the meeting closed at 12.25 pm.

CHAIRMAN

APPENDIX A

COUNTY COUNCIL MEETING HELD ON 23RD MARCH 2017 QUESTIONS TO THE CHAIRMAN OF THE CITY OF NOTTINGHAM AND NOTTINGHAMSHIRE FIRE AUTHORITY

Question to the Chairman of the City of Nottingham and Nottinghamshire Fire Authority, from Councillor Maureen Dobson

Does the Chairman of the Fire Authority agree with me that the idea of collaboration between the Fire Service and the East Midlands Ambulance Service is an excellent one? Could the Chairman tell us when the collaboration trial period is going to be evaluated and the results made public?

Response from Councillor Darrell Pulk, Chairman of the City of Nottingham and Nottinghamshire Fire Authority

The Fire and Rescue Service in Nottinghamshire has been collaborating with the East Midlands Ambulance Service for over 15 years, so clearly we do agree and can evidence it is an excellent idea. This has been achieved through co-responding from four of our fire stations for many years. Those being at Eastwood, Misterton, Southwell and East Leake, involving approximately 55 fire fighters.

Emergency Medical Response (EMR) has long been debated as a potential role for fire fighters. However it is not part of the job description or contract for fire fighters and the Fire and Rescue Service receives no funding from the Government to provide this service.

More recently the Fire Brigade Union (FBU) has changed its position regarding EMR and last year through negotiation with a national joint council for local authorities for fire and rescue services, the MJC, entered into a national trial of EMR. Nottinghamshire Fire and Rescue Service, including local trade union officials, agreed to take part in the trial in order to add valuable research data.

The trial in Nottinghamshire has commenced at various stages over the past 15 months and is made up of two approaches, where fire fighters respond to the most serious life threatening incidents such as cardiac arrest or breathing difficulties. Approach one is where a full time fire appliance and crew attend calls involving Carlton, Worksop and Edwinstowe, and the other approach where on-call fire fighters at Collingham and Harworth take a response car home and attend the same types of call. The full time trial ended on the 17th March 2017, which involved approximately 60 fire fighters and the on-call trial continues involving approximately 25 fire fighters.

Nottinghamshire Fire and Rescue has contributed to national research and evaluation undertaken on behalf of the MJC by the University of Hertfordshire, which has produced its findings in a report called "Broadening Responsibilities – Consideration of the Potential of the Broader Role of Uniformed Fire Service Employees". The findings of this research present robust evidence which includes support for fire and rescue services to co-respond with ambulance services, integration of medical

emergencies with fire and rescue 'safe and well' checks and supporting people live safely and independently across a range of health and social priority care priorities.

The establishment of national standards for a medical emergency response, and early indications of the social return on investments of this work, indicate savings for each pound invested of between £5.67 and £14.40. Further detailed analysis is still to be carried out. The next step in relation to fire and rescue services and fire fighters carrying out the emergency medical response will be subject to national negotiation. The FBU held a recall conference on this matter on the 21st March 2017. We await the outcomes which will inform their position with the national negotiations, which centre on contractual terms, liabilities, pensionable impact and pay. On the issues being negotiated by employees, employees and lead government departments reach the conclusion that the fire authority of Nottinghamshire will be in a position to consider the future of this response for the residents of Nottinghamshire and the City of Nottingham.

APPENDIX B

COUNTY COUNCIL MEETING HELD ON 23RD MARCH 2017 QUESTIONS TO COMMITTEE CHAIRMEN

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

Is the Chairman aware that potholes (certainly in and around Stapleford) are being repaired to a sub-standard quality, in many cases, by sub-contractors employed by VIA, such that they are subsequently requiring further attention within a short time span, which must be costing this Council additional money?

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

With regards to the sub-standard potholes reported, VIA will carry out investigations into the standards of repair to potholes in the locations specified and will take appropriate action should we find that repairs have not been carried out to the required quality standard.

Reactive highways maintenance work is normally completed by VIA's own resources, but there are times when the workload is such that additional subcontractor resources are engaged. These resources are subject to regular inspection by VIA's operational managers for quality and consistency of work. If a problem is found, action is taken to correct this. We will provide an overview of our findings following our investigations but if there is any further specific detail that Councillor Williams can provide in terms of locations, then we will directly review these areas.

Question to the Chairman of the Children and Young People's Committee, from Councillor Michael Payne

Would the Chairman of the Children and Young People's Committee agree with me that the Conservative Government's current education spending plans and 'fair funding formula' are of serious concern, particularly given the fact that virtually every school in Nottinghamshire is set to lose funding?

Response from Councillor John Peck JP, Chairman of the Children and Young People's Committee

Yes I certainly do agree, I am very concerned about the funding situation in our Nottinghamshire Schools and every Councillor in this Chamber should be concerned.

I want to make it clear first of all, that in principal I am in favour of a national funding formula. I say that as somebody who has campaigned for some 20 odd years for exactly that. In 1991 I think it was 1990/1991, local management of schools was bought in when schools had their own budgets and initially local authorities were left to their own devices as to how they devised a formula and typically, as in Nottinghamshire, the formula was designed to as far as possible, match historical costs and expenditure and the formulas that were devised initially were extremely

complex byzantine structures that barely anybody understood. Extremely complex, and right from the start my own association, the National Association of Head Teachers called for a national funding formula that was fair across the country, between local authorities, between schools and between phases.

I can remember working with this Local Authority over the course of a year on a working party, to try and devise a needs funding formula based on the needs of particular schools. That was kicked into the long grass because in the end the conclusion was that schools required far more funding than the Local Authority was able to give. I also spent time on the national executive of the NHT on a funding working group trying to come up with workable funding formula. This has been extremely difficult. Successive governments have promised a national funding formula for schools and then when the figures have come out and they have seen the numbers of winners and losers, have baulked at that stepped back from it and kicked it into the long grass.

I do want to be fair to the Government because thus far they have got further than those successive governments who have promised to institute a national funding formula and then failed to deliver. But, they are now facing the problem that successive governments have faced, and that is that there are winners and losers, inevitably, there are winners and losers both between local authorities and between schools. What the Government have come up with if it were implemented in its present form and bearing in mind it is a consultation at the moment that only finished yesterday, but if that were implemented in its present form and without any additional funding, it would be nothing less than a financial disaster for many schools, including many in Nottinghamshire as Councillor Payne has referred to earlier on, in his division.

To give you some idea on present calculations based on what we have before us at the moment that we have been consulted upon. Of our 327 schools in Nottinghamshire 55%, 179 will see a budget reduction and the largest budget reduction will be 2.9% capped at 1.5% in the first year. 11 secondary schools, that is a quarter of our secondary schools, fall into that category. That may not sound that much, 2.9%, but believe me on a secondary budget that is enormous. Now at the moment what I am talking about is the Government's fair funding formula. Councillor Payne was referring to all Nottinghamshire schools losing, and they will, and I will come to that in a moment.

I started by saying I support a fair national funding formula in principle and I do believe it is absolutely right that the Government has put forward proposals, but the formula as it is proposed, seems to be anything but fair, in my view. And it is a disappointment not only to me but to others in the F40 group that we have belonged to as a Local Authority for many a long year, and many of that F40 group are of course Conservative controlled councils. I have put my signature, in the last few days, to a letter to the Secretary of State from F40 pointing out some of the difficulties with the formula as presented

I never expected that a new 'fair funding' formula could end up being so unfair as what we have before us at the moment. I am alarmed that so many of our schools are losers and I really fail to understand why this should be the case when many of those schools are already poorly funded and funded well below the national average. What we

should be doing is to be “levelling up” the funding rather than sharing out a pot that simply isn’t large enough in the first place.

It is vital that the basic level of funding allocated to all schools is adequate for every school to be able to operate efficiently and offer the level of education that we would want to see for our children. If this new formula goes through as it is presently constructed, schools will be caught in a perfect storm and this is the point that Councillor Payne was referring to, because they will struggle to meet their core responsibilities. Because, on top of the fair funding formula if that were not happening at all, the National Audit Office report of December 2016 indicated that cost increases to schools during the rest of this Parliament up to 2020, so another 3 years, they would be facing an 8% cut anyway. So all of our schools on average would be facing that level of cut. That is because of rising costs including such things as employer’s national insurance contributions, increased pension contributions.

