



# Nottinghamshire County Council

Meeting COUNTY COUNCIL

Date Thursday, 16<sup>th</sup> May 2013 (10.00 am – 1.15 pm)

## Membership

Persons absent are marked with `A`

## COUNCILLORS

Carol Pepper (In the Chair until the election of a new Chairman)

Barrie Cooper (Vice Chairman)

John Allin (Chairman)

Pauline Allan (Vice-Chairman)

Reg Adair  
Roy Allan  
Chris Barnfather  
Alan Bell  
Joyce Bosnjak  
Nicki Brooks  
Andrew Brown  
Richard Butler  
Steve Calvert  
Ian Campbell  
Steve Carr  
Steve Carroll  
John Clarke  
John Cottee  
Jim Creamer  
Mrs Kay Cutts  
Maureen Dobson  
Dr John Doddy  
Boyd Elliott  
Sybil Fielding  
Kate Foale  
Stephen Garner  
Glynn Gilfoyle  
Kevin Greaves  
Alice Grice  
John Handley  
Colleen Harwood  
Stan Heptinstall MBE  
Tom Hollis  
Richard Jackson  
Roger Jackson  
David Kirkham  
John Knight

Darren Langton  
Bruce Laughton  
Keith Longdon  
Rachel Madden  
Diana Meale  
John Ogle  
Philip Owen  
Michael Payne  
John Peck JP  
Sheila Place  
Liz Plant  
Darrell Pulk  
Alan Rhodes  
Ken Rigby  
Tony Roberts MBE  
Mrs Sue Saddington  
Andy Sissons  
Pam Skelding  
Stella Smedley MBE JP  
Martin Suthers OBE  
Parry Tsimbirdis  
Gail Turner  
Keith Walker  
Stuart Wallace  
Muriel Weisz  
Gordon Wheeler  
John Wilkinson  
Jacky Williams  
John Willmott  
Yvonne Woodhead  
Liz Yates  
Jason Zadrozny

### **HONORARY ALDERMEN**

Mr Martin Brandon-Bravo OBE  
Mr John Carter  
The Hon. Joan Taylor MBE

### **OFFICERS IN ATTENDANCE**

Mick Burrows	(Chief Executive)
Jayne Francis-Ward	(Policy, Planning & Corporate Services)
Carl Bilbey	(Policy, Planning and Corporate Services)
Anthony May	(Children, Families & Cultural Services)
Tim Gregory	(Environment & Resources)
Gail Holliday	(Policy, Planning and Corporate Services)
Martin Done	(Policy, Planning and Corporate Services)
Chris Holmes	(Policy, Planning and Corporate Services)
David Pearson	(Adult Social Care & Health)
Paul Simpson	(Environment & Resources)
Karen Townrow	(Policy, Planning and Corporate Services)
Anna Vincent	(Policy, Planning and Corporate Services)
Michelle Welsh	(Policy, Planning and Corporate Services)

### **OPENING PRAYER**

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

### **OUTGOING CHAIRMAN'S ADDRESS TO THE COUNCIL**

Carol Pepper, outgoing Chairman of the County Council, made a short address, during which she referred to the highlights of her year in office, in particular the visit by Her Majesty The Queen and other members of the Royal Family; the passing through Nottinghamshire of the Olympic Torch; and the lighting of the Beacon at Holme Pierrepont during the Queen's Jubilee celebrations.

### **1. ELECTION OF CHAIRMAN**

It was moved by Councillor Joyce Bosnjak and seconded by Councillor Steve Carroll and:-

#### **RESOLVED: 2013/024**

That Councillor John Allin be elected Chairman of Nottinghamshire County Council, until the Annual Meeting 2014.

Arising from the above resolution, Councillor Allin made the prescribed Declaration of Acceptance of Office, was invested with the Chairman's Chain of

Office and assumed the chair. Thereafter, Councillor John Allin's portrait was unveiled by the Chief Executive.

### **INCOMING CHAIRMAN'S ADDRESS TO THE COUNCIL**

Councillor John Allin addressed the Council, thanking members for the opportunity to perform the civic role for the County Council. He indicated that his chosen charity was Rainbows Hospice in Loughborough Leicestershire.

### **RETIRING CHAIRMAN AND VICE-CHAIRMAN VOTE OF THANKS**

At the invitation of the newly elected Chairman, Councillor Mrs Kay Cutts paid tribute to Carol Pepper's contribution to Nottinghamshire Civic life, thanking her for her work as Chairman, and also thanked Barrie Cooper for his work as Vice-Chairman.

The motion was seconded by Councillor Alan Rhodes who articulated Member's appreciation and congratulations for their year of office.

### **RESOLVED:-2013/025**

(1) That Carol Pepper and Barrie Cooper be thanked for their work as Chairman and Vice-Chairman of the Council during the last year, and each be presented with a small gift as a token of thanks.

(2) That Carol Pepper be presented with a Past Chairman's Badge of Office.

Further to the above resolution, the Chairman of the County Council presented to Carol Pepper her Past Chairman's Badge of Office and acknowledged her work during the year.

## **2. ELECTION OF VICE-CHAIRMAN**

The appointment of Councillor Pauline Allan as Vice-Chairman was moved by Councillor Jim Creamer and seconded by Councillor Muriel Weisz

Upon being put to the vote, it was:-

### **RESOLVED:-2013/026**

That Councillor Pauline Allan be appointed Vice-Chairman of Nottinghamshire County Council until the Annual Meeting 2014.

Arising from the above resolution, Councillor Pauline Allan made the prescribed Declaration of Acceptance of Office, was invested with the Vice-Chairman's Chain and took her place alongside the Chairman.

### **3. COUNTY COUNCIL ELECTIONS**

#### **RESOLVED:-2013/027**

That the Chief Executive's report on the outcome of the County Council elections held on 2<sup>nd</sup> May 2013 be noted.

### **4. RECOGNITION OF MEMBERS AND OFFICERS OF GROUPS**

Consideration was given to a report which set out the details of the membership of the political groups on the Council, together with the names of the officers appointed.

It was reported that the Business Manager of the Liberal Democrat Group was Councillor Steve Carr.

#### **RESOLVED:-2013/028**

- (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.

### **5. MINUTES**

#### **RESOLVED: 2013/029**

That the Minutes of the last meeting of the County Council held on 25<sup>th</sup> April 2013 be agreed as a correct record and signed by the Chairman.

### **6. APOLOGIES FOR ABSENCE**

There were no apologies for absence.

### **7. DECLARATIONS OF INTEREST**

Councillor Steve Carr declared an interest in agenda item 11(b) Question as he was an employee of the NatWest Bank.

### **8. CHAIRMAN'S BUSINESS**

The Chairman indicated that the order of the agenda would be changed, and Council Questions would be taken after the Appointment to Committee report.

## **9. CONSTITUENCY ISSUES**

Set out in Appendix A to these minutes is a full note of the issues raised by Councillor Gail Turner, on safety problems at Westwood School.

## **10. PETITIONS**

### **(a) PRESENTATION OF PETITIONS**

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

- (1) Councillor Keith Longdon requesting the current waiting time on Nottingham Road, Hill Top, Eastwood, be increased from 30 minutes to one hour.
- (2) Councillor Gordon Wheeler regarding the implementation of weight restriction along the full length of Landmere Lane
- (3) Councillor Gail Turner regarding Derbyshire Drive resurfacing
- (4) Councillor Stephen Garner regarding the re-instatement of Bus Stops on Walkden Street, Mansfield

### **RESOLVED: 2013/030**

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.

## **12. AMENDMENTS TO THE CONSTITUTION**

Councillor Alan Rhodes introduced the report and moved a motion in terms of the resolution 2013/31 below.