So when the Government have been telling you disingenuously that they have been protecting schools budgets that just simply is not true, because they are only telling you one part of it. They are not telling you all of the increased costs that schools are facing and that in real terms they are facing a massive cut. So, if you are one of those schools that, on top of that are getting a cut through the so called fair funding formula, then you are in, as I describe it, a perfect storm and an extremely difficult situation and that can only translate into one thing because 80% of any schools budget is staffing costs. So it will mean less teaching assistants, less teachers, less resources for children and that is beginning to happen now, because of the underfunding. So, you place this on top and you are going to see your schools across the county in dire straits. Head Teachers in your patch will be coming to you, if they are not already, and telling you exactly what is happening. Stability for schools in funding is important but not at the expense of never reaching a fair formula and outcome. In practice schools in lower funded areas will be subsidising those in better funded areas.

I and other F40 members understand that this consultation is about finding a fair funding methodology and not about just the quantum of funding and trying to divide it up differently. But, schools in lower funded areas have been making cuts for many years and Nottinghamshire is and always has been one of the lower funded areas. Significantly lower funded than just across the bridge in the City for example. But I don’t want to see a situation where we are setting authority against authority and school against school. The simple fact is there just is not enough funding in the situation. I am struggling to understand where schools can make more cuts, in the lowest funding authorities in which I include Nottinghamshire. On top of this all schools are facing, as I’ve indicated, significant additional costs. This review of school funding formula is a once in a generation opportunity to get it right, because as I say, we have been talking about this for 20 years. It is vitally important that one injustice is not replaced with another and we hope that Central Government will do everything in their power to ensure that the outcome of this is fair. I think it is going to need perhaps another U turn by the Government.

In my view, what is required is for the government to do basically two things. Firstly, in the light of the consultation responses, to review the proposed formula they have put before us and secondly, to accept that additional resources have got to be put in. For example the £320 million the Chancellor announced in the budget which was for

selective education and Free Schools. I think if you talked to most of the head teachers in your patch, they will be telling you that the £320 million would be better spent, not on some pet project of Theresa May to create more grammar school places in Buckinghamshire or Lincolnshire or wherever, but would be better spent on increasing the school budgets and perhaps making that fair funding formula exactly what it says it is supposed to be. What a complete utter waste of money that is, and in any case the Chancellor appears not to have been able to do his sums because when the £320 million was announced it was to create 140 extra schools. Well, it took me about 10 seconds to work out that you could not create 140 extra schools with £320 million. The Government yesterday came to that conclusion as well and has decided that in fact they cannot achieve that and they have put it back to 2020. Now that money, in my view, if they could find it last week in the Chancellors budget then that should be put into the fair funding formula.

Parents of our children in Nottinghamshire Schools are not going to be too impressed if their school is sacking teachers, teaching assistants and reducing money spent on resources and extra maintenance, whilst money is being spent on expanding grammar schools.

So, yes Councillor Payne you have every right to draw attention to what is happening in your division. It is happening all over the county, it is happening all over the country, the government has got to re-think this, but in the end recognise that education like many areas of public services is being hugely underfunded and that has got to change.

Question to the Leader of the Council, from Councillor Darrell Pulk

As Leader of Nottinghamshire County Council for the past 4 years, Councillor Rhodes has been in a position to oversee the work of the Council and determine its direction. He has been leader of the Labour administration at a time of unprecedented cuts to this Council's funding which, alongside a significant increase in demand for our services, has created a challenging financial environment. Please would he outline this administration's achievements during the 4 years?

Response from Councillor Alan Rhodes, Leader of the Council

I would be absolutely delighted to answer that excellent question from Councillor Pulk. Members will know, and I am sorry that so many Conservatives have felt the sudden need to leave the Chamber, I am sure that they are not heading home early because of course, like the Ashfield Independents we are all paid to be here. But when we came into office in 2013, members will recall that we inherited a financial mess. £133 million worth of deficit in the budget and the then Conservative Government removed a further £25 million worth of grant aid from us. So, we always knew that it was going to be difficult in four years of cuts, closures and redundancies. The Conservatives clearly did not manage the County Council's resources and finances responsibly or particularly well.

I am proud of the fact that our administration has turned that round, yes there is still more work to do on the finances, I absolutely recognise that, but we have made a good start, in extremely difficult circumstances both politically and financially.

I was having a look the other day at some of our literature that we are putting out, all of it of course checked for accuracy and absolutely truthful. We delivered every single pledge that we set out to deliver, every one and more besides. A few months after we took office here, I said that we should introduce a foundation living wage, before George Osborne woke up one morning and thought he would dream up his own version up. But we did deliver that in April 2014 to 2,500 of the lowest paid staff in this Council, giving them the dignity of a decent wage for a decent days work. I think that is something we should all be proud of in this Council actually. Taking people out of poverty pay, people who do extremely difficult jobs for this Council but that are extremely important jobs in our communities. We all know what kind of jobs we are talking about. We are talking about school meal staff, crossing patrol staff, care assistants and so on and so forth, I do not need to rehearse all that. But to me, to provide the values of this administration and their values of fairness and decency and prioritising services wherever possible to the most vulnerable in our communities. I said in the first speech I gave in this Chamber that, that is what we would do and that is what we have tried to do under extremely difficult circumstances.

We have spent over £12 million on providing extra care housing for the elderly and the most vulnerable. Some of them of course in Conservative areas where, we know the Conservatives do not support that particular proposal. We know that extra care is the right thing to do and is the kind of care that people expect and demand of us actually in later years.

We have continued investment in school improvements and in new school building, I agreed that the £5 million finances from this Council to the Orchard Special School in Newark the other day, the governors and staff and parents are absolutely delighted because they have waited for too long for that, for too long. It was a school that would have been funded by government funding before the elections when the Conservatives removed the schools funding and these people were left high and dry. We have been working with them to try and bring Government to the table to find additional funding. The funding gap that is there and it has eventually come to be. I pay tribute to the MP for Newark Robert Jenrick, I am not trying to take all the credit for myself, for ourselves, why would we do that? It has been partnership working with people who are prepared to work with us and I have always said that that is what we would do. If people will work with us we will work with you and I again believe that that has been part of the approach of this administration.

We have opened new school premises all across this county, to take up the increasing demand for what are actually very good schools across Nottinghamshire, there are exceptions, but schools in this county are among the best to be found anywhere in the region. We have spent £43 million on supporting older people. We have invested £20 million each year to help those with learning disabilities, mental illnesses and Asperger's. On the street lights issue we have got a guarantee on keeping street lights on if we are re-elected, so don't read anything to the contrary. There are stories going round that we have got plans to turn them off, they are frankly false. We have invested in 7,000 street lights we have fitted them with low energy bulbs and we will keep them on because that is what our communities demand. We led the campaign against the Conservatives turning off the street lights and it is only right that we continue to keep them on because that is what people want us to do.

150 apprentices have been taken on by the County Council in the four years that we have been in control on this authority. 160 businesses started up with County Councils support, 20,000 children registered in our children's centre and they are safe, with us. We have not closed a children's centre in this county and we do not intend to. We have established Inspire to run our Library and Cultural services, very difficult in times of austerity to argue to keep libraries and cultural activities going, but we have not closed a single library and I would like to pay tribute to the previous administration, neither did they and it is right that we recognise that. Nottinghamshire has fantastic portfolio of library facilities and they are important to all of our communities.

We have established VIA to keep our highways services going and sustainable and ARC to manage our building maintenance and design. These are new ways of working. We said some years ago now at the beginning of this administration, that we are going to redefine the way that this Council works, and we have done. Because we have done that, we have been able to protect services and improve services right across the piece.

So in response to the question, yes I am very proud of what we have achieved. I think our achievements in the most difficult of circumstances politically and financially have been considerable and I believe that this administration has must to be proud of.

Chairman, I am going to end by saying something about members of this Council who have decided to not to seek re-election. There are several in this Council. I am going to start with my own group, Councillor Langton, Councillor John Allin, Councillor Kirkham who I will say something more about in a minute, Councillor Roy Allan, Councillor Calvert, two very well regarded and respected Liberal Democrats, Stan Heptinstall and Ken Rigby and Councillor Liz Yates and Councillor Tony Roberts, both of them highly regarded members of the Conservative Group, I have known Liz and her husband Terry for many years and I have always regarded them well. I am firmly of the view that people become members of a council for the right reason, and that reason is because they want to improve the communities that they serve. I believe that every member of this council has done their best to do that, in the way that they believe is the right way. We may disagree sometimes, we may have very strong differences of opinion; we may not share the same direction of travel. But I do believe that it is right Chairman to say thank you to those members who have taken the decision to stand down and thank you to all of you, for everything you have done for Nottinghamshire and for this Council, because your service is above and beyond the call of what anyone would reasonably expect.

So Chairman, we have come to the end of this particular term of office. I do not know what the outcome of the election is and I think anybody who will predict it and believe that they know what the outcome is going to be is a fool, because politics is so unpredictable these days, it is impossible to predict. But what I do know is that on May 5th this Council will continue to deliver the best possible services to the people of this county and I think we should collectively along with all our officers, and I must pay tribute to Anthony May and his team. We will collectively do our best to serve the people of this County. So thank you very much.

REPORT OF THE CHIEF EXECUTIVE

Clarification of Minutes of Committee Meetings published since the last meeting on 23rd March 2017

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 23rd March 2017.

Information and Advice

2. The following minutes of Committees have been published since the last meeting of Full Council on 23rd March 2017 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	13 th March
Appeals Sub-Committee	None
Audit Committee	None
Children & Young People's Committee	None
Community Safety Committee	None
Corporate Parenting Sub-Committee	None
Culture Committee	None
Economic Development Committee	7 th March
Environment and Sustainability Committee	None
Finance and Property Committee	None
Grant Aid Sub-Committee	None
Health Scrutiny Committee	16 th March
Health & Wellbeing Board	1 st February, 29 th March
Joint City/County Health Scrutiny Committee	14 th March
Joint Committee on Strategic Planning and Transport	None
Nottinghamshire Local Pensions Board	29 th September 2016
Nottinghamshire Pensions Fund Committee	None
Nottinghamshire Police & Crime Panel	6 th February
Pensions Investment Sub-Committee	None
Pensions Sub-Committee	2 nd February
Personnel Committee	1 st February
Planning & Licensing Committee	21 st March
Policy Committee	None

Committee meeting	Minutes of meeting
Public Health Committee	1 st December
The City of Nottingham and Nottinghamshire Economic Prosperity Committee	None
Transport and Highways Committee	None

Anthony May
Chief Executive

REPORT OF THE CHIEF EXECUTIVE**REVISED COMMITTEE SYSTEM AND OTHER AMENDMENTS TO THE
CONSTITUTION****Purpose of the Report**

1. To seek approval to changes to the Council's Committee System and proposed amendments to the Council's Constitution.

Information and Advice

2. Changes are proposed to the Council's Committee System in order to improve efficiency and effectiveness. The main amendments proposed are listed below
 - a. Policy Committee will expand its terms of reference to include matters currently dealt with by Economic Development Committee. This is to ensure that the economic growth agenda is at the heart of policy making. Policy Committee will also be responsible for all property related decisions to ensure that property holdings and associated strategy suitably reflect the requirements of the policies of the Authority.
 - b. There will be one sub-committee of Policy Committee. The Improvement and Change Sub-Committee will have a specific remit to monitor and drive the revised change programme for the Council.
 - c. In addition to its current responsibilities Adult Social Care and Health Committee will take on the work of Public Health Committee and will be re-named Adult Social Care and Public Health Committee.
 - d. Children and Young People's Committee will take on the work currently undertaken by the Corporate Parenting Sub-Committee. In light of the forthcoming Independent Inquiry into Child Sexual Abuse (IICSA) it is considered more appropriate that Corporate Parenting is part of the agenda for the main committee rather than dealt with under a separate sub-committee.
 - e. Communities and Place Committee will be established to take on the responsibilities of Culture, Community Safety, Environment and Sustainability and Transport and Highways Committees and Grant Aid Sub-Committee.

- f. In addition to its current responsibilities Planning & Licensing Committee will be responsible for Common Land and Town and Village Greens.
 - g. Finance and Major Contracts Management Committee will be established to deal with all finance related issues and in addition the strategic overview and management of all Council contracts in excess of £10m or otherwise of major significance. This committee will also take the lead in developing a Commercial Strategy for the Council and in monitoring its implementation.
 - h. Governance and Ethics Committee will be established to take on the responsibilities of Audit and Conduct Committees, and other governance related matters which are currently the responsibility of Policy Committee.
 - i. There will be one Health Scrutiny Committee to cover health scrutiny across the whole Council area which will ensure that the same considerations are given to all issues across Nottinghamshire. Most importantly it will ensure that members of this Committee are able to develop a cross Council understanding of health provision within the County.
 - j. Nottinghamshire Pension Fund Committee will take on the work currently undertaken by the Pensions Investment Sub-Committee and the Pensions Sub-Committee.
 - k. Appeals will now be dealt with by officers and no committee or sub-committee is therefore required.
3. The proposed revised Committee Structure is illustrated at **Appendix 1** to this report and the proposed revised Terms of Reference for Committees are set out in **Appendix 2**. Further necessary consequential changes to the Constitution can be made under the Monitoring Officer's delegated authority.
 4. As a result of the additional workloads attaching to all committees either arising from the restructuring of committees set out in this report or as a result of external changes, it is proposed that Health Scrutiny, Governance and Ethics, Planning and Licensing and Pensions Committees are re-designated as Band A Committees.
 5. Some additional amendments to the Constitution are proposed:
 - a. that the annual budget meeting finishes no later than 8pm and that no petitions are presented at that meeting.
 - b. that the procedure rules regarding clarification of minutes at Full Council are deleted. Instead there will be regular reports to Council about the work being undertaken by the service committees.
 6. Finally, it is proposed that Full Council reviews the operation of the revised Committee System at its January 2018 meeting.

Other Options Considered

7. To make no changes, however it is considered that changes are needed to improve operational and cost effectiveness.

Reason/s for Recommendation/s

8. To enable the committee system to operate more effectively.

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.

RECOMMENDATION/S

- 1) That the revised Committee System is approved and the structure established for the 2017-2018 Municipal Year.
- 2) That the Constitution is amended as described in paragraphs 2 and 5 of the report and detailed in **Appendix 2**.
- 3) That authority be delegated to the Council's Monitoring Officer to make any necessary consequential amendments to the Constitution.
- 4) That the Committees listed in paragraph 4 of the report are re-designated as Band A Committees.

Anthony May
Chief Executive

For any enquiries about this report please contact:

Jayne Francis Ward, Corporate Director of Resources, 0115 977 3478
jayne.francis-ward@nottsc.gov.uk

Constitutional Comments (HD 15/05/2017)

10. Full Council is the appropriate body to consider the content of this report; it is responsible for adopting and changing the Council's Constitution.

Financial Comments (SES 16/05/17)

11. There are no specific financial implications arising directly from this report.

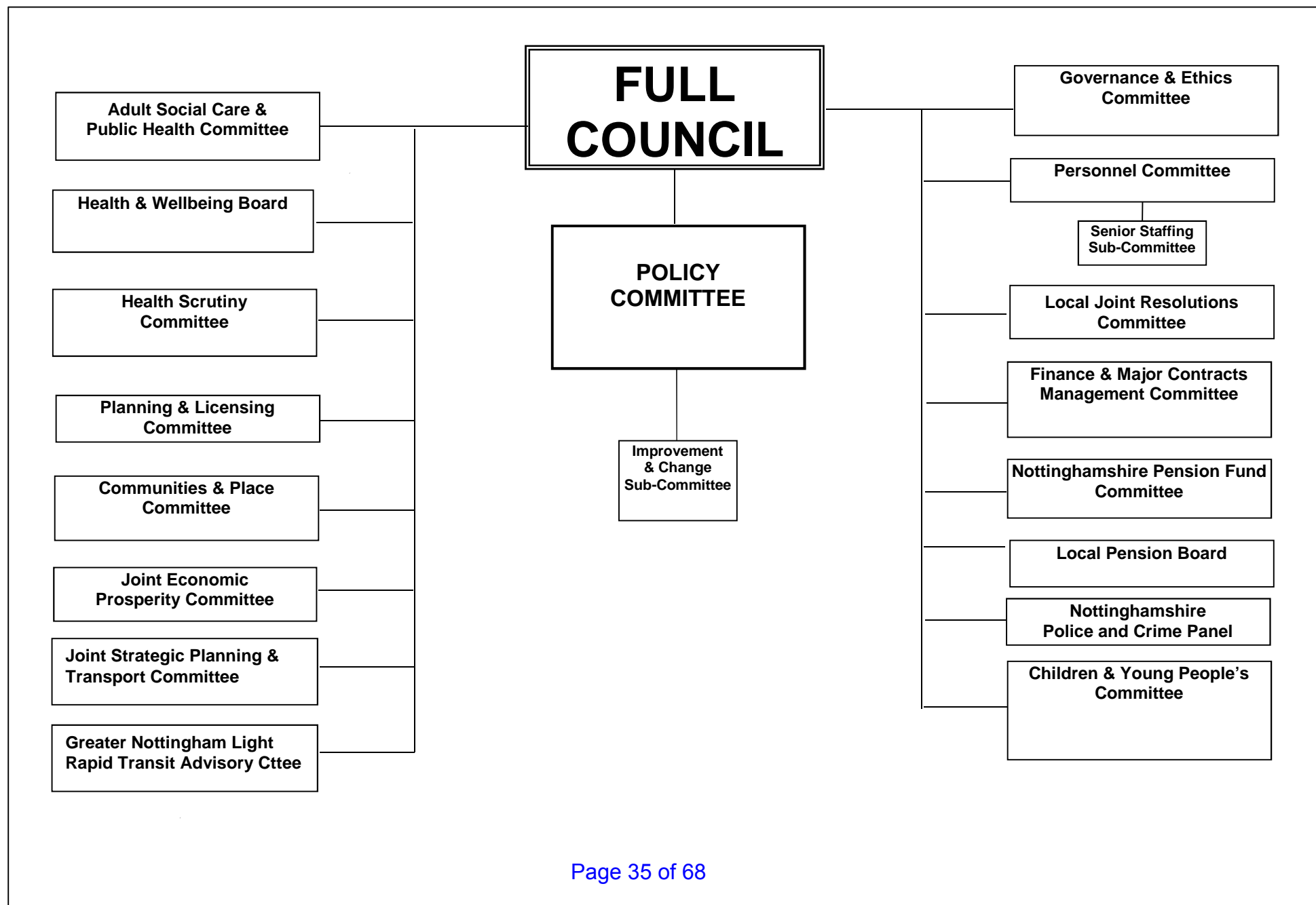
Background Papers and Published Documents