The motion was seconded by Councillor Joyce Bosnjak

Councillor Richard Jackson moved the following amendment which was seconded by Councillor Philip Owen:-

That the motion should be changed to read as follows:-

“That the Constitution be amended as set out in the report, except that the Administration Committee should not be dissolved, reference to it shall not be removed from the Constitution and its duties shall not be reallocated”.

The amendment was put to the meeting and after a show of hands the Chairman declared that it was lost.

The requisite number of Members requested a recorded vote and it was ascertained that the following 33 Members voted **‘FOR’** the amendment:-

**‘FOR’**

Reg Adair	Keith Longdon
Chris Barnfather	Rachel Madden
Andrew Brown	John Ogle
Richard Butler	Philip Owen
Steve Carr	Ken Rigby
John Cottee	Tony Roberts MBE
Kay Cutts	Sue Saddington
Maureen Dobson	Andy Sissons
Dr John Doddy	Martin Suthers OBE
Boyd Elliott	Gail Turner
Stephen Garner	Keith Walker
John Handley	Stuart Wallace
Stan Heptinstall MBE	Gordon Wheeler
Tom Hollis	Jacky Williams
Richard Jackson	Liz Yates
Roger Jackson	Jason Zadrozny
Bruce Laughton	

The following 34 Members voted **‘AGAINST’** the motion

**‘AGAINST’**

Pauline Allan	David Kirkham
Roy Allan	John Knight
John Allin	Darren Langton
Alan Bell	Diana Meale
Joyce Bosnjak	Michael Payne
Nicki Brooks	John Peck JP
Steve Calvert	Sheila Place
Ian Campbell	Liz Plant
Steve Carroll	Darrell Pulk
John Clarke	Alan Rhodes
Jim Creamer	Pamela Skelding
Sybil Fielding	Stella Smedley MBE JP
Kate Foale	Parry Tsimbiridis
Glynn Gilfoyle	Muriel Weisz
Kevin Greaves	John Wilkinson
Alice Grice	John Wilmott
Colleen Harwood	Yvonne Woodhead

The Chairman declared that the amendment to the motion was lost. The original motion was then put to the meeting and it was:-

**RESOLVED: 2013/031**

That the Constitution be amended as set out in the report.

**13. APPOINTMENT OF COMMITTEES**

An addendum to the report was circulated at the meeting giving details of a proposed Chairman and some Vice-Chairmen.

Councillor Steve Carroll introduced the report and moved a motion in terms of the resolution 2013/32 below.

The motion was seconded by Councillor Nicki Brooks.

**RESOLVED: 2013/032**

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

<b><u>MEETING</u></b>	<b><u>NUMBER OF COUNTY CLLRS</u></b>	<b><u>LAB</u></b>	<b><u>CONS</u></b>	<b><u>LIB DEMS</u></b>	<b><u>INDT</u></b>	<b><u>CLLR DOBSON</u></b>	<b><u>OTHER</u></b>
Adult Social Care and Health Committee	11	6	3	1	1		
Appeals Sub-Committee (pool)	11	6	3	1	1		
Audit Committee	9	5	3	1			
Children and Young People's Committee	11	6	3	2			4 non-voting co-optees
Community Safety Committee	9	5	3	1			
Corporate Parenting Sub-Committee	9	5	3	1			
Culture Committee	11	6	3	1		1	
Economic Development Committee	9	5	3	1			2 non-voting co-optees
Environment and Sustainability Committee	9	5	3	1			