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 Council's Constitution is published on its website](#)
- Tracked changes version of the proposed Terms of Reference for Committees

Electoral Division(s) and Member(s) Affected

- All



Appendix 2

PART A – TERMS OF REFERENCE

THE FULL COUNCIL

1. The functions listed below are reserved to the Full Council and can only be discharged by the Full Council:
 - a. Determining all policies and plans statutorily reserved to the Full Council including:
 - Annual library plan/strategy
 - Crime and disorder reduction strategy (Community Safety Agreement)
 - Local transport plan
 - Plans and alterations which together comprise the Development Plan
 - Youth justice plan (Youth Crime Strategy)
 - b. The approval or adoption of a plan or strategy for the control of the Council's borrowing, investments or capital expenditure, or for determining the Council's minimum revenue provision; the Budget
 - c. The approval of any of the above documents in the event they, or part of them, need to be submitted to the Secretary of State or any Government Minister for final approval, including where they are to be submitted in draft form
 - d. The approval of changes to any plan or strategy referred to above, unless: -
 - that change is required by the Secretary of State or any Government Minister where the plan or strategy has been submitted to them for approval, or
 - Full Council specifically delegated authority in relation to these functions when it approved or adopted the plan or strategy
 - e. Adopting and changing the Constitution
 - f. Establishing committees and deciding their terms of reference and size
 - g. Appointing and removing chairmen and vice-chairmen
 - h. Authorising appointments to any joint committees
 - i. Authorising appointments to the Nottinghamshire and City of Nottingham Fire Authority
 - j. Approving a Members' Allowances Scheme including any provision for Chairman's and Vice Chairman's expenses
 - k. Approving the annual Senior Officer Pay Policy Statement

- l. Confirming the appointment of, and dismissing, the Head of Paid Service, the Monitoring Officer and the Chief Finance Officer
- m. Making any request to the Local Government Boundary Commission for England for single-member electoral areas
- n. The passing of a resolution to change the County's electoral scheme
- o. Making an order to give effect to recommendations made in a community governance review
- p. In relation to any overview and scrutiny committees, permitting a co-opted member to vote at meetings of that committee
- q. Changing the name of the County
- r. Conferring the title of honorary alderman
- s. Making, amending, revoking, re-enacting and adopting bye-laws and promoting and opposing the making of local legislation and personal bills in Parliament
- t. Any other function which, by law, must be reserved to the Full Council

POLICY COMMITTEE – TERMS OF REFERENCE

- 2. The powers and functions set out below are delegated to Policy Committee by the Full Council:
 - a. All decisions within the control of the Council including but not limited to those listed in the Table below
 - b. Policy development and approval except on matters reserved for the Full Council
 - c. Review of performance on a regular basis
 - d. Review of day to day operational decisions taken by Officers
 - e. Approval of consultation responses relating to the Committee's areas of responsibility except for responses to day-to-day technical consultations which will be agreed with the Chairman and reported to the next available Committee following their submission.
 - f. Approval of relevant staffing structures as required
 - g. Approving all Councillor attendance at conferences, seminars and training events within the UK mainland for which a fee is payable including any expenditure incurred, within the remit of this Committee and to receive quarterly reports from Corporate Directors on departmental officer travel outside the UK within the remit of this Committee.

3. If any report comes within the remit of more than one committee, to avoid the report being discussed at several committees, the report will be presented and determined at the most appropriate committee. If this is not clear, then the report will be discussed and determined by the Policy Committee.
4. As part of the detailed work programme the Committee will receive reports on the exercise of powers delegated to Officers.
5. The Committee will be responsible for its own projects but, where it considers it appropriate, projects will be co-ordinated by a cross-committee project steering group that will report back to the relevant Committee.

Table
Responsibility for ensuring that committees operate under the policy direction of the County Council and for determining policies not reserved to the Full Council
Responsibility for the discharge of all functions and exercise of all powers of the County Council not expressly reserved to the Full Council or to any other part of the County Council by statute or by this Constitution
Responsibility for monitoring and reviewing the overall performance of the Council
Responding to any consultations within the remit of more than one committee as and when required
Responsibility for those functions relating to elections and local democracy which are not reserved to the Full Council
Responsibility for promoting economic development, regeneration and associated activities
Responsibility for all property related functions including acquisitions and disposals, property design and construction and related consultancy services, and the asset management plan
Responsibility for the Council's internal and external communications policy and its implementation
Responsibility for ensuring the Council meets its equalities duties
Responsibility for all remaining statutory overview and scrutiny powers except those delegated to a health scrutiny committee and Communities and Place Committee
Responsibility for reviewing annual reports and inspection reports not within the remit of another committee
Responsibility for authorising hospitality to be offered by the County Council except where the cost is to be covered by the Chairman of the County Council's individual budget
Responsibility for making changes to the organisations on the list of Outside Bodies

IMPROVEMENT AND CHANGE SUB-COMMITTEE – TERMS OF REFERENCE

6. This is a sub-committee of the Policy Committee.
7. The exercise of the powers and functions set out below are delegated by the Full Council to the Improvement and Change Sub-Committee:-
 - a. Responsibility for monitoring the Council Plan
 - b. Responsibility for monitoring and driving the Council's Improvement and Change Programme
 - c. Responsibility for considering performance reports in relation to the Council's ICT strategy.

ADULT SOCIAL CARE AND PUBLIC HEALTH COMMITTEE – TERMS OF REFERENCE

8. The exercise of the powers and functions set out below are delegated by the Full Council to the Committee in relation to adult social care and public health:
 - a. All decisions within the control of the Council including but not limited to those listed in the Table below
 - b. Policy development in relation to adult social care and public health, subject to approval by the Policy Committee or the Full Council
 - c. Review of performance in relation to the services provided on a regular basis
 - d. Review of day to day operational decisions taken by Officers
 - e. Approval of relevant consultation responses except for responses to day-to-day technical consultations which will be agreed with the Chairman and reported to the next available Committee following their submission.
 - f. Approval of relevant staffing structures as required
 - g. Approving all Councillor attendance at conferences, seminars and training events within the UK mainland for which a fee is payable including any expenditure incurred, within the remit of this Committee and to receive quarterly reports from Corporate Directors on departmental officer travel outside the UK within the remit of this Committee.
9. If any report comes within the remit of more than one committee, to avoid the report being discussed at several committees, the report will be presented and determined at the most appropriate committee. If this is not clear, then the report will be discussed and determined by the Policy Committee.

10. As part of the detailed work programme the Committee will receive reports on the exercise of powers delegated to Officers.
11. The Committee will be responsible for its own projects but, where it considers it appropriate, projects will be considered by a cross-committee project steering group that will report back to the most appropriate Committee.

Table
Responsibility for adult social care matters (eg. people aged 18 or over with eligible social care needs and their carers)
Responsibility for promoting choice and independence in the provision of all adult social care
Responsibility for all Public Health functions with the exception of functions reserved to the Health and Wellbeing Board

CHILDREN AND YOUNG PEOPLE'S COMMITTEE – TERMS OF REFERENCE

12. The exercise of the powers and functions set out below are delegated by the Full Council to the Committee in relation to children and young people .
 - a. All decisions within the control of the Council including but not limited to those listed in the Table below
 - b. Policy development in relation to children and young people, subject to approval by the Policy Committee or the Full Council
 - c. Review of performance in relation to the services provided on a regular basis
 - d. Review of day to day operational decisions taken by Officers
 - e. Approval of consultation responses except for responses to day-to-day technical consultations which will be agreed with the Chairman and reported to the next available Committee following their submission.
 - f. Approval of departmental staffing structures as required
 - g. Approving all Councillor attendance at conferences, seminars and training events within the UK mainland for which a fee is payable including any expenditure incurred, within the remit of this Committee and to receive quarterly reports from Corporate Directors on departmental officer travel outside the UK within the remit of this Committee.
13. If any report comes within the remit of more than one committee, to avoid the report being discussed at several committees, the report will be presented and determined at the most appropriate committee. If this is not clear, then the report will be discussed and determined by the Policy Committee.
14. As part of the detailed work programme the Committee will receive reports on the exercise of powers delegated to Officers.

15. The Committee will be responsible for its own projects but, where it considers it appropriate, projects will be considered by a cross-committee project steering group that will report back to the most appropriate Committee.

Table
Responsibility for the strategic and operational effectiveness of the County Council's children's services
Responsibility for ensuring that the County Council's children's services meet the needs of all children and young people, including the most disadvantaged and vulnerable
Responsibility for the functions and powers conferred on or exercisable by the County Council in relation to educational matters
Responsibility for overseeing the County Council's responsibilities as the corporate parent of children and young people in care and for championing their interests

16. The Chairman of the Children and Young People's Committee will be designated the lead Councillor for Children and Young People's Services in accordance with Section 19 of the Children Act 2004.

COMMUNITIES AND PLACE COMMITTEE – TERMS OF REFERENCE

17. The exercise of the powers and functions set out below are delegated by the Full Council to the Committee in relation to community and place activity :
- a. All decisions within the control of the Council including but not limited to those listed in the Table below
 - b. Policy development in relation to community and place activity, subject to approval by the Policy Committee or the Full Council
 - c. Review of performance in relation to the services provided on a regular basis
 - d. Review of day to day operational decisions taken by officers
 - e. Approval of consultation responses except for responses to day-to-day technical consultations which will be agreed with the Chairman and reported to the next available Committee following their submission.
 - f. Approval of departmental staffing structures as required
 - g. Approving all Councillor attendance at conferences, seminars and training events within the UK mainland for which a fee is payable including any expenditure incurred, within the remit of this Committee and to receive quarterly reports from Corporate Directors on departmental officer travel outside the UK within the remit of this Committee.
18. If any report comes within the remit of more than one committee, to avoid the report being discussed at several committees, the report will be presented and

determined at the most appropriate committee. If this is not clear, then the report will be discussed and determined by the Policy Committee.

19. As part of the detailed work programme the Committee will receive reports on the exercise of powers delegated to Officers.
20. The Committee will be responsible for its own projects but, where it considers it appropriate, projects will be considered by a cross-committee project steering group that will report back to the most appropriate Committee.

Table
Responsibility for transport and highways including: <ul style="list-style-type: none"> the planning, management and maintenance of highways including traffic management and residents' parking schemes the development of integrated transport systems road safety the provision of passenger transport services
Responsibility for Community Safety
Responsibility for all Trading Standards functions and statutory duties
Responsibility for all matters relating to minerals and waste planning not falling within the delegation of any other committee.
Responsibility for all matters relating to Council's role as Waste Disposal Authority.
Responsibility for making observations on planning matters on which the County Council is consulted, in accordance with the agreed protocol
Responsibility for all functions undertaken in relation to emergency planning including the safety of sports grounds
Responsibility for all duties arising in relation to the Coroner's Service
Responsibility for the registration services for births, deaths and marriages
Responsibility for statutory crime and disorder and flood risk management scrutiny
Responsibility for libraries and archives, adult learning, development of the arts, cultural and heritage activities
Responsibility for support for sports development and sports facilities
Responsibility for country parks, open spaces, promoting public access to land except by highways means and other countryside services
Responsibility for conservation and archaeology
Responsibility for the Local Improvement Scheme
Responsibility for all matters relating to environmental awareness and sustainability, the control of pollution or the management of air quality
Responsibility for Grant Aid as defined in the Grant Aid Strategy and for strategic engagement with the voluntary sector

FINANCE AND MAJOR CONTRACTS MANAGEMENT COMMITTEE – TERMS OF REFERENCE

21. The exercise of the powers and functions set out below are delegated by the Full Council to the Committee in relation to finance and major contracts management:
- a. All decisions within the control of the Council including but not limited to those listed in the Table below
 - b. Policy development in relation to finance and major contracts management, subject to approval by the Policy Committee or the Full Council
 - c. Review of performance in relation to the services provided on a regular basis
 - d. Review of day to day operational decisions taken by officers
 - e. Approval of consultation responses except for responses to day-to-day technical consultations which will be agreed with the Chairman and reported to the next available Committee following their submission.
 - f. Approval of departmental staffing structures as required
 - g. Approving all Councillor attendance at conferences, seminars and training events within the UK mainland for which a fee is payable including any expenditure incurred, within the remit of this Committee and to receive quarterly reports from Corporate Directors on departmental officer travel outside the UK within the remit of this Committee.
22. If any report comes within the remit of more than one committee, to avoid the report being discussed at several committees, the report will be presented and determined at the most appropriate committee. If this is not clear, then the report will be discussed and determined by the Policy Committee.
23. As part of the detailed work programme the Committee will receive reports on the exercise of powers delegated to officers.
24. The Committee will be responsible for its own projects but, where it considers it appropriate, projects will be considered by a cross-committee project steering group that will report back to the most appropriate Committee.

Table
Responsibility for the financial management of the Authority including recommending to Council the financial strategy, annual revenue budget, annual capital budget, and precept on billing authorities
Responsibility for corporate procurement
Responsibility for the Council's internal trading organisations
Responsibility for the strategic overview and management of all Council contracts in excess of £10 million or otherwise of major significance
Responsibility for developing and implementing a Commercial Strategy for the Council subject to Policy Committee approval

GOVERNANCE AND ETHICS COMMITTEE – TERMS OF REFERENCE

25. The exercise of the powers and functions set out below are delegated by the Full Council to the Committee in relation to governance and ethics:
- a. All decisions within the control of the Council including but not limited to those listed in the Table below
 - b. Policy development in relation to governance and ethics, subject to approval by the Policy Committee or the Full Council
 - c. Review of performance in relation to the services provided on a regular basis
 - d. Review of day to day operational decisions taken by officers
 - e. Approval of consultation responses except for responses to day-to-day technical consultations which will be agreed with the Chairman and reported to the next available Committee following their submission.
 - f. Approval of departmental staffing structures as required
 - g. Approving all Councillor attendance at conferences, seminars and training events within the UK mainland for which a fee is payable including any expenditure incurred, within the remit of this Committee and to receive quarterly reports from Corporate Directors on departmental officer travel outside the UK within the remit of this Committee.
26. If any report comes within the remit of more than one committee, to avoid the report being discussed at several committees, the report will be presented and determined at the most appropriate committee. If this is not clear, then the report will be discussed and determined by the Policy Committee.
27. As part of the detailed work programme the Committee will receive reports on the exercise of powers delegated to Officers.
28. The Committee will be responsible for its own projects but, where it considers it appropriate, projects will be considered by a cross-committee project steering group that will report back to the most appropriate Committee.