<b><u>MEETING</u></b>	<b><u>NUMBER OF COUNTY CLLRS</u></b>	<b><u>LAB</u></b>	<b><u>CONS</u></b>	<b><u>LIB DEMS</u></b>	<b><u>INDT</u></b>	<b><u>CLLR DOBSON</u></b>	<b><u>OTHER</u></b>
Finance and Property Committee	11	6	3	1	1		
Grant Aid Sub-Committee	7	4	2	1			
Greater Nottingham Light Rapid Transit Advisory Committee	5	3	1	1			5 City Councillors
Health Scrutiny Committee	6	3	2	1			4 District Council members
Joint Committee on Strategic Planning & Transport	4	2	1	1			4 City Councillors
Joint City/Council Health Scrutiny Committee	8	4	3	1			8 City Councillors
Health and Wellbeing Board	5	3	1	1			13 [see resolution 3(b)]
Local Joint Resolutions Committee	6	3	2	1			
Nottinghamshire Pension Fund Committee	9	5	3	1			
Pensions Investment Sub-Committee	9	5	3	1			8 [see resolution 3(c)]
Pensions Sub-Committee	9	5	3	1			8 plus 2 pensioner reps [see resolution 3(d)]
Personnel Committee	9	5	3	1			
Planning & Licensing Committee	11	6	3	1	1		
Policy Committee	19	10	6	2	1		
Public Health Sub-Committee	9	5	3	1			
Rights of Way Committee	11	6	3	1	1		
Senior Staffing Sub-Committee	9 or 5	5 3	3 1	1 1			
Transport and Highways Committee	11	6	3	1	1		



- (2) That the Health Scrutiny Committee membership include 1 co-opted Councillor with voting rights from each of the following authorities:-
- Ashfield District Council, Bassetlaw District Council, Mansfield District Council and Newark and Sherwood District Council.
- (3) That the other representatives on the above Committees /Sub Committees be appointed as follows:-
- (a) 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.
  - (b) Health and Wellbeing Board: Two District/Boroughs Councillors, six NHS Clinical Commissioning Group representatives, one Healthwatch, one NHS Commissioning Board, three officers – Corporate Director, Adult Social Care, Health and Public Protection, Corporate Director, Children, Families and Cultural Services, Director of Public Health
  - (c) Pensions Investment Sub-Committee: Three City Councillors, two Nottinghamshire District/Borough Council representatives, two Trade Union Representatives, one Scheduled Body representative
  - (d) Pensions Sub-Committee: Three City Councillors, two Nottinghamshire District/ Borough Council representatives, two Trade Union representatives, one Scheduled Body representative plus two pensioner representatives.
  - (e) Economic Development Committee: Two representatives of the Business Community
- (4) That the Senior Staffing Sub-Committee when considering issues relating to the Chief Executive and Corporate Directors will have a membership of 9 Members and when the Sub-Committee considers issues relating to other officers the membership will be 5 Members and that no Member must sit on the Sub-Committee unless they have received appropriate training.
- (5) That the Leader of the Council be an ex-officio member of all committees and sub-committees except the Appeals Sub-Committee, Planning and Licensing Committee, Rights of Way Committee, Senior Staffing Sub-Committee and Joint Committees; with the right to speak but not to vote.
- (6) That the Council make the following appointments of Chairman and Vice-Chairman until the Annual Meeting of the Council in May 2014, it being noted that the appointment of a Chairman and Vice-Chairman of the Senior Staffing Sub-Committee will be a matter for that Sub-Committee:-