Table
Responsibility for advising Full Council on the adequacy of the Council's systems of internal control and overseeing the external auditor's annual audit of the accounts
Responsibility for approving the Annual Statement of Accounts
Responsibility for recommending the Annual Governance Statement to Full Council for approval and keeping it under review on a regular basis
Responsibility for maintaining an overview of the Council's Financial Regulations and anti-fraud and anti-corruption strategies, and for recommending the Financial Regulations to Full Council for adoption
Responsibility for ensuring high standards of conduct by the County Council, its Councillors, co-opted members and Officers
Responsibility for dealing with all matters relating to alleged breaches of the Code of Conduct for Councillors and Co-opted Members
Responsibility for the implementation of and revision to all codes of conduct and practice of the County Council
Responsibility for Information Governance including but not limited to Data Protection and Freedom of Information
Responsibility for resolving any issues arising from the Members' Allowances Scheme
Responsibility for monitoring the Councillors' Divisional Fund
Responsibility for approving the recruitment process for any independent members of committees and panels required by statute
Responsibility for the Council's risk management strategy
Responsibility for Legal, Democratic and Complaints Services

HEALTH AND WELLBEING BOARD – TERMS OF REFERENCE

29. To prepare and publish a joint strategic needs assessment.
30. To prepare and publish a joint health and wellbeing strategy based on the needs identified in the joint strategic needs assessment and to oversee the implementation of the strategy.
31. Discretion to give Nottinghamshire County Council an opinion on whether the Council is discharging its statutory duty to have due regard to the joint strategic needs assessment and the health and wellbeing strategy.
32. To promote and encourage integrated working including joint commissioning in order to deliver cost effective services and appropriate choice. This includes providing assistance and advice and other support as appropriate, and joint working with services that impact on wider health determinants.
33. To discuss all issues considered to be relevant to the overall responsibilities of the Health and Wellbeing Board, and to perform any specific duties allocated by the Department of Health.

HEALTH SCRUTINY COMMITTEE – TERMS OF REFERENCE

34. Responsibility for scrutinising health matters in relation to service provision for residents living in the County Council's area.

LOCAL JOINT RESOLUTIONS COMMITTEE – TERMS OF REFERENCE

35. The exercise of the powers and functions set out below are delegated by the Full Council to the Committee:

- a. Responsibility for considering any issues where agreement cannot be reached between management and the trade unions.

NOTE: The Committee will have no delegated authority; any recommendations will be referred either to the Personnel Committee, Policy Committee or to the Full Council for approval. This Committee will meet only as and when required.

LOCAL PENSION BOARD – TERMS OF REFERENCE

36. The exercise of the powers and functions set out below are delegated by the Full Council to the Local Pension Board: -

- a. Responsibility for assisting the Nottinghamshire Pension Fund Committee and its sub-committees:
 - To secure compliance with all legislation relating to the governance and administration of the Local Government Pension Scheme in Nottinghamshire and the requirements imposed by the Pensions Regulator, and
 - To ensure the effective and efficient governance and administration of the Local Government Pension Scheme in Nottinghamshire
- b. Authority to request information with regard to any aspect of the Council's function as Administering Authority of the Local Government Pension Scheme in Nottinghamshire, any such request to be reasonably complied with.
- c. Authority to make recommendations to County Council or the relevant committee, any such recommendations being considered and a response made within a reasonable period of time.
- d. Authority to escalate serious concerns relating to potential fundamental breach of legislation or governance failure to the relevant body.

NOTTINGHAMSHIRE PENSION FUND COMMITTEE – TERMS OF REFERENCE

37. The exercise of the powers and functions set out below are delegated by the Full Council to the Committee in relation to pensions:

- a. All decisions within the control of the Council including but not limited to those listed in the Table below
- b. Policy development in relation to pensions, subject to approval by the Policy Committee or the Full Council
- c. Review of performance in relation to the services provided on a regular basis
- d. Review of day to day operational decisions taken by officers
- e. Approval of consultation responses except for responses to day-to-day technical consultations which will be agreed with the Chairman and reported to the next available Committee following their submission.
- f. Approving all Councillor attendance at conferences, seminars and training events within the UK mainland for which a fee is payable including any expenditure incurred, within the remit of this Committee and to receive quarterly reports from Corporate Directors on departmental officer travel outside the UK within the remit of this Committee.

38. If any report comes within the remit of more than one committee, to avoid the report being discussed at several committees, the report will be presented and determined at the most appropriate committee. If this is not clear, then the report will be discussed and determined by the Policy Committee.

39. As part of the detailed work programme the Committee will receive reports on the exercise of powers delegated to officers.

40. The Committee will be responsible for its own projects but, where it considers it appropriate, projects will be considered by a cross-committee project steering group that will report back to the most appropriate Committee.

Table
Administering the Nottinghamshire Pension Fund, including investments by and management of pension funds and the administration of the Pension Fund

NOTE: The County Council administers this Pension Fund on behalf of Nottinghamshire County Council, Nottingham City Council, the District and Borough Councils and other admitted bodies in Nottinghamshire.

PLANNING AND LICENSING COMMITTEE – TERMS OF REFERENCE

41. The exercise of the powers and functions set out below are delegated by the Full Council to the Committee in relation to planning and licensing:
- a. Responsibility for the regulatory functions of the Council in relation to planning, monitoring, enforcement and licensing.
 - b. Responsibility for the regulatory functions of the Council in relation to public rights of way and cycle paths, town and village greens and common land.
 - c. Responsibility for all licensing functions given to the Authority by law, except safety of sports grounds.
 - d. Receiving reports on the exercise of powers delegated to officers in relation to functions for which this Committee is responsible.
 - e. Approval for consultation responses relating to the Committee's functions except for responses to day-to-day technical consultations which will be agreed with the Chairman and reported to the next available Committee following their submission.
 - f. Approving all Councillor attendance at conferences, seminars and training events within the UK mainland for which a fee is payable including any expenditure incurred, within the remit of this Committee and to receive quarterly reports from Corporate Directors on departmental officer travel outside the UK within the remit of this Committee.

PERSONNEL COMMITTEE – TERMS OF REFERENCE

42. The exercise of the powers and functions set out below are delegated by the Full Council to the Committee in relation to personnel
- a. All decisions within the control of the Council including but not limited to those listed in the Table below
 - b. Policy development in relation to personnel, subject to approval by the Policy Committee or the Full Council
 - c. Review of performance in relation to the services provided on a regular basis
 - d. Review of day to day operational decisions taken by officers
 - e. Approval of consultation responses except for responses to day-to-day technical consultations which will be agreed with the Chairman and reported to the next available Committee following their submission.
 - f. Approval of departmental staffing structures as required

- g. Approving all Councillor attendance at conferences, seminars and training events within the UK mainland for which a fee is payable including any expenditure incurred, within the remit of this Committee and to receive quarterly reports from Corporate Directors on departmental officer travel outside the UK within the remit of this Committee.
43. If any report comes within the remit of more than one committee, to avoid the report being discussed at several committees, the report will be presented and determined at the most appropriate committee. If this is not clear, then the report will be discussed and determined by the Policy Committee.
44. As part of the detailed work programme the Committee will receive reports on the exercise of powers delegated to officers.
45. The Committee will be responsible for its own projects but, where it considers it appropriate, projects will be considered by a cross-committee project steering group that will report back to the most appropriate Committee.

Table
Responsibility for the pay, terms and conditions of service and training of employees except for approving the annual Pay Policy Statement which is reserved to the Full Council
Responsibility for employee relations including arrangements for consultation/ negotiation with Trades Unions and any matters relating to Trade Union recognition
Responsibility for health and safety related matters
Reviewing and recommending Employment Procedure Rules to the Council for adoption
Reviewing annually the overall staffing structure of the Council
Responsibility for Human Resources, Business Support and the Business Services Centre

SENIOR STAFFING SUB-COMMITTEE – TERMS OF REFERENCE

46. This is a sub-committee of the Personnel Committee.

47. The exercise of the powers and functions set out below are delegated by the Full Council to the Senior Staffing Sub-Committee:-

- a. Responsibility for the appointment and dismissal of, and taking disciplinary action against, senior employees as set out in the Employment Procedure Rules

NOTE:-

- The appropriate committee chairman for the post being considered will always be appointed as a member of the Sub-Committee. Where the issue being considered relates to the Council's Chief Executive or a Corporate Director the Sub-Committee will have a membership of nine; otherwise the Sub-Committee will have a membership of five.
- The Sub-Committee will be required to follow the Council's Recruitment and Selection Code of Practice.
- The procedures the Sub-Committee is required to follow are set out in the Employment Procedure Rules.

OTHER BODIES

BUS LANE ADJUDICATION SERVICE JOINT COMMITTEE

48. A joint committee with a number of other local authorities for the purpose of adjudicating services for bus lane enforcement.

GREATER NOTTINGHAM LIGHT RAPID TRANSPORT ADVISORY COMMITTEE

49. A joint committee established to advise on issues relating to the tram system.

JOINT COMMITTEE FOR STRATEGIC PLANNING AND TRANSPORTATION – TERMS OF REFERENCE

50. A joint committee established to advise the County and City Councils on strategic planning and transport matters for the whole of Greater Nottingham.

JOINT ECONOMIC PROSPERITY COMMITTEE

51. A joint committee established to bring together local authority partners in Nottingham and Nottinghamshire in a robust, formally constituted arrangement which will drive future investment in growth and jobs in the City and County.

JOINT HEALTH SCRUTINY COMMITTEE (COMMISSIONERS WORKING TOGETHER)

52. A joint health scrutiny committee with the councils of Sheffield, Rotherham, Wakefield, Barnsley, Doncaster and Derbyshire to oversee the implementation of the CCG's working together programme to facilitate the efficient joint-provision of services.

MENTAL HEALTH GUARDIANSHIP PANEL

53. A panel of five County Councillors established to make decisions on renewal and discharge of guardianship under the Mental Health Act 1983.

NOTTINGHAMSHIRE AND CITY OF NOTTINGHAM FIRE AUTHORITY

54. A body of Nottinghamshire County and Nottingham City Councillors responsible for ensuring Nottinghamshire Fire and Rescue Service has the resources needed to carry out its duties. Responsible for making decisions on key matters such as strategy, policy and budget.

NOTTINGHAMSHIRE POLICE AND CRIME PANEL

55. A Panel to scrutinise the actions and decisions of the Police and Crime Commissioner for Nottinghamshire.

PARKING ADJUDICATION JOINT COMMITTEE

56. A joint committee with a number of other local authorities for the purpose of adjudicating services for parking enforcement.

REPORT OF THE CHIEF EXECUTIVE**APPOINTMENT OF COMMITTEES****Purpose of the Report**

1. To agree the composition of the Council's Committees and make appointments to the positions of Chairmen and Vice-Chairmen.

Information and Advice

2. A report previously on the agenda has established the Committee structure for the 2017/18 municipal year.
3. In determining the composition of Committees, account must be taken of the requirements of the Local Government (Committees and Political Groups) Regulations 1990 and 1991 made under sections 15 and 16 of the Local Government and Housing Act 1989. These Regulations require that seats on Committees and Sub-Committees are allocated to the Political Groups in a way which reflects the overall balance on the Council. The advice of the Monitoring Officer is that to comply with legislative requirements the allocation of seats should be based on overall seat numbers rather than on individual committee numbers. The chart in Appendix A sets out the allocation of places on the Committees which Council is asked to agree.
4. The Council also appoints to a number of other committees, boards and outside bodies which are not part of the requirements set out in paragraph 3 above. The 12 places on The Nottinghamshire and City of Nottingham Fire Authority are allocated according to the political balance on the Council and therefore the places have been allocated on this basis. Appendix B provides details of these appointments which Council is asked to agree.
5. It is proposed that the Leader be appointed as an ex-officio member of all committees and sub-committees of which she is not a voting full member, except Health Scrutiny for Nottinghamshire Committee, Mental Health Guardianship Panel, Planning and Licensing Committee and Joint Committees. As an ex-officio Member the Leader would have the right to speak but not to vote at meetings.

Other Options Considered

6. No other options considered

Reason for Recommendations

7. Under the Council's Constitution, the Annual Meeting of the Council has to establish the composition of its Committees.

Statutory and Policy Implications

8. 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

9. There are no financial implications arising from this report.

RECOMMENDATIONS

It is recommended:-

- a) That the Council confirm the composition of the Committees and Sub-Committees and its continued participation in the Joint Committees set out in Appendix A.
- b) That the Council confirm the composition and appointments of the committees and bodies and its continued participation in the Joint Committees set out in Appendix B
- c) That the Council make the following appointments of Chairmen and Vice-Chairmen until the Annual Meeting of the Council in May 2018, it being noted that the appointment of a Chairman and Vice-Chairman of the Mental Health Guardianship Panel or Senior Staffing Sub-Committee will be a matter for that Sub-Committee:-

Committee	Chairman	Vice-Chairmen
Adult Social Care and Public Health	Stuart Wallace	Steve Vickers, Ben Bradley
Children and Young People	Philip Owen	Tracey Taylor, Boyd Elliott
Communities and Place	John Cottee	Kevin Rostance, Gordon Wheeler
Finance and Major Contracts Management	Richard Jackson	John Ogle, Roger Jackson
Governance and Ethics	Bruce Laughton	Andy Sissons
Health and Wellbeing Board	Dr John Doddy	Appointed by the Board
Health Scrutiny for Nottinghamshire	Keith Girling	Martin Wright
Improvement and Change Sub	Reg Adair	None

Committee	Chairman	Vice-Chairmen
Joint Strategic Planning and Transport	City Councillor	Gordon Wheeler
Nottinghamshire Pension Fund	Eric Kerry	Stephen Garner
Personnel	Neil Clarke MBE	Keith Walker
Planning and Licensing	Chris Barnfather	Jim Creamer
Policy	Mrs Kay Cutts MBE	Reg Adair

d) That the other representatives on the following committees / sub-committees be appointed as follows:-

- (1) Children and Young People's Committee: One representative of the Church of England Diocese, one representative of the Roman Catholic Diocese, and two Parent Governors
- (2) Health and Wellbeing Board: Seven District / Boroughs Councillors, six NHS Clinical Commissioning Group representatives, one Healthwatch, one NHS England, the Police and Crime Commissioner, three officers – Corporate Director, Adult Social Care, Health and Public Protection, Corporate Director, Children, Families and Cultural Services, Director of Public Health
- (3) Nottinghamshire Pensions Fund Committee: Three City Councillors, two Nottinghamshire District / Borough Council representatives, two Trade Union Representatives, one Scheduled Body representative plus two pensioner representatives.

Anthony May
Chief Executive

For any enquiries about this report please contact:

Jayne Francis-Ward

Email jayne.francis-ward@nottscc.gov.uk, Tel 0115 9773478

Constitutional Comments (SLB – 15/05/2017)

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

Financial Comments (SES 16/05/2017)

11. There are no specific financial implications arising from this 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.

- None

Electoral Division(s) and Member(s) Affected

- All

APPENDIX A - Allocation of Committee Seats

Meeting	Number of County Cllrs	Cons and Mansfield Indep	Labour	Ashfield Indep	Lib Dem	Independent	Other
Adult Social Care and Public Health Committee	11	6	4	1			
Children and Young People's Committee	11	6	4	1			4 non-voting co-optees
Communities and Place Committee	11	6	4	1			
Finance & Major Contracts Management Committee	11	6	4	1			
Governance & Ethics Committee	11	6	3	1	1		
Greater Nott'm Light Rapid Transit Advisory Committee	5	3	2				5 City Council Members
Health and Wellbeing Board	5	3	2				19: see recommended(2)
Health Scrutiny Committee	11	6	4	1			
Improvement & Change Sub-Committee	9	5	3	1			
Joint Committee on Strategic Planning & Transport	4	3	1				4 City Council Members
Local Joint Resolutions Committee	6	3	2	1			
Nottinghamshire Pension Fund Committee	9	5	3	1			10: see recommended(3)
Personnel Committee	11	6	3	1		1	
Planning & Licensing Committee	13	7	5	1			
Policy Committee	19	10	7	2			
Senior Staffing Sub-Committee	9	5	3	1			

Other Committees, Boards and Outside Body appointments

Mental Health Guardianship Panel

The Mental Health Guardianship Panel makes decisions on renewal and discharge of guardianship under the Mental Health Act 1983.

That the Mental Health Guardian Panel be established with 5 members (2 Conservative Group, 2 Labour Group, 1 Ashfield Independent Group)

Nottinghamshire Local Pensions Board

The Nottinghamshire Local Pension Board is a body that has been established to scrutinise the work of the Council in its capacity as local pension authority. There is a membership of 8, including 1 County Council representative; the specific membership requirements are set out in legislation and the Board is not subject to the rules of political proportionality.

That the membership of the Nottinghamshire Local Pensions Board be confirmed as one County Councillor, one City Councillor, two other employer representatives, one Trade Union representative and three other pension scheme member representatives

City of Nottingham and Nottinghamshire Economic Prosperity Committee

The City of Nottingham and Nottinghamshire Economic Prosperity Committee is a joint Committee of all the District / Borough Council's in Nottinghamshire, Nottingham City and the County Council. The terms of reference of the Committee require that the appointed Member from each constituent authority be the Leader / Elected Mayor or other executive member or committee chairman from each authority.