<b>Committee</b>	<b>Chairman</b>	<b>Vice-Chairman</b>
Adult Social Care and Health	Muriel Weisz	Yvonne Woodhead
Appeals Sub-Committee	Sheila Place	Nicki Brooks
Audit	Keith Walker	Sheila Place
Children and Young People	John Peck	Liz Plant
Community Safety	Glynn Gilfoyle	Alice Grice
Corporate Parenting Sub-Committee	Liz Plant	None
Culture	John Knight	Alan Bell
Economic Development	Diana Meale	Roy Allan
Environment and Sustainability	Jim Creamer	John Wilkinson
Finance and Property	David Kirkham	Darren Langton
Grant Aid Sub Committee	Joyce Bosnjak	Martin Suthers OBE
Health and Wellbeing Board	Joyce Bosnjak	To be appointed by Board
Health Scrutiny Committee	Kate Foale	Colleen Harwood
Joint Cttee on Planning & Transport	City Councillor	Jim Creamer
Joint Health Scrutiny (with City)	City Councillor	Parry Tsimbiridis
Nottinghamshire Pension Fund	Stella Smedley	Ken Rigby
Pensions Investment Sub-Committee	Stella Smedley	Ken Rigby
Pensions Sub-Committee	Stella Smedley	Ken Rigby
Personnel	Sheila Place	Nicki Brooks
Planning & Licensing	Sybil Fielding	Sue Saddington
Policy	Alan Rhodes	Joyce Bosnjak
Public Health Sub-Committee	Joyce Bosnjak	Glynn Gilfoyle
Rights of Way	Pam Skelding	Rachel Madden
Transport and Highways	Kevin Greaves	Steve Calvert

- (7) That a Mental Health Guardianship Panel be established with 5 members (3 Labour Group, 1 Conservative Group, 1 Liberal Democrat Group), to make decisions on renewal and discharge of guardianship under the Mental Health Act 1983.
- (8) That the 12 places on the Combined Fire Authority will be allocated between the groups as follows:-
- Labour Group 6
  - Conservative Group 4
  - Liberal Democrat Group 1
  - Independent Group 1
- (9) That 1 Majority Group Member be appointed to the Police and Crime Panel
- (10) That the Chairman of the Transport and Highways Committee continue to be the representative appointed to the Bus Lane Adjudication Service Joint Committee and the Parking Adjudication Joint Committee.

- (11) That representatives from the Majority Group be appointed to the following Organisations as shown:-

<b>ORGANISATION</b>	
Local Government Association (LGA)	4
LGA Urban Commission	1
LGA Rural Commission	1
County Councils Network	4

- (12) That the appointment of members of the political groups to committees, sub-committees and joint committees be undertaken by the Team Manager, Democratic Services on behalf of the Chief Executive (the Proper Officer) acting in accordance with the provisions of the Local Government and Housing Act 1989, the Local Government Act 2000 the relevant Statutory Regulations and the Council's Standing Orders.
- (13) That the Team Manager, Democratic Services be authorised to act on behalf of the Chief Executive to appoint people as co-optees to Membership of committees or joint committees when required .

## **11. QUESTIONS**

### **(a) QUESTIONS TO NOTTINGHAMSHIRE AND CITY OF NOTTINGHAMSHIRE FIRE AUTHORITY**

No questions were received

### **(b) QUESTIONS TO COMMITTEE CHAIRMEN**

Two questions had been received as follows:-

- (1) from Councillor Reg Adair regarding the recent downgrade of the Co-operative Bank's debt rating. (Councillor David Kirkham replied)
- (2) from Councillor Richard Jackson regarding the Toton Connect 110 bus service. (Councillor Kevin Greaves replied)

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

## **14. PROVISION OF INFORMATION AND COMMUNICATION TECHNOLOGY (ICT) SUPPORT FOR NOTTINGHAMSHIRE COUNTY COUNCILLORS**

Councillor Joyce Bosnjak introduced the report and moved a motion in terms of the resolution 2013/33 below.

The motion was seconded by Councillor David Kirkham

**RESOLVED: 2013/033**

That the revisions to the new approach to ICT provision for Councillors be agreed.

The meeting closed at 1.15 pm

**CHAIRMAN**

16 May 2013

## **APPENDIX A**

### **COUNTY COUNCIL MEETING HELD ON 16<sup>th</sup> May 2013**

#### **3-MINUTE SPEECH**

##### **Councillor Gail Turner**

"I'd just like to highlight a safety problem at Westwood School which is in my division. Whilst I've been going around the county I've never seen another school that doesn't have safety railings outside of their school gates. Which are there of course to help stop children from running into the road but at Westwood there are no railings outside of the school gate and the reason for this is because the pavement is too narrow which is a bit of a nonsense really because that in itself adds to the safety concerns that I have.