That the Leader of the Council be appointed to the City of Nottingham and Nottinghamshire Economic Prosperity Committee and the Deputy Leader of the Council be appointed to act as substitute.

Nottinghamshire Police and Crime Panel

The Nottinghamshire Police and Crime Panel is a joint Committee of all the District / Borough Council's in Nottinghamshire, Nottingham City and the County Council. Legislation stipulates that the Police and Crime Panel must represent all parts of the relevant area, be politically balanced and have a membership that has the necessary skills, knowledge and experience. The Panel's Membership including political balance will be reviewed at its annual meeting on 29th June 2017.

That 1 member of the Majority Group be appointed to the Panel as the Council's representative.

Nottinghamshire and City of Nottingham Fire Authority

That the 12 places on the Nottinghamshire and City of Nottingham Fire Authority will be allocated between the Groups as follows:-

- | | |
|--|---|
| • The Conservative and Mansfield Independent Forum Group | 7 |
| • Labour Group | 4 |
| • Ashfield Independents Group | 1 |

REPORT OF THE CHIEF EXECUTIVE**NOTTINGHAMSHIRE MINERALS LOCAL PLAN****Purpose of the Report**

1. To seek Council approval to withdraw the current draft Minerals Local Plan and instruct officers to carry out an immediate review of the aggregates need assessment and to initiate the preparation of a revised Minerals Local Plan.

Information and Advice

2. The County Council is the Minerals Planning Authority for Nottinghamshire, with responsibility for the preparation of a Minerals Local Plan to inform land use planning strategy for minerals development within the County.
3. The current Minerals Local Plan (MLP) was adopted in 2005. The County Council has been preparing a new Minerals Local Plan for the period up until 2030. This process began in 2012 with an Issues and Options Consultation followed by a number of consultations on the Preferred Approach document in 2013 and 2014, and on the Draft MLP in 2016.
4. In November 2016, the County Council endorsed the MLP for submission to an independent Examination in Public by a planning inspector appointed by the Secretary of State for Communities and Local Government.
5. The Inspector has been appointed and the draft MLP has reached the Examination stage, with hearings into key issues identified by the Inspector due to open on 27 June and close on 5 July 2017. The veracity of the evidence base for assessing need has been raised by a number of objectors to the Plan and this issue is one which the Inspector has identified for consideration in the Examination.

The assessment of need

6. Section 19(2) of the Planning and Compulsory Purchase Act 2004 provides that, in preparing a minerals local plan, a minerals planning authority is required to have regard (amongst other things) to “national policies and advice contained in guidance issued by the Secretary of State”.
7. The key policies are set out in the National Planning Policy Framework (NPPF) which states that local planning authorities should positively seek opportunities to meet the development

needs of their area and that local plans should meet objectively assessed needs with sufficient flexibility to adapt to rapid change. Paragraph 142 of the NPPF states that minerals are essential in supporting sustainable economic growth and our quality of life and the importance of ensuring “a sufficient supply of material to provide the infrastructure, buildings, energy and goods that the country needs”.

8. Paragraph 145 of the NPPF requires minerals planning authorities to plan for a steady and adequate supply of aggregates by:
 - a. Preparing an annual Local Aggregates Assessment based on a rolling average of 10 years sales data and other relevant local information, and an assessment of all supply options including marine dredged, secondary and recycled sources;
 - b. Making provision for the maintenance of land banks of at least 7 years for sand and gravel and at least 10 years for crushed rock, “...whilst ensuring that the capacity of operations to supply a wide range of materials is not compromised...”.
9. The assessment of ‘need’ is therefore fundamental to the plan making process and, in accordance with paragraph 145 of the NPPF, the starting point for assessing the level of need is the annual Local Aggregates Assessment.
10. When work on the draft MLP began in 2012, the most recent Local Aggregates Assessment data available related to the period 2002-2011. More recently, data for the period from 2005-2014 has become available, which shows a lower than anticipated demand for aggregates in this period.
11. In January 2017, data for the period from 2006-2015 was published, which continues to show a lower than anticipated demand for aggregates. By July/August this year, it is likely that even more up to date data will be available for the period 2007-2016. If the needs assessment for the draft MLP was based on the more up to date figures, it is possible that the level of need would be different and that fewer sites could be required in the MLP to provide for that need in the plan period.
12. Given the changing levels of demand for aggregate and the concerns raised about the veracity of the current evidence base, it is now considered in the best interests of all parties for a review of the assessment of need to be undertaken before proceeding with the Examination.

Withdrawing the draft MLP

13. Withdrawing the draft MLP at this late stage carries risk. The current adopted Minerals Local Plan is over ten years old and consequently, many of the policies are out of date. If the County Council does not have an up to date plan in place, there would be no local policy directing future mineral extraction to the most suitable sites and the consideration of impacts arising from particular applications would be largely determined against policies in the National Planning Policy Framework rather than a locally determined plan.
14. This situation could result in planning applications for minerals development being submitted and decided on an ad-hoc / ‘first come first served’ basis, leading to a loss of control by the Minerals Planning Authority and a lack of certainty for both local communities and the minerals industry as to where development could satisfactorily take place.

15. The Council approved a draft MLP for examination in November 2016 with a number of proposed sites. This draft MLP is likely to be used by any application for minerals extraction and the Council may find it difficult to turn down planning applications relating to any of the proposed sites until such point that a new Plan is adopted. There is a real risk that withdrawing the draft MLP could also result in sites omitted from the plan coming forward. Consequently, mineral extraction may be permitted at sites which have greater social and environmental impacts on their surroundings compared to those sites allocated in the draft Plan.
16. A review of the need assessment and revised site assessment would require the preparation of a revised MLP and it is estimated that this could take in the region of two years from withdrawal to adoption. During this period, new data will become available for consideration in the assessment of need for minerals extraction, and use of this data will help shape a robust MLP for the long term.
17. Following consideration of these competing risks, it is recommended that the County Council halts progress on the current draft MLP and instructs officers to review the methodology for assessing need for aggregates in the light of the most up to date data available, to review the sites allocated to meet projected need throughout the plan period and to draw up a revised timetable for the revision and resubmission of a draft Minerals Local Plan.

Other Options Considered

18. An alternative option would be to continue with the Examination of the current draft MLP. The issue of the needs assessment is one which has been raised by a number of objectors to the Plan, and is also a matter that the Inspector appointed to examine the Plan would consider.
19. If the draft MLP was adopted in its current form, a further option considered was for the County Council to resolve to immediately review selected policies relating to need. Given the timeframe required to see Plans through to adoption, it is not uncommon for a Council to subject certain aspects of a Plan to review immediately following adoption. However, a commitment to early review is unlikely to prevent sites which are allocated in an adopted MLP from coming forward during the review period.
20. As stated previously, as the assessment of need is central to the MLP, it is considered appropriate to withdraw the draft MLP now to carry out this review, analysing new data, rather than continue with the Examination process and attempt to address this retrospectively once the Plan has been adopted.

Reasons for Recommendations

21. For the reasons stated in this report, it is considered in the best interests of all parties to withdraw the draft MLP and to instruct officers to carry out an immediate review of the methodology used to assess aggregates need in the draft MLP taking into account the most up to date data available.

Statutory and Policy Implications

22. 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

23. If the Council withdraws the draft MLP, it will not have to meet the full costs of the Examination in Public, which are estimated at £60,000. It will, however, have to meet the costs incurred in respect of the Examination up to the date of withdrawal, which are estimated at £15,000-£20,000. These costs would be met from the relevant budgetary provision.
24. In the absence of an up to date Local Plan, any application which is refused is likely to be the subject of an appeal. The Council would be at risk of costs being awarded against it if those appeals are allowed. It is impossible to quantify these costs, but they are potentially significant.

RECOMMENDATION/S

- 1) That the County Council withdraws the draft Minerals Local Plan from Examination; and
- 2) That officers are instructed to carry out an immediate review of the methodology used to assess need for aggregates in the draft MLP taking into account the most up to date data available.
- 3) That officers are instructed to prepare for the submission of a revised draft Minerals Local Plan.

Anthony May
Chief Executive

For any enquiries about this report please contact:

Adrian Smith – Corporate Director, Place

adrian.smith@nottsgov.uk

Constitutional Comments (SLB 15/5/2017)

25. Full Council is the appropriate body to consider the contents of this report.

Financial Comments (SES 17/05/2017)

26. 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.

Previous published reports to Full Council dated 14 January 2016 and 24 November 2016.

Electoral Division(s) and Member(s) Affected

- All