The footpath outside of Westwood School urgently needs to be widened and then railings need to be erected. Westwood is an Infant school so of course the children are very very young indeed and don't have any road sense so we as a council should be doing all we can to make the area around the school as safe as possible for those children. The parents are so worried that they organised a petition and I handed that petition in at the last council meeting.

I do believe that the children of Nottinghamshire must be one of our priorities and these very very young children who attend Westwood school are being exposed to great danger and I hope that that will be rectified at the Transport & Highways Committee in July where I would really like to speak because I do believe that a report has been taken to that committee.

Also I heard the new Leader of the Council speaking today about the '20s Plenty' and putting that outside of every school. Can I say that it is desperately needed at Westwood – we have no protection for those children and I invite the leader to come to Westwood School first and put the '20s Plenty' scheme outside there because I'm sure along with new railings and a widened footpath we will appear to be doing all we can for those very young children."

## **APPENDIX B**

### **COUNTY COUNCIL MEETING HELD ON 16<sup>th</sup> May 2013** **QUESTIONS TO COMMITTEE CHAIRMEN**

#### **Question to the Chairman of the Finance And Property Committee from Councillor Reg Adair**

Would the Chairman of the Finance & Property Committee comment on the recent downgrade of the Co-operative Bank's debt rating to "junk" status, the potential implications for Nottinghamshire County Council and what, if any, action is necessary to protect the Council's interests?

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

"As you know the County Council's bank is the Cooperative Bank and it is obviously disappointing that the bank's rating has been downgraded.

The Cooperative has assured us that the ratings in no way indicate any threat to the ability of the Bank to service its customers. The Cooperative Bank is primarily funded by customer deposits and so has good liquidity without recourse to borrowing from capital markets. The downgrade of the Cooperative bonds below investment grade will therefore have minimal impact on the bank.

The rating position is reflected in the Authority's Treasury Management Policy Statement. Agreed at County Council on 28<sup>th</sup> February 2013, this sets out the Authority's policy on treasury management, in particular its management of counter-party risk and limits to the amount that can be lent to individual institutions. Due to the status of the Cooperative Bank, investments with the bank are limited to call accounts only or fixed term deposits not exceeding 7 days. We do not have any investments with the Cooperative Bank at present.

The Treasury Management Group, chaired by the Section 151 Officer, regularly reviews individual institutions or countries and will suspend counter-parties from the approved lending list if appropriate. The Finance & Property Committee receive regular reports on the Authority's treasury management activity and approved lending list. The Committee last reviewed this on 22<sup>nd</sup> April 2013; this showed the bank's short-term rating from Fitch as being F2; this has now dropped to F3, whilst the Moody rating has dropped out of "prime".

No additional actions are required by the Authority above those that are undertaken by the Treasury Management Group".

Presently the Authority is in the process of re-tendering banking services and a full assessment of any tendering bank will be undertaken."

**Question to the Chairman of the Transport & Highways Committee from Councillor Richard Jackson**

“The Chairman of the Transport & Highways Committee will be aware that in January, the County Council launched its Toton Connect Plus 110 bus service to compensate for the loss of the number 17 service run by the now defunct Premiere Travel.

Given the success of the service to date, would the Chairman reassure residents that this service will continue, in view of his statement to committee in January 2013 that the service was “a waste of money”?”

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

“At the outset I want to stress that this Labour administration is fully committed to the provision of good quality transport services in the county.

Naturally, given the financial challenges facing the County Council the Labour Group will have to review all the previous policies and decisions in the forthcoming months. However, I can assure Councillor Jackson that since the Toton Plus service has been introduced there has been a significant increase in patronage; which currently stands at 85 passenger trips per day. The continuation of the service is subject to ongoing operational review of the entire network in order to ensure that the people of Nottinghamshire continue to have good access to local bus services.”